

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JUNE 29, 2023

JOURNAL OF THE SENATE

Thursday, June 29, 2023.

Met at twenty-one minutes past eleven o'clock A.M. (Mr. Collins in the Chair).

The Chair (Mr. Collins), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communications.

The following communications were severally received and placed on file, to wit:

Communication from the Department of Public Health submitting its Arbovirus Weekly Report for the week of June 26, 2023 (received June 27, 2023); and

DPH,-- arbovirus report. SD2664
DPH,-- plan of correction. SD2666

Communication from the Department of Public Health relative to its plan of correction for the MCI Norfolk inspection on April 25, 26 and 27 and May 1, 2023 (received June 27, 2023).

Reports.

The following reports were severally received and placed on file, to wit:

Report of the Justice Reinvestment Policy Oversight Board (pursuant to Section 11 of Chapter 7D of the General Laws) submitting its fiscal year 2023 annual report on data collection and reporting in the Massachusetts criminal justice system (received June 27, 2023); and

JRPOB,-- annual report. SD2667

Report of the Department of Transitional Assistance (pursuant to item 4403-2000 of Section 2 of Chapter 126 of the Acts of 2022) submitting its notification of a one-time additional payment issued to Transitional Assistance to Families with Dependent Children (TAFDC) households (received June 28, 2023).

DTA,-- benefit issuance. SD2668

Petition.

Mr. Keenan presented a petition (accompanied by bill) (subject to Joint Rule 12) of John F. Keenan for legislation to establish a sick leave bank for Jason Barone-Cichocki, an employee of the Massachusetts Department of Transportation,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Jason Barone-Cichocki,-- sick leave. SD2665

Reports of a Committee.

By Mr. Cronin, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 152 and House, No. 378, a Bill expanding wheelchair warranty protections for consumers with disabilities (Senate, No. 152);

Wheelchair protections,-- consumers.

By the same Senator, for the same committee, on petition, a Bill relative to charitable alcohol donations (Senate, No. 161);

Charitable alcohol donations.

By the same Senator, for the same committee, on Senate, No. 185 and House, No. 315, a Bill relative to advancing the profession of commercial interior design (Senate, No. 2408);

Interior design,-- board of registration.

By the same Senator, for the same committee, on Senate, No. 172 and House, Nos. 4,

Simulcasting.

273, 342, 361 and 362, a Bill to revitalize agriculture, conditioning and simulcasting (Senate, No. 2409); and

By the same Senator, for the same committee, on Senate, No. 167 and House, No. 269, a Bill further regulating thoroughbred breeding (Senate, No. 2410);

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Thoroughbred breeding.

PAPERS FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following Joint and House standing committee changes by the Speaker:

Representative Sally P. Kerans of Danvers has been relieved of duty (at their own request) from the committee on Election Laws and that Representative John Francis Moran of Boston has been appointed to the 9th position on said committee to fill the vacancy;

Election Laws appointment.

Representative Edward R. Philips of Sharon has been relieved of duty (at their own request) from the committee on Community Development and Small Businesses and that Representative William MacGregor of Boston has been appointed to the 9th position on said committee to fill the vacancy;

Community Development and Small Businesses appointment.

Representative Dawne Shand of Newburyport has been relieved of duty (at their own request) from the committee on Children, Families and Persons with Disabilities and that Representative John Francis Moran of Boston has been appointed to the 9th position on said committee to fill the vacancy;

Children, Families and Persons with Disabilities appointment.

Representative Estela A. Reyes of Lawrence has been relieved of duty (at their own request) from the committee on Bonding, Capital Expenditures and State Assets and that Representative John Francis Moran of Boston has been appointed to the 10th position on said committee to fill the vacancy;

Bonding, Capital Expenditures and State Assets appointment.

Representative Meghan Kilcoyne of Clinton has been relieved of duty (at their own request) from the committee on Operations, Facilities and Security and that Representative William MacGregor of Boston has been appointed to the 9th position on said committee to fill the vacancy;

Operations, Facilities and Security appointment.

Representative Kate Donaghue of Westborough has been relieved of duty (at their own request) from the committee on Intergovernmental Affairs and that Representative John Francis Moran of Boston has been appointed to the 9th position on said committee to fill the vacancy; and

Intergovernmental Affairs appointment.

Representative Christopher Richard Flanagan of Dennis has been relieved of duty (at their own request) from the committee on Federal Stimulus and Census Oversight and that Representative William MacGregor of Boston has been appointed to the 9th position on said committee to fill the vacancy.

Federal Stimulus and Census Oversight appointment.

The following petitions, having been timely filed by five o'clock P.M. on January 20, 2023, were referred in concurrence as follows:

Petition (accompanied by bill, House, No. 3942) of Estela A. Reyes relative to Supplemental Nutrition Assistance Program countable income;

SNAP,-- countable income.

To the committee on Children, Families and Persons with Disabilities.

Petition (accompanied by bill, House, No. 3943) of Brian M. Ashe relative to the language readiness of deaf, deafblind, and hard-of-hearing children entering kindergarten; and

Deaf children,-- language readiness.

Petition (accompanied by bill, House, No. 3944) of Manny Cruz relative to school site councils and district parent advisory councils;

School site councils.

Severally to the committee on Education.

Petition (accompanied by bill, House, No. 3945) of Russell E. Holmes and Liz

Felony murder,-- sentencing.

Miranda relative to sentencing for felony murder;

To the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3946) of Shirley B. Arriaga relative to regulating medical imaging and radiation therapy;

Medical imaging,-- regulations.

To the committee on Public Health.

Petition (accompanied by bill, House, No. 3947) of Manny Cruz for legislation to establish a separate fund to be known as the bilingual education trust fund in support of bilingual educators and dual language certification incentives;

Bilingual educators,-- certification incentives.

To the committee on Revenue.

Petition (accompanied by bill, House, No. 3948) of Carmine Lawrence Gentile, Lindsay N. Sabadosa and Michelle M. DuBois relative to state and municipal contracts for the purchase and installation of artificial turf fields; and

Artificial turf fields,-- contracts.

Petition (accompanied by bill, House, No. 3949) of Russell E. Holmes and Liz Miranda for legislation to transfer jurisdiction of the Department of Correction and the Parole Board from the Executive Office of Public Safety to the Executive Office of Health and Human Services;

Department of Correction and Parole Board,-- jurisdiction.

Severally to the committee on State Administration and Regulatory Oversight.

Petition (accompanied by bill, House, No. 3950) of Michelle L. Ciccolo relative to establishing a residential property assessed clean energy (R-PACE) program;

R-PACE program.

To the committee on Telecommunications, Utilities and Energy.

A petition (accompanied by bill, House, No. 3951) of Smitty Pignatelli and Paul W. Mark (by vote of the town) that the town of Richmond be authorized to continue the employment of Steven Traver as fire chief,-- **was referred, in concurrence, to the committee on Public Service.**

Richmond,-- Steven Travers.

Bills

Authorizing the town of Hancock to allow firefighters and the police chief to continue serving past age 65 (House, No. 2437, amended,-- on petition) [Local approval received]; and

Hancock,-- police chief and firefighters.

Authorizing the town of Conway to continue the employment of police officer Kenneth Ouimette (House, No. 3792, amended,-- on petition);

Conway,-- Kenneth Ouimette.

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Moment of Silence.

At the request of the Chair (Mr. Collins), the members, guests and staff stood in a moment of silence and reflection to the memory of William Bagley.

Moment of silence.

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows:

The Senate Bill relative to the retirement of Greg Heath, a former firefighter of the city of Westfield (Senate, No. 2369),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed.**

Westfield,-- Heath retirement.

Sent to the House for concurrence.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Ryan C. Fattman for legislation

Lobbyists,-- corruption.

SD2646

Motor vehicle,--
distributors.
SD2647

Time of meeting.

relative to convicted lobbyists and legislative agents.

Senate Rule 36 was suspended, on motion of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael F. Rush for legislation relative to motor vehicle distributors.

Senate Rule 36 was suspended, on motion of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation.

Severally sent to the House for concurrence.

Order Adopted.

On motion of Mr. Fattman,--

Ordered, That, when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Adjournment in Memory of William Bagley.

The Senator from Norfolk and Plymouth, Mr. Keenan, moved that when the Senate adjourns today, it do so in memory of William "Bill" Bagley.

William "Bill" Bagley passed away peacefully on April 25, 2023, at the age of 97. Bill was the devoted husband for 60 years to the late Margaret "Marge" Bagley, the love of his life. He was the son of the late Clayton and Mary Madeline Bagley and the loving brother of the late Charlotte, John and Gladys. Bill was born in Holbrook and lived in the town his entire life. He was a three-sport athlete at Sumner High School playing football, basketball, and baseball and continued to play baseball on the great Holbrook AAU teams in the 1940's. Proudly, he was one of the oldest living veterans in Holbrook, serving with the U. S. Navy in the Pacific theater during WWII.

Bill was the owner of the W. E. Bagley & Sons fuel oil company, as well as The Energy Center. The company sponsored the Bagley Oil Little League team for many years, and Bill was one of the original founding members of the Holbrook Youth Hockey club. Later in life, he became an avid Patriots fan, rooting them to victory each week.

For more than 60 years, Bill was a loyal and passionate member of the Holbrook Rotary Club, with a stretch of 50-plus years of perfect attendance. While serving as President of the Holbrook Rotary Club, he spearheaded the effort to bring the first doctor to Holbrook. As a Rotarian, he was also instrumental in ensuring each family in need was supported over the Thanksgiving and Christmas holidays. Over the past 10 years, he was an active member of the Holbrook Senior Citizens. Bill was a lifelong member of the Winthrop Congregational Church, having served as a deacon for many years. His selfless acts of community service were always his priority, and his love for the town of Holbrook was endless.

Bill is survived by 3 sons and 3 daughters: Dottie D'Alessandro, Bill Bagley, Jr, Steve Bagley, Nancy Meier, Brian Bagley, and Susan Bullock. Bill's life was completed by his 16 grandchildren, 27 great grandchildren and 1 great-great grandchild as well as a multitude of nieces and nephews.

Accordingly, as a mark of respect to the memory of William Bagley, at twenty-six minutes past eleven o'clock A.M., on motion of Mr. Fattman, the Senate adjourned to meet

again on Monday next at eleven o'clock A.M.
