

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, APRIL 25, 2024**

[36]

JOURNAL OF THE SENATE

Thursday, April 25, 2024.

Met at twenty-two minutes past twelve o'clock noon (Ms. Lovely in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

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

Pledge of allegiance.

Distinguished Guests.

There being no objection, the following guests were introduced:

The Chair (Ms. Lovely) handed the gavel to Mr. Fattman for the purpose of an introduction. Mr. Fattman then introduced, in the rear of the Chamber, the 7th grade class from the Whitinsville Christian School. The students were on a field trip to the State House learning about the different aspects of state government. They were accompanied by teachers: Mark DeWeed, Lina Avila, Cindy Monteiro, Sarah Roy and Becky Snoeyink. The Senate welcomed them with applause and they withdrew from the Chamber.

Whitinsville Christian School,-- 7th grade.

During consideration of the Orders of the Day, the Chair (Mr. Brownsberger) handed the gavel to Ms. Miranda for the purposes of an introduction. Ms. Miranda then introduced, in the rear of the chamber, Sergeant Romere Antoine. Sergeant Antoine recently retired from the Massachusetts State Police after nearly 32 years of dedicated service. He was accompanied by Trooper Brendan Murphy and Trooper Brian Williams. The Senate welcomed them with applause, Sergeant Antoine addressed the body, signed the guest book and they withdrew from the Chamber.

Sergeant Romere Antoine.

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 Juan Cofield (under Section 72 of Chapter 3 of the General Laws) to the permanent commission on the status of African Americans (received April 17, 2024);

Status of African Americans,-- commission. SD3193

Communication from MassVentures (pursuant to Section 45B(b) of Chapter 75 of the General Laws) submitting its fiscal year 2024 report on the Innovation Commercialization Seed Fund (received March 26, 2024);

MassVentures,-- ICS Fund report. SD3198

Communication from the Executive Office of Health and Human Services (under the provisions of item 4000-0601 of Chapter 28 of the Acts of 2023) submitting its FY23 report of the MassHealth Medicare Savings Program (received April 23, 2024);

EOHHS,-- Medicare Savings Program. SD3194

Communication from the Department of Public Health relative to its plan of correction for the Souza-Baranowski Correctional Center, Shirley inspection on March 19, 2024 (received April 23, 2024);

DPH,-- plan of correction. SD3191

Communication from the Department of Public Health relative to its plan of correction for the Hampshire County and House of Correction, Northampton inspection on March 28, 2024 (received April 24, 2024);

Id. SD3195

Communication from the Department of Public Health relative to its plan of correction

Id.

**UNCORRECTED PROOF.**

for the Hampshire County and House of Correction, Pre-Release Center, Northampton inspection on March 28, 2024 (received April 24, 2024); and

SD3196

Communication from the Department of Public Health relative to its plan of correction for the Souza-Baranowski Correctional Center, Shirley inspection on March 19, 2024 (received April 24, 2024).

Id.  
SD3200

*Reports.*

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

Report of the Division of Green Communities (pursuant to Section 10(f) of Chapter 25A of the General Laws) submitting its 2023 annual report (received April 22, 2024); and

DGC,-- annual report.  
SD3185

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of the Western Massachusetts Women's Correctional Center, Chicopee (received April 24, 2024).

DPH,-- facility inspection.  
SD3199

*Petitions.*

Petitions were severally presented and referred as follows:

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2744) of Julian Cyr and Sarah K. Peake (by vote of the town) for legislation to amend chapter 305 of the acts of 2016 relative to the year-round market rate rental housing trust fund in the town of Provincetown [Local approval received]; and

Provincetown,-- rental housing..

By the same Senator, a petition (accompanied by bill, Senate, No. 2745) of Julian Cyr and Sarah K. Peake (by vote of the town) for legislation relative to the charter of the town of Provincetown [Local approval received];

Provincetown,-- charter.

**Severally, under Senate Rule 20, to the committee on Municipalities and Regional Government.**

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2746) of Julian Cyr, Kip A. Diggs and Steven George Xiarhos (by vote of the town) for legislation to exempt the position of police chief in the town of Barnstable from the civil service law [Local approval received];

Barnstable,-- police chief.

**Under Senate Rule 20, to the committee on Public Service.**

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2743) of Julian Cyr and Sarah K. Peake (by the vote of the town) for legislation relative to parking violations in the town of Provincetown [Local approval received];

Provincetown,-- parking violations.

**Under Senate Rule 20, to the committee on Transportation.**

**Severally sent to the House for concurrence.**

*Orders.*

Mr. Brady presented an Order relative to granting the committee on Public Service until Sunday, June 30, 2024, within which time to make its final report on current Senate document numbered 1614, relative to retirement rights (Senate, No. 2747); and

Public Service,-- extension.

Mr. Mark presented an Order relative to granting the committee on Tourism, Arts and Cultural Development until June 1, 2024, within which time to make its final report on current Senate document numbered 2528, relative to free expression (Senate, No. 2742);

Tourism, Arts and Cultural Development,-- extension.

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

*Reports of a Committees.*

**UNCORRECTED PROOF.**

Ms. Lovely, for the committee on Rules, reported that the following matters be placed on the Orders of the Day for the next session:

The Senate Bill designating a certain park in the city of Cambridge as Richard McKinnon park (Senate, No. 469);

The House Bill to establish Noah Fernandes mitochondrial disease awareness day (House, No. 4240); and

The House Bill authorizing the town of Littleton to provide drinking water to the inhabitants of the town of Boxborough (House, No. 4246).

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bills Relative to preserving fertility (Senate, No. 598) [Estimated cost: greater than \$100,000];

Relative to applied behavioral analysis therapy (Senate, No. 617) [Estimated cost: greater than \$100,000]; and

Relative to end of life options (Senate, No. 1331) [Senator Cronin and Representative Barrow of Mansfield dissenting] [Estimated cost: greater than \$100,000];

**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, on Senate, Nos. 619, 651 and 1899, an Order relative to authorizing the joint committee on Health Care Financing to make an investigation and study of certain current Senate documents relative to health care financing (Senate, No. 2748);

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

By Mr. Finegold, for the committee on Economic Development and Emerging Technologies, on petition, a Bill relative to economic development on the Mystic River (Senate, No. 2692);

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

*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 Health Care Financing make an investigation and study of certain current Senate documents relative to health care financing (Senate, No. 2733); and

Of the Senate Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current, Senate document relative to public health (Senate, No. 2735).

**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.**

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4575) of David M. Rogers and William N. Brownsberger (by vote of the town) that the town of Belmont be authorized to update the tax treatment of recreational lands in said town,-- **was referred, in concurrence, to the**

Cambridge,--  
Richard McKinnon  
park.  
Fernandes  
Mitochondrial,-- day  
Boxborough  
residents,-- drinking  
water.

Fertility  
preservation.  
Down syndrome,--  
therapy.  
End of life,--  
options.

Health Care  
Financing, -- study.

Mystic river,--  
development.

Health Care  
Financing, -- study.

Public Health,--  
study.

Belmont,-- land  
taxes.

committee on Revenue.

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS SENATE

Senator Michael F.  
Rush,-- absence  
from Chamber.

The Honorable Michael D. Hurley  
Clerk of the Senate  
State House, Suite 335  
Boston, MA 02133

April 25, 2024

Clerk Hurley,

I respectfully request the following statement be read and recorded into the Senate journal at the Senate session held on Thursday, April 25, 2024:

I am currently on orders with the United States Navy and returning next week. While on orders with the Navy, I will be unable to participate in any roll call votes during formal sessions in the Massachusetts State Senate. Following formal sessions, I will provide a letter to be read and recorded into the Senate journal on how I would have voted had I been present and able to vote. Thank you for your attention in the matter.

Sincerely,

**Mike Rush**  
State Senator  
*Norfolk & Suffolk District*

**On motion of Mr. Tarr, the above communication was ordered printed in the Journal of the Senate.**

Ordered printed.

Resolutions.

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

Resolutions (filed by Mr. O'Connor) "congratulating Patrick Hardy on his elevation to the rank of Eagle Scout";

Patrick Hardy.

Resolutions (filed by Mr. Rush) "congratulating the Animal Rescue League of Boston on the one hundred and twenty-fifth anniversary of its establishment"; and

Animal Rescue  
League of Boston.

Resolutions (filed by Mr. Rush) "congratulating William G. Brooks III on his retirement as chief of Norwood Police Department."

William G. Brooks  
III.

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 Michael D. Brady for legislation to establish a sick leave bank for Eddie Simpkins, an employee of the Suffolk County Sheriff's Department.

Eddie Simpkins,--  
sick leave.  
SD3049

**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 Public Service.**

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 Lydia Edwards for legislation to establish a Massport Climate Resiliency Trust Fund.

Massport Climate  
Resiliency Trust  
Fund.  
SD2607

**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 Revenue.**

**Severally sent to the House for concurrence.**

PAPERS FROM THE HOUSE

*Engrossed Bills.*

The following engrossed bills (both of which originated in the Senate), 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 (Ms. Lovely) and laid before the Governor for her approbation, to wit:

Amending the date of annual town elections in the town of Walpole (see Senate, No. 2501); and

Bills laid before the  
Governor.

Authorizing the town of Rochester to continue the employment of Scott Weigel (see Senate, No. 2690).

*Orders of the Day.*

The Orders of the Day were considered as follows:

**Bills**

Prohibiting the application of fertilizer used in the town of Nantucket except for farming purposes (Senate, No. 468);

Second reading bills.

Amending the Cranberry Highway Smart Growth Overlay District (Senate, No. 2714);  
Relative to the charter of the town of Wrentham (House, No. 4237);

Validating a certain vote taken by the city of Attleboro relative to the acceptance of certain ways (House, No. 4243); and

Authorizing the town of Somerset to acquire interest in land for sewer purposes (House, No. 4273);

**Were severally read a second time and ordered to a third reading.**

The Senate Bill relative to the designation of Jury Clerk in the Haverhill District court (Senate, No. 2538),-- **was read a third time and passed to be engrossed.**

Haverhill,-- jury  
clerk.

**Sent to the House for concurrence.**

There being no objection, during consideration of the Orders of the Day, the following matter was considered:

PAPER FROM THE HOUSE

*Order.*

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith as follows:

*Ordered,* That notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until Wednesday, May 8, 2024 within which time to make its final report on current House documents numbered 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2293, 2294, 2295, 2296, 2297, 2299, 2300, 2301, 2302,

Public Safety and  
Homeland Security,-  
- extension order.

2303, 2304, 2305, 2307, 2308, 2310, 2311, 2312, 2313, 2314, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2324, 2325, 2326, 2327, 2329, 2330, 2331, 2333, 2334, 2335, 2337, 2338, 2339, 2346, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2377, 2379, 2380, 2381, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2403, 2404, 2405, 2406, 2410, 2411, 2412, 2413, 2414, 2416, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2534, 3634, 3635, 3636, 3637, 3638, 3791, 3863, 3896, 3897, 3913 and 4155.

**The rules were suspended, on motion of Mr. Collins, and, after remarks, the order (House, No. 4546) was considered forthwith; and, was adopted, in concurrence.**

*Recess.*

There being no objection, at twenty-three minutes before one o'clock P.M., the Chair (Ms. Lovely) declared a recess subject to the call of the Chair; and at twenty-four minutes before two o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

Recess.

There being no objection, during consideration of the Orders of the Day, the following matters were considered:

*Matter Taken Out of the Notice Section of the Calendar.*

The following matter was taken out of the Notice Section and considered as follows:

The House Bill authorizing the city of Lynn to use certain park land for school purposes (House, No. 4448),-- **was read a third time and passed to be engrossed, in concurrence.**

Lynn,-- land.

PAPERS FROM THE HOUSE

*Engrossed Bill—Land Taking for Conservation Etc.*

An engrossed Bill authorizing the town of Provincetown to install subsurface disposal beds for wastewater treatment and disposal under land acquired for playground purposes (see House, No. 2095) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-one minutes before two o'clock P.M., as follows, to wit (yeas 38 - nays 0) **[Yeas and Nays No. 126]:**

Provincetown,--  
wastewater  
treatment.

**YEAS.**

Barrett, Michael J.  
Brady, Michael D.  
Brownsberger, William N.  
Collins, Nick  
Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cronin, John J.  
Cyr, Julian  
DiDomenico, Sal N.  
Durant, Peter J.

Keenan, John F.  
Kennedy, Edward J.  
Kennedy, Robyn K.  
Lewis, Jason M.  
Lovely, Joan B.  
Mark, Paul W.  
Miranda, Liz  
Montigny, Mark C.  
Moore, Michael O.  
Moran, Susan L.  
O'Connor, Patrick M.

**UNCORRECTED PROOF.**

Edwards, Lydia  
Eldridge, James B.  
Fattman, Ryan C.  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gomez, Adam  
Jehlen, Patricia D.

Oliveira, Jacob R.  
Pacheco, Marc R.  
Payano, Pavel M.  
Rausch, Rebecca L.  
Rodrigues, Michael J.  
Tarr, Bruce E.  
Timilty, Walter F.  
Velis, John C. – **38.**

**NAYS – 0.**

**ABSENT OR NOT VOTING.**

Rush, Michael F. – **1.**

**The yeas and nays having been completed at sixteen minutes before two o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.**

*Committee of Conference Report.*

Ms. Creem in the Chair, a report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4466) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2711),-- reported, in part, a "Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects" (House, No. 4582) [Total appropriation: \$266,000,000],-- came from the House, and was read.

Supplemental appropriations.

The rules were suspended, on motion of Mr. Rodrigues, and the report was considered forthwith.

After debate, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at twenty-five minutes before three o'clock P.M., on motion of Mr. Rodrigues as follows, to wit (yeas 29 – nays 9) [**Yeas and Nays No. 127**]:

**YEAS.**

Barrett, Michael J.  
Brady, Michael D.  
Brownsberger, William N.  
Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cyr, Julian  
DiDomenico, Sal N.  
Edwards, Lydia  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gomez, Adam  
Jehlen, Patricia D.  
Keenan, John F.

Kennedy, Edward J.  
Kennedy, Robyn K.  
Lewis, Jason M.  
Lovely, Joan B.  
Mark, Paul W.  
Miranda, Liz  
Montigny, Mark C.  
Moore, Michael O.  
Moran, Susan L.  
Oliveira, Jacob R.  
Pacheco, Marc R.  
Payano, Pavel M.  
Rausch, Rebecca L.  
Rodrigues, Michael J. – **29.**

**NAYS.**



**UNCORRECTED PROOF.**

Collins, Nick	O'Connor, Patrick M.
Cronin, John J.	Tarr, Bruce E.
Durant, Peter J.	Timilty, Walter F.
Eldridge, James B.	Velis, John C. – 9.
Fattman, Ryan C.	

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

**The yeas and nays having been completed at twenty minutes before three o'clock P.M., the report was accepted, in concurrence.**

*Engrossed Bill—Land Taking for Conservation Etc.*

An engrossed Bill authorizing the town of Mashpee to convey certain town owned conservation land to Jacques and Rosalie Fresco (see House, No. 4186, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at eighteen minutes before three o'clock P.M., as follows, to wit (yeas 38 - nays 0) **[Yeas and Nays No. 128]:**

Mashpee,-- land.

**YEAS.**

Barrett, Michael J.	Keenan, John F.
Brady, Michael D.	Kennedy, Edward J.
Brownsberger, William N.	Kennedy, Robyn K.
Collins, Nick	Lewis, Jason M.
Comerford, Joanne M.	Lovely, Joan B.
Creem, Cynthia Stone	Mark, Paul W.
Crighton, Brendan P.	Miranda, Liz
Cronin, John J.	Montigny, Mark C.
Cyr, Julian	Moore, Michael O.
DiDomenico, Sal N.	Moran, Susan L.
Durant, Peter J.	O'Connor, Patrick M.
Edwards, Lydia	Oliveira, Jacob R.
Eldridge, James B.	Pacheco, Marc R.
Fattman, Ryan C.	Payano, Pavel M.
Feeney, Paul R.	Rausch, Rebecca L.
Finegold, Barry R.	Rodrigues, Michael J.
Friedman, Cindy F.	Tarr, Bruce E.
Gomez, Adam	Timilty, Walter F.
Jehlen, Patricia D.	Velis, John C. – 38.

**NAYS – 0.**

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

**The yeas and nays having been completed at a quarter before three o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Creem) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for her approbation.**

*Engrossed Bill—State Loan.*

Roads and bridges.

An engrossed Bill financing improvements to municipal roads and bridges (see House No. 4529) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, this being a bill providing for the borrowing of money, in accordance with the provisions of Section 3 of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at fourteen minutes before three o'clock P.M., as follows to wit (yeas 38 - nays 0) **[Yeas and Nays No. 129]:**

**YEAS.**

- |                          |                       |
|--------------------------|-----------------------|
| Barrett, Michael J.      | Keenan, John F.       |
| Brady, Michael D.        | Kennedy, Edward J.    |
| Brownsberger, William N. | Kennedy, Robyn K.     |
| Collins, Nick            | Lewis, Jason M.       |
| Comerford, Joanne M.     | Lovely, Joan B.       |
| Creem, Cynthia Stone     | Mark, Paul W.         |
| Crighton, Brendan P.     | Miranda, Liz          |
| Cronin, John J.          | Montigny, Mark C.     |
| Cyr, Julian              | Moore, Michael O.     |
| DiDomenico, Sal N.       | Moran, Susan L.       |
| Durant, Peter J.         | O'Connor, Patrick M.  |
| Edwards, Lydia           | Oliveira, Jacob R.    |
| Eldridge, James B.       | Pacheco, Marc R.      |
| Fattman, Ryan C.         | Payano, Pavel M.      |
| Feeney, Paul R.          | Rausch, Rebecca L.    |
| Finegold, Barry R.       | Rodrigues, Michael J. |
| Friedman, Cindy F.       | Tarr, Bruce E.        |
| Gomez, Adam              | Timilty, Walter F.    |
| Jehlen, Patricia D.      | Velis, John C. – 38.  |

**NAYS – 0.**

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

**The yeas and nays having been completed at eleven minutes before three o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Creem) and laid before the Governor for her approbation.**

*Orders of the Day.*

The Orders of the Day were further considered as follows and, there being no objection the following matter was considered out of order:

The Senate Bill relative to electric ratepayer protections (Senate, No. 2106),-- was read a second time.

Ratepayer,-- electric protections.

After remarks, pending the question on adoption of the amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2738), and pending the main question on ordering the bill to a third reading, Messrs. Tarr, Durant, Fattman and O'Connor moved that the proposed new draft be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2749.

2

*Recess.*

At eighteen minutes before four o'clock P.M, at the request of Mr. Tarr, for the purpose of a minority caucus, the Chair (Ms. Creem) declared a recess; and, at three minute before four o'clock P.M., the Senate reassembled, Ms. Creem in the Chair.

Recess.

There being no objection, during consideration of the Orders of the Day, the following matter was considered:

PAPER FROM THE HOUSE.

*Emergency Preamble Adopted.*

An engrossed making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4582), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 14 to 4.

Supplemental appropriations.

**The bill was signed by the Acting President (Mr. Creem) and sent to the House for enactment.**

*Orders of the Day.*

The Orders of the Day were further considered as follows:

The Senate Bill relative to electric ratepayer protections (Senate, No. 2106),-- was further considered, the main question being on ordering the bill to a third reading.

Ratepayer,-- electric protections.

The question on adoption of the amendment previously offered by Messrs. Tarr, Durant, Fattman and O'Connor, was determined by a call of the yeas and nays at one minute past four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 5 – nays 33) **[Yeas and Nays No. 130]:**

**YEAS.**

Durant, Peter J.  
Fattman, Ryan C.  
O'Connor, Patrick M.

Tarr, Bruce E.  
Timilty, Walter F. – **5.**

**NAYS.**

Barrett, Michael J.  
Brady, Michael D.  
Brownsberger, William N.  
Collins, Nick  
Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cronin, John J.  
Cyr, Julian  
DiDomenico, Sal N.  
Edwards, Lydia  
Eldridge, James B.  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gomez, Adam

Keenan, John F.  
Kennedy, Edward J.  
Kennedy, Robyn K.  
Lewis, Jason M.  
Lovely, Joan B.  
Mark, Paul W.  
Miranda, Liz  
Montigny, Mark C.  
Moore, Michael O.  
Moran, Susan L.  
Oliveira, Jacob R.  
Pacheco, Marc R.  
Payano, Pavel M.  
Rausch, Rebecca L.  
Rodrigues, Michael J.  
Velis, John C. – **33.**

Jehlen, Patricia D.

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

The yeas and nays having been completed at nine minutes past four o'clock P.M., the amendment was *rejected*.

Mr. Rodrigues moved that the proposed new draft be amended by inserting after the word “contract”, in line 4, the following words:- “or renew an existing contract”.

1

The amendment was adopted.

The Ways and Means amendment, as amended, was then adopted.

The bill (Senate, No. 2738, amended) was then ordered to a third reading and read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twelve minutes past four o'clock P.M., on motion of Mr. Lewis, as follows, to wit (yeas 34 – nays 4) [**Yeas and Nays No. 131**]:

**YEAS.**

Barrett, Michael J.  
Brady, Michael D.  
Brownsberger, William N.  
Collins, Nick  
Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cronin, John J.  
Cyr, Julian  
DiDomenico, Sal N.  
Edwards, Lydia  
Eldridge, James B.  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gomez, Adam  
Jehlen, Patricia D.

Keenan, John F.  
Kennedy, Edward J.  
Kennedy, Robyn K.  
Lewis, Jason M.  
Lovely, Joan B.  
Mark, Paul W.  
Miranda, Liz  
Montigny, Mark C.  
Moore, Michael O.  
Moran, Susan L.  
Oliveira, Jacob R.  
Pacheco, Marc R.  
Payano, Pavel M.  
Rausch, Rebecca L.  
Rodrigues, Michael J.  
Timilty, Walter F.  
Velis, John C. – 34.

**NAYS.**

Durant, Peter J.  
Fattman, Ryan C.

O'Connor, Patrick M.  
Tarr, Bruce E. – 4.

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

**The yeas and nays having been completed at eighteen minutes past four o'clock P.M., the bill was passed to be engrossed.**

**Sent to the House for concurrence.**

There being no objection, during consideration of the Orders of the Day, the following matters were considered:

PAPERS FROM THE HOUSE

*Engrossed Bill—Land Taking for Conservation Etc.*

An engrossed Bill authorizing the city of Lynn to use certain park land for school purposes (see House, No. 4448) (which originated in the House), having been certified by

Lynn,-- land.

**UNCORRECTED PROOF.**

the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at nineteen minutes past four o'clock P.M., as follows, to wit (yeas 38 - nays 0) **[Yeas and Nays No. 132]:**

**YEAS.**

Barrett, Michael J.	Keenan, John F.
Brady, Michael D.	Kennedy, Edward J.
Brownsberger, William N.	Kennedy, Robyn K.
Collins, Nick	Lewis, Jason M.
Comerford, Joanne M.	Lovely, Joan B.
Creem, Cynthia Stone	Mark, Paul W.
Crighton, Brendan P.	Miranda, Liz
Cronin, John J.	Montigny, Mark C.
Cyr, Julian	Moore, Michael O.
DiDomenico, Sal N.	Moran, Susan L.
Durant, Peter J.	O'Connor, Patrick M.
Edwards, Lydia	Oliveira, Jacob R.
Eldridge, James B.	Pacheco, Marc R.
Fattman, Ryan C.	Payano, Pavel M.
Feeney, Paul R.	Rausch, Rebecca L.
Finegold, Barry R.	Rodrigues, Michael J.
Friedman, Cindy F.	Tarr, Bruce E.
Gomez, Adam	Timilty, Walter F.
Jehlen, Patricia D.	Velis, John C. – <b>38.</b>

**NAYS – 0.**

**ABSENT OR NOT VOTING.**

Rush, Michael F. – **1.**

**The yeas and nays having been completed at a half past four o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Creem) and laid before the Governor for her approbation.**

*Engrossed Bill.*

An engrossed Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House No. 4582) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted.

Supplemental appropriations.

Mr. Tarr doubted the vote and asked for a call of the yeas and nays; and a sufficient number having arisen, the yeas and nays were ordered.

The question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-seven minutes before five o'clock P.M., as follows to wit (yeas 29 - nays 9) **[Yeas and Nays No. 133]:**

**YEAS.**

Barrett, Michael J.	Kennedy, Edward J.
Brady, Michael D.	Kennedy, Robyn K.
Brownsberger, William N.	Lewis, Jason M.
Comerford, Joanne M.	Lovely, Joan B.

**UNCORRECTED PROOF.**

Creem, Cynthia Stone  
Crighton, Brendan P.  
Cyr, Julian  
DiDomenico, Sal N.  
Edwards, Lydia  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gomez, Adam  
Jehlen, Patricia D.  
Keenan, John F.

Mark, Paul W.  
Miranda, Liz  
Montigny, Mark C.  
Moore, Michael O.  
Moran, Susan L.  
Oliveira, Jacob R.  
Pacheco, Marc R.  
Payano, Pavel M.  
Rausch, Rebecca L.  
Rodrigues, Michael J. – 29.

**NAYS.**

Collins, Nick  
Cronin, John J.  
Durant, Peter J.  
Eldridge, James B.  
Fattman, Ryan C.

O'Connor, Patrick M.  
Tarr, Bruce E.  
Timilty, Walter F.  
Velis, John C. – 9.

**ABSENT OR NOT VOTING.**

Rush, Michael F. – 1.

**The yeas and nays having been completed at nineteen minutes before five o'clock P.M., the bill was passed to be enacted, and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.**

The House Bill to prevent abuse and exploitation (House, No. 4241),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2710, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Day of Stoneham, Barber of Somerville and Sullivan-Almeida of Abington had been appointed the committee on the part of the House.

Abuse and exploitation,-- prevention.

**On motion of Mr. Keenan, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Keenan, Eldridge and Fattman were appointed on the part of the Senate.**

**The bill was returned to the House endorsed accordingly.**

*Orders of the Day.*

The Orders of the Day were further considered as follows:

The Senate Bill modernizing protections for consumers in automobile transactions (Senate, No. 171),-- was read a second time.

Auto transactions,-- protections.

After remarks, the amendment previously recommended by the committee on Ways and Means substituting a new draft with the same title (Senate, No. 2736) was considered; and it was adopted.

The bill (Senate, No. 2736) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at two minutes before five o'clock P.M., on motion of Mr. Feeney, as follows, to wit (yeas 38 – nays 0) [**Yeas and Nays No. 134**]:

**YEAS.**

Barrett, Michael J.  
Brady, Michael D.

Keenan, John F.  
Kennedy, Edward J.

**UNCORRECTED PROOF.**

Brownsberger, William N.  
Collins, Nick  
Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cronin, John J.  
Cyr, Julian  
DiDomenico, Sal N.  
Durant, Peter J.  
Edwards, Lydia  
Eldridge, James B.  
Fattman, Ryan C.  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gomez, Adam  
Jehlen, Patricia D.

Kennedy, Robyn K.  
Lewis, Jason M.  
Lovely, Joan B.  
Mark, Paul W.  
Miranda, Liz  
Montigny, Mark C.  
Moore, Michael O.  
Moran, Susan L.  
O'Connor, Patrick M.  
Oliveira, Jacob R.  
Pacheco, Marc R.  
Payano, Pavel M.  
Rausch, Rebecca L.  
Rodrigues, Michael J.  
Tarr, Bruce E.  
Timilty, Walter F.  
Velis, John C. – **38.**

**NAYS – 0.**

**ABSENT OR NOT VOTING.**

Rush, Michael F. – **1.**

**The yeas and nays having been completed at three minutes past five o'clock P.M., the bill was passed to be engrossed.**

**Sent to the House for concurrence.**

The Senate Bill relative to the remediation of home heating oil releases (Senate, No. 648),-- was read a second time.

Home heating,--  
remediation.

After remarks, the amendment previously recommended by the committee on Ways and Means substituting a new draft with the same title (Senate, No. 2737) was considered; and it was adopted.

**The bill (Senate, No. 2737) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

*Order Adopted.*

On motion of Ms. Kennedy,--

*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.

Time of meeting.

On motion of Mr. Cronin, at a quarter past five o'clock noon, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.