

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, APRIL 16, 2024

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JOURNAL OF THE SENATE

Tuesday, April 16, 2024.

Met at twelve minutes past eleven o'clock A.M. (Mr. Collins in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Wolf Cub Scout Brayden McGrail from Pack 59 Yarmouth Port, Cape Cod and Islands Council, led the President, members, guests, staff and a group of Boy Scouts from around the Commonwealth in the recitation of the pledge of allegiance to the flag.

Pledge of allegiance.

Distinguished Guests.

There being no objection, the following guests were introduced:

The Chair (Mr. Collins) handed the gavel to Ms. Lovely for the purpose of an introduction. Ms. Lovely then introduced her two newest staff members, Legislative Director Jamie Nathan and Chief of Staff Bob McCarthy. The Senate welcomed them with applause and they withdrew from the Chamber.

Jamie Nathan and Bob McCarthy.

The Chair (Mr. Collins) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, in the rear of the Chamber, West Bridgewater Fire Chief Lincoln Thibeault. Chief Thibeault is a seventeen-year veteran of the West Bridgewater Fire Department and was appointed to the position of Fire Chief in May of 2021. The Senate applauded his service and dedication to the city of West Bridgewater and he withdrew from the Chamber.

Fire Chief Lincoln Thibeault.

Communications.

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

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the re-appointment of Senator Barry R. Finegold (pursuant to Section 16G of Chapter 6A of the General Laws) to the Economic Development Planning Council (received April 11, 2024);

Economic Development Planning Council,-- appointment. SD3166 MassDev,-- FY23 annual report. SD3164

Communication from MassDevelopment (pursuant to Section 34 of Chapter 23G of the General Laws) submitting its fiscal year 2023 annual report (received April 11, 2024); and

Communication from the Department of Public Health relative to its plan of correction for the Souza-Baranowski Correctional Center, Shirley dated April 5, 2024 (received April 16, 2024).

DPH,-- plan of correction. SD3168

Reports.

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

Report of the Division of Insurance (pursuant to Sections 4A and 4B of Chapter 175 of the General Laws) submitting its annual home insurance report for calendar year 2022 (copies having been forwarded as required to the Senate Committee on Ways and Means, Joint Committee on Financial Services and the Attorney General) (received April 11, 2024);

DOI,-- home insurance report. SD3159

Report of the Executive Office of the Trial Court (pursuant to Section 15(c) of Chapter 239 of the General Laws) submitting its report summary statistics on eviction filings,

EOTC,-- rental protections report.

UNCORRECTED PROOF.

actions, and dispositions from January 2023 through March 2024 (received April 12, 2024); and

SD3165

Report of the Department of Economic Research (under the provisions Section 14F of Chapter 151A of the General Laws) submitting the April 2024 Unemployment Insurance Trust Fund report (received April 12, 2024).

DER,-- UI trust fund report.
SD3169

Petitions

Petitions were severally presented and referred as follows:

By Mr. Fattman (by request), a petition (accompanied by bill) (subject to Joint Rule 12) of Normand Champigny, for legislation relative to the right to farm;

Right to farm.
SD3160

By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman for legislation relative to the Blackstone Valley vocational regional school district; and

Blackstone,-- school district pension.
SD3161

By Ms. Moran, a petition (accompanied by bill, Senate) (subject to Joint Rule 12) of Susan L. Moran and David T. Vieira for legislation to authorize the continued service of Michael J. Harris, superintendent of the Barnstable County Correctional Facility;

Harris,-- BCCF superintendent.

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Order.

Ms. Rausch presented an Order relative to granting the committee on Environment and Natural Resources until June 14, 2024, within which time to make its final report on current Senate documents numbered 447, 512, 513, 549, and 550, relative to the environment and natural resources (Senate, No. 2727);

Environment and Natural Resources,-- extension.

Referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

Reports of a Committees.

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bill relative to benzodiazepines and non-benzodiazepine hypnotics (Senate, No. 1236) (also based on House No. 2000) [Estimated cost: greater than \$100,000];

Hypnotics,-- benzodiazepines.

Ought to pass.

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Rausch, for the committee on Environment and Natural Resources, on Senate, Nos. 459, 540, 580, and 590, an Order relative to authorizing the joint committee on Environment and Natural Resources to make an investigation and study of certain current Senate documents relative to the environment and natural resources (Senate, No. 2729);

Environment and Natural Resources, - study.

Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that the Senate Bills

To ensure parity in social work licensure (Senate, No. 93);

Social work,-- licensure.

Creating a special commission to study the current refugee resettlement infrastructure and ensure the successful integration of refugees in Massachusetts (Senate, No. 99);

Refugee resettlement infrastructure.

Improving accessibility in the creative economy (Senate, No. 113);

Creative economy,-- grant program.

UNCORRECTED PROOF.

Establishing a special commission to study racial segregation in housing and public schools (Senate, No. 854); and

Racial segregation,--
commission.

Relative to attainable housing in seasonal communities (Senate, No. 860);

Seasonal,--
affordable housing.

The Senate Resolve

Providing for an investigation and study by a special commission relative to children and adolescents with intensive behavioral health needs (Senate, No. 88);

Behavioral health,--
commission.

Severally ought to pass.

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

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bills Relative to ensuring treatment for genetic craniofacial conditions (Senate, No. 615) (also based on House No. 964) [Estimated cost: greater than \$100,000];

Craniofacial
disorders.

Relative to LGBTQ family building (Senate, No. 622) [Estimated cost: greater than \$100,000];

LGBTQ,--
pregnancy related
coverage.

Relative to dual diagnosis treatment coverage (Senate, No. 658) [Estimated cost: greater than \$100,000];

Dual diagnosis,--
treatment.

Requiring mental health parity for disability policies (Senate, No. 669) (also based on House No. 940) [Estimated cost: greater than \$100,000]; and

Disability policies,--
mental health.

Increasing access to maternal postpartum home visiting services (Senate, No. 672) (also based on House No. 985) [Estimated cost: greater than \$100,000];

Home visiting
services,-- access.

Severally ought to pass;

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

By Mr. Cronin, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill to protect personal biometric data (Senate, No. 195);

Biometric data,--
protect.

By Ms. Rausch, for the committee on Environment and Natural Resources, on petition (accompanied by bill, Senate, No. 588), a Bill studying the effect of per- and polyfluoroalkyl substances in commercial products (Senate, No. 2723);

PFAS,-- food
products.

By Mr. Barrett, for the committee on Telecommunications, Utilities and Energy, on petition, a Bill establishing a Climate Policy Commission (Senate, No. 2081); and

Climate Policy
Commission.

By the same Senator, for the same committee, on petition, a Bill to expand the low-income home energy assistance program (Senate, No. 2134);

Home energy
assistance,-- low
income.

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

By Mr. Barrett, for the committee on Telecommunications, Utilities and Energy, on petition, a Bill relative to the purchase of zero-emission vehicles in green communities (Senate, No. 2098); and

Green
communities,-- zero-
emission vehicles.

By the same Senator, for the same committee, on petition, relative to the failure to remove existing utility poles (Senate, No. 2128);

Utility poles,--
removal.

Severally read and, under Senate Rule 26, referred to the committee on Rules.

Committees Discharged.

Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Elder Affairs to make an investigation and study of certain current Senate documents relative to establish transparency and accountability for assisted living residences (Senate, No. 2721); and

Elder Affairs,--
study.

Of the Senate Order relative to authorizing the joint committee on Elder Affairs to

Id.

make an investigation and study of certain current Senate documents relative to community care retirement communities special commission Senate, No. 2722);

And recommending that the same severally be referred to the committee on Rules.

Under Senate Rule 36, the reports were severally considered forthwith and accepted.

PAPERS FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Speaker:

Representative Gregoire of Marlborough has been appointed to serve on the committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2484) of the House Bill relative to salary range transparency (House, No. 4109), filling a vacancy created by the resignation of Representative Culler of Pembroke.

Salary range transparency,-- conference committee membership.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 4551) of Jessica Ann Giannino and Jeffrey Rosario Turco (with the approval of the mayor and city council) relative to the filling of vacancies in the office of mayor of the city of Revere; and

Revere,-- mayoral vacancies.

Petition (accompanied by bill, House, No. 4552) authorizing extending local voting rights for lawful permanent residents residing in the town of Wendell;

Wendell,-- local voting rights.

Severally to the committee on Election Laws.

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-

Resolutions (filed by Mr. Moore) "commending the National Safety Council Inc. for its recognition of April 2024 as Distracted Driving Awareness Month."

National Safety Council Inc.

Matters Taken Out of the Orders of the Day.

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

The Senate Bill authorizing the town moderator of the town of Monson to act as an election officer in certain elections (Senate, No. 2500),-- **was read a third time and passed to be engrossed.**

Monson,-- election officer.

Sent to the House for concurrence.

The House Bill establishing a department of public works in the town of Tyngsborough (House, No. 2052),-- **was read a third time and passed to be engrossed, in concurrence.**

Tyngsborough,-- Dept. of Public Works.

Order Adopted.

By Mr. Timilty presented an Order relative to granting the committee on Public Safety and Homeland Security until May 8, 2024, within which time to make its final report on current Senate documents numbered 1476, 1477, 1478, 1479, 1481, 1482, 1483, 1486, 1487, 1488, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529,

Public Safety and Homeland Security,- extension order.

1530, 1531, 1532, 1533, 1534, 1535, 1536, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 2514, and 2535, relative to public safety and homeland security matters (Senate, No. 2725).

There being no objection, the rules were suspended, on motion of Mr. Timilty, and, after remarks, the order was considered forthwith and adopted. Sent to the House for concurrence.

PAPERS FROM THE HOUSE

Orders.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Friday, June 14, 2024 within which time to make its final report on current Senate documents numbered 1280, 1283, 1291, 1292, 1306, 1309, 1310, 1311, 1319 and 2467, and House documents numbered 314, 2019, 2022, 2027, 2040, 2059, 2062, 2078, 2082, 2087, 2094, 2098, 2102, 2108, 2115, 2117 and 4027.

Municipalities and Regional Government,-- extension order.

The rules were suspended, on motion of Mr. Oliveira, and, after remarks, the order (House, No. 4344) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Friday, June 14, 2024 within which time to make its final report on so much of current Senate document numbered 2571, as relates to sections 1 to 17, inclusive, 19, 20 and 21, 23, 24 and 25, 28 to 37, inclusive, 76 to 84, inclusive, and 87.

Id.

The rules were suspended, on motion of Mr. Oliveira, and the order (House, No. 4470) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Municipalities and Regional Government be granted until Friday, June 14, 2024 within which time to make its final report on current House document numbered 4430.

Id.

The rules were suspended, on motion of Mr. Oliveira, and the order (House, No. 4498) was considered forthwith; and adopted, in concurrence.

Engrossed Bills.

An engrossed Bill validating the results of the annual election held in the town of Whitman on May 20, 2023 (see House Bill, printed as Senate, No. 2698) (which originated in the Senate), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage was passed to be enacted, two-thirds of the members present having voted in the affirmative, and signed by the Acting President (Mr. Collins) and laid before the Governor for her approbation.**

Bill laid before Governor.

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Collins) and laid before the Governor for her approbation, to wit:

Changing the name of the board of selectmen of the town of Uxbridge to the select board (see House, No. 3986, amended); and

Bills laid before Governor.

Further amending the charter of the town of Middleton (see House, No. 3970, changed and amended).

Distinguished Guests.

There being no objection, the Chair (Mr. Collins) handed the gavel to the Minority Leader, Mr. Tarr, for the purpose of an introduction. After remarks, Mr. Tarr introduced in the rear of the Chamber, Boys Scouts from around the Commonwealth. Mr. Tarr invited to the Rostrum, Patrick Desrochers, Troop 2 Ayer, Heart of New England Council to recite the Scout Oath, and Owen Bauman, Boatswain Sea Scout Ship 303 South Hadley, Western Massachusetts Council to recite the Scout Law. Mr. Tarr then invited to the Rostrum, Emily Green of Eagle Scout Troop 56 Cambridge, Spirit of Adventure Council. She was accompanied by Lucas Gellman, Bear Cub Scout Pack 76 Easton, Mayflower Council and Joseph Joubert, Troop 74 Dartmouth, Narragansett Council.

Emily Green,-- and other scouts.

Emily addressed the Chamber and presented the Chair and Minority Leader with the 2023 Report on the State of Scouting in Massachusetts, as follows:

Membership

- 20,495 Cub Scouts
- 13,300 Scouts BSA
- 693 Venturering
- 47 Sea Scouts
- 2,463 Female Scouts
- 53,468 Total Members

Achievements

- 30,926 Merit Badges
- 970 New Eagles

Service to Community

- 275,101 Hours of Community Service

After remarks, the Senate welcomed them with applause, they were presented with a Governor's Proclamation, and the scouts along with various troop leaders and parents withdrew from the Chamber.

On motion of Mr. Collins, the report and the remarks of Emily Green were ordered printed in the Journal of the Senate.

Ordered printed.

Remarks of Eagle Scout Emily Green.

Ladies and gentlemen,

Today, I stand before you to share what Scouting means to me. For many, it is a uniform, badges, and campfires, but on a deeper level, it represents much more – it is a journey of personal growth, camaraderie, and service.

Firstly, Scouting has been instrumental in shaping my character and learning essential life skills. I started as a little girl joining my brother, who is also an Eagle Scout, on his scout trips. Then I joined a progressive co-ed troop and advanced through the ranks from a Cub Scout to an Eagle Scout. Growing up, I got to look up to the older kids earning their Eagle Scout rank and I knew I wanted to be one of them.

I have learned the importance of perseverance, leadership, and responsibility. Whether navigating through the wilderness or leading a team in a service project, scouting taught me to adapt to challenges and embrace leadership opportunities. qualities that continue to benefit me in all aspects of life.

Eagle Scout Emily Green,-- remarks.

The leadership skills that Scouts BSA has taught me have been useful in other aspects

of my life like when I am a softball umpire. As I look into my future career, whether as a doctor or a politician, I know that these skills will serve me well.

Moreover, Scouting is about forging lifelong friendships and bonds. The shared experiences of camping trips, hiking expeditions, and troop meetings create a sense of camaraderie unlike any other. In scouting, I have found people that I can assure will be by my side through thick and thin.

Scouting is about being in difficult situations, for instance stepping in a stream of ice-cold water or sleeping on top of the snow. Some of my best trips have taken me away from home for almost two weeks canoeing in the wilderness at the Canadian Border. I was able to go white water rafting, fishing, and skiing with friends. It has given me many memories that I will continue to share for as long as I live.

Scouting is more than just knots and merit badges; it is a journey of self-discovery, friendship, and service. It is about developing the skills and values that will shape us into responsible, compassionate leaders of tomorrow. As I reflect on my scouting journey, I am filled with gratitude for the opportunities it has provided me and the memories it has given me. Scouting has enriched my life and empowered me to make a meaningful impact on the world around me.

When diving into the facts, in 2023, there were over 35,000 youth being active in scouting in Massachusetts. Nine hundred seventy scouts achieved the rank of Eagle Scout last year. In 2024, it marks the 5th anniversary of girls joining Scouts BSA and during that time only 129 have reached the rank of Eagle Scout.

Scouts in Massachusetts earned 31,000 merit badges. Almost 4,000 of those badges were Citizenship-related. This shows the importance of giving back to your community that scouting emphasizes. Merit Badges give youth the chance to learn about what they are into and often help them find their life-long passions.

Neither is scouting just a walk in the park. In 2023, while working on Eagle projects, Scouts compiled almost 112 thousand service hours and another 275,000 hours in other services. These troops are led by 13,340 adult volunteer leaders across the state including my mom. We thank these volunteers because, without them, Scouting could not happen.

In conclusion, Scouting means the world to me. It is not just a hobby or an extracurricular activity but a way of life. It has taught me invaluable lessons, introduced me to lifelong friends, and inspired me to serve others. As I continue my journey as a scout, I am forever grateful for the experiences, friendships, and lessons that Scouting has given me.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on Public Health until December 31, 2024, within which time to make its final report on current Senate documents numbered 186, 1335, 1342, 1349, 1367, 1373, 1375, 1379, 1391, 1406, 1414, 1415, 1450, 1455, 1457, 1458, 1460, and 1466, relative to public health matters (Senate, No. 2618),-- ought to be adopted.

Public Health,--
extension order.

The rules were suspended, on motion of Mr. Cyr, and, after remarks, the order was considered forthwith and adopted.

Sent to the House for concurrence.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on Public Health until December 31, 2024, within which time to make its final report on current Senate document numbered 2670, relative to food truck regulations (Senate, No. 2699),-- ought to be adopted.

Id.

The rules were suspended, on motion of Mr. Cyr, and the order was considered forthwith and adopted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

Orders.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Tuesday, December 31, 2024 within which time to make its final report on current House documents numbered 248, 604, 2143, 2151, 2163, 2176, 2177, 2187, 2209, 2220, 2237, 2248, 2252, 2253, 2265, 3612, 3616, 3618 and 4230.

Public Health,--
extension order.

The rules were suspended, on motion of Mr. Cyr, and the order (House, No. 4372) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Tuesday, December 31, 2024 within which time to make its final report on current House document numbered 3614.

Id.

The rules were suspended, on motion of Mr. Cyr, and the order (House, No. 4383) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Health be granted until Tuesday, December 31, 2024 within which time to make its final report on current House document numbered 4296.

Id.

The rules were suspended, on motion of Mr. Cyr, and the order (House, No. 4468) was considered forthwith; and adopted, in concurrence.

Order Adopted.

On motion of Mr. Timilty:--

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

Time of meeting.

On motion of the same Senator, at twenty minutes past twelve o'clock noon, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.