

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, SEPTEMBER 2, 2021**

JOURNAL OF THE SENATE

Thursday, September 2, 2021.

Met at eight minutes past eleven o'clock A.M. (Mr. Timilty 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 (Mr. Timilty), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communication.

Communication from His Excellency the Governor, Charles D. Baker, (pursuant to Chapter 2 of the Resolves of 2020 as amended by Section 137 of Chapter 24 of the Acts of 2021) announcing the appointment of Mr. James L. Wallace to the Special Commission to Investigate the Features of the Official Seal and Motto of the Commonwealth (received August 31, 2021),-- was placed on file.

Seal of the Commonwealth commission.

Report.

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 MCI Cedar Junction (received August 31, 2021),-- was placed on file.

DPH,-- facility inspection. SD2746

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 2524) of Patricia D. Jehlen (with approval of the mayor and city council) for legislation to provide for a gender-neutral charter in the City of Somerville [Local approval received];

Somerville,-- charter.

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2517) of Marc R. Pacheco, Norman J. Orrall, Susan Williams Gifford and Kathleen R. LaNatra (by vote of the town) for legislation to authorize the town of Middleborough to convey certain conservation land in the town [Local approval received]; and

Middleborough,-- land conveyance.

By the same Senator, a petition (accompanied by bill, Senate, No. 2518) of Marc R. Pacheco, Norman J. Orrall, Susan Williams Gifford and Kathleen R. LaNatra (by vote of the town) for legislation to authorize the treasurer of the town of Middleborough to pay from available funds to Middleborough High School students, parents or guardians amounts paid but not reimbursed for the costs of the 2020 senior trip [Local approval received];

Middleborough,-- treasurer reimbursement.

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

Severally sent to the House for concurrence.

Reports of a Committee.

By Mr. Boncore, for the committee on Transportation, on petition (accompanied by bill, Senate, No. 2361), an Order relative to authorizing the joint committee on Transportation to make an investigation and study of a certain current Senate document

Transportation committee,-- study.

relative to municipal equity in Steamship Authority operations (Senate, No. 2520) [Senator Moran dissenting];

Id.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2279), an Order relative to authorizing the joint committee on Transportation to make an investigation and study of a certain current Senate document relative to the structure of the Fiscal Management and Control Board (Senate, No. 2521) [Representative Fluker Oakley of Boston dissenting]; and

Id.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2305), an Order relative to authorizing the joint committee on Transportation to make an investigation and study of a certain current Senate document to mitigate the climate impact of private and corporate air travel (Senate, No. 2522);

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

By Mr. Boncore, for the committee on Transportation, on petition (accompanied by bill, Senate, No. 2261), a Bill to establish free access to ride to elections in Massachusetts (FARE) (Senate, No. 2519);

Elections,-- FARE service.

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

PAPERS FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointments by the Minority Leader:

Representative Steven Howitt of Seekonk has been appointed to serve as his designee on the special commission established (under Section 130 of Chapter 24 of the Acts of 2021) to study auto body labor rates; and

Auto body labor rates commission.

Representative Kelly Pease of Westfield has been appointed to serve as his designee on the special commission established (under Section 105 of Chapter 227 of the Acts of 2020) to study equity and access to telecommunications services, including but not limited to broadband internet, for students and families in the commonwealth and to make recommendations to address inequity and the digital divide for students and families with limited access to telecommunications services.

Telecommunications services commission.

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

Petition (accompanied by bill, House, No. 3894) of Alice Hanlon Peisch (by vote of the town) relative to investment of certain trust funds in the town of Weston;

Weston,-- trust funds.

Petition (accompanied by bill, House, No. 4091) of Carmine Lawrence Gentile and Michael J. Barrett (by vote of the town) that the town of Sudbury be authorized to establish a fee for retail establishment checkout bags in said town; and

Sudbury,-- checkout bag fee.

Petition (accompanied by bill, House, No. 4092) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) relative to establishing an open town meeting in the town of Lee;

Lee,-- open town meeting.

**Severally to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4093) of John H. Rogers and Michael F. Rush (by vote of the town) that the position of apprentice lineman in the town of Norwood be exempt from the civil service law;

Norwood,-- apprentice lineman.

**To the committee on Public Service.**

A Bill authorizing the conveyance of a conservation restriction on the land known as Inter Lochen Park in the town of Sharon (House, No. 3867,-- on Senate, No. 1366) [Local approval received on House, No. 3867],-- **was read and, under Senate Rule 26, placed**

Sharon,-- land conveyance.

**in the Orders of the Day for the next session.**

*Resolutions.*

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

Resolutions (filed by Mr. Cyr) “congratulating Michael Gradone III on his retirement as Superintendent of Truro Central School”;

Michael Gradone III.

Resolutions (filed by Mr. Cyr) “congratulating Wendy Northcross on the occasion of her retirement as Chief Executive Officer of the Cape Cod Chamber of Commerce”;

Wendy Northcross.

Resolutions (filed by Ms. Friedman) “recognizing the town of Burlington for its commemoration of the attacks of September 11, 2001 on their twentieth anniversary”;

Burlington.

Resolutions (filed by Ms. Lovely) “commending former State Representative Theodore ‘Ted’ C. Speliotis for his 41 years of service in the State House of Representatives”; and

Representative Theodore C. Speliotis.

Resolutions (filed by Mr. Rush) “commending the American Telemedicine Association for their recognition of September 19 to 25, 2021 as Telehealth Awareness Week.”

American Telemedicine Association.

*Report of a Committee.*

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

The House Bill designating a certain bridge in the town of Wilmington as the Trooper Thomas W. Devlin memorial bridge and a certain railway platform in the city of Northampton as the Honorable Peter V. Kocot memorial station (House, No. 3942).

Wilmington,-- bridge and Northampton memorial station.

**There being no objection, the rules were suspended, on motion of Mr. O’Connor, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act designating a certain bridge in the town of Wilmington as the Trooper Thomas W. Devlin Memorial Bridge and a certain railway platform in the city of Northampton as the Honorable Peter V. Kocot Memorial Station.”**

*Matter Taken Out of the Orders of the Day.*

The following matter was taken out of the Orders of the Day and considered as follows:

The Senate Bill further providing for the leadership and governance of the town of Agawam (Senate, No. 1367, changed),-- was read a third time.

Agawam,-- mayor term.

Pending the question on passing the bill to be engrossed, Mr. Velis presented an amendment substituting a new draft entitled “An Act changing the term of office of the mayor in the city known as the town of Agawam to 4 years” (Senate, No. 2523).

**The amendment was adopted.**

**The bill (Senate, No. 2523) was then passed to be engrossed.**

**Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Whately to continue the employment of Gary Stone, a member of the fire department of the town (House, No. 3854, amended,-- on House, No. 2563) [Local approval received on House, No. 2563],-- was read.

Whately,-- Gary Stone.

**There being no objection, the rules were suspended, on motion of Mr. O’Connor, and the bill was read a second time and ordered to a third reading.**

**UNCORRECTED PROOF.**

A Bill authorizing the town of Whately to continue the employment of William Smith, a member of the fire department of the town (House, No. 3855, amended,-- on House, No. 2564) [Local approval received on House, No. 2564],-- was read.

Whately,-- William Smith.

**There being no objection, the rules were suspended, on motion of Mr. O'Connor, and the bill was read a second time and ordered to a third reading.**

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

Petition (accompanied by bill, House, No. 4098) of James M. Kelcourse and Diana DiZoglio (by vote of the town) that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land to the town of Salisbury for affordable housing purposes;

Salisbury,-- land conveyance.

**Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4099) of Andres X. Vargas relative to designating a certain bridge spanning Interstate Route 495 in the city of Haverhill as the Ted and Mary Murphy bridge; and

Haverhill,-- Ted and Mary Murphy bridge.

Petition (accompanied by bill, House, No. 4100) of Andres X. Vargas that the Massachusetts Department of Transportation conduct a comprehensive noise study along interstate highway Route 495 in the city of Haverhill;

Haverhill,-- noise study.

**Severally, under suspension of Joint Rule 12, to the committee on Transportation.**

*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 (Mr. Timilty) and laid before the Governor for his approbation, to wit:

Amending the charter of the city of Amesbury to increase the term of the mayor to 4 years (see Senate, No. 2449); and

Bills laid before the Governor.

Amending the charter of the city of Amesbury relative to the position of school committee chair (see Senate, No. 2450).

*Moment of Silence.*

At the request of the Chair (Mr. Timilty), the members, guests and staff stood in a moment of silence and reflection to the memory of Michael F. Schulze and Bernard John Taracevicz.

Moment of silence.

*Order Adopted.*

On motion of Mr. O'Connor,--

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

Time of meeting.

*Adjournment in Memory of Michael F. Schulze.*

The Senator from Essex, Ms. Lovely, presented a request that when the Senate

adjourns today it do so in memory of Michael F. Schulze, husband of 50 years of Mary (Williams) Schulze of Peabody, who died on April 28, 2021, at the Edith Nourse Rodgers Veteran's Memorial Hospital in Bedford following a long battle with cancer.

Born March 13, 1945, in Lynn, he was the son of the late Frank H. and Priscilla (Turpel) Schulze. He was a proud 1965 graduate of Lynn English High School.

During the Vietnam War, Mike served his country in the U.S. Navy. As a loyal member of VP 24, Mike and his shipmates tracked Russian subs off the coast of Iceland.

After serving his country, Mike spent 45 years working in the auto industry. Mike's love for cars and natural outgoing personality allowed him to thrive as a car salesman. He was well-respected by his long-term customers throughout the North Shore. He worked at Anderson Foreign Motors in Woburn, Volvo Village in Brookline, and 25 years as Used Car Manager at Stutz Volvo in Salem.

Outside of work, Mike's passion was politics and civic engagement. He served as a consultant for a number of campaigns at the local, state, and national level. Starting in 1982, he worked diligently in every campaign of Secretary of State John F. Kerry. He was elected twice as national delegate to Democratic National Convention. First, in 1984 for Senator Gary Hart (D-Colo.) with his mother, Priscilla, and again in 2004 for Kerry.

Mike also thrived in local politics. He served three terms as the Chairman of the Peabody Democratic City Committee. Mike's volunteer spirit led him to serve on a number of local and state committees. He was a founding member of the Peabody J.C.'s, Past President of the AOH in Division 11 in Peabody, Chair of the Peabody Community Preservation Committee, and Commissioner of the Essex Heritage Board. Mike was honored to be named 2019 Democrat of the Year by the Peabody Democratic City Committee. He was also recognized for his years of community service, particularly his work to preserve Brooksby Farm, by having a street named in his honor near the farm.

Mike loved music, especially Bob Dylan, art, history and genealogy, and antiques and collectibles. Many a Sunday he spent at antique stores and flea markets with his son looking for political memorabilia for his collection. He also loved to travel, especially to Ireland where he visited multiple times to enjoy the scenery, visit Mary's relatives, and enjoy a Guinness.

Most important to Mike was his family. He was a devoted husband, father, and father-in-law. In addition to his wife, Mike is survived by his son Joshua of Salem, Oregon; son-in-law Bernardo J. Castro; his adored aunt Mrs. Avis McClennan of Stoneham; in-laws James and Patricia Williams of South Hamilton; nieces, nephews, grand-nieces and grand-nephews; and several close cousins throughout Massachusetts, New Hampshire, and Florida. Besides his parents, Mike was predeceased by his brothers David (Kathy) and Mark.

The family wish to thank all of those who took time to visit and call during Mike's long illness. The kindness of neighbors, friends, and family is appreciated beyond words. The family would also like to thank the nurses and caregivers of Care Dimensions and the VA for their outstanding care during Mike's illness.

*Adjournment in Memory of Bernard John Taracevicz.*

The Senator from Norfolk, Bristol and Plymouth, Mr. Timilty, moved that when the Senate adjourns today it do so in memory of Bernard John Taracevicz of Milton, a Seagram's company manager, who passed away peacefully at Beth Israel Hospital. He was 86 years old.

Born in Cambridge, and raised in Malden, he was the youngest of five children born to immigrant parents from Poland, Fabian Sr. and Katarzyna (Smiarkowska) Taracevicz. Bernie was eight years old when his mother died of bone cancer in 1943, leaving him to be raised by his three sisters – Edna, Adele and Joann. Bernie attended Malden Catholic High School, where he captained the Lancers football team, played basketball, and ran track. It was the springboard to a college education at Holy Cross, where he received a football scholarship to play for the Crusaders as both an offensive lineman and a linebacker.

Bernie graduated from Holy Cross in 1956 with a Bachelor's degree in Economics. After his college graduation, Bernie, who had trained three previous summers in the US Marine Corps Platoon Leaders Course, attended Officer Training School in Quantico, Virginia, and was commissioned as a second lieutenant. While at Quantico, he played football for the Quantico Marines before his honorable discharge in 1958.

Bernie met his future wife, Barbara, during his senior year in high school, rekindled their friendship while he was home for the holidays from college and she was working as a clerk at the US Post Office in Malden. Their relationship later blossomed into a romance that led to their marriage in 1959.

Bernie put his polished social skills, keen business intellect, and gregarious personality to work in the spirits industry, rising up the ranks of the Seagram's organization in the 1960s-70s from a merchandising representative in Massachusetts, to assistant state manager in Western New York, to Connecticut state manager of the company's Eastern Division, forging countless lasting friendships and valuable business contacts along the way. Although he later retired from the spirits industry, Bernie kept his hand in the business, developing with his late partner, Jack Buckley, a formula for "an uncommonly thick" Bloody Mary mix they took to market as the cleverly-named, "Jack and Bernie's Bloody Mary Mix," which can be found to this day on supermarket shelves.

Bernie was one of the more beloved members at Wollaston Golf Club in Milton, where he enjoyed summer rounds of golf with his dear friends, delighting in astonishing opponents with "Bernie Pars," fashioned from impossibly unsalvageable long-distance putts or improbable par-saving chips from the rough. Of the 19th hole, though, Bernie was the undisputed champion, where his legion of admirers at the club often gravitated to his magnetic personality.

Off the course, Bernie was an avid devotee of Boston professional and college sports. He devoured newspapers, magazines and books and was a voracious reader of historical biographies, spy novels, and thrillers. He loved to watch the television game show "Jeopardy," often with a Manhattan bourbon cocktail, and beat his chest when he solved the answer to the Final Jeopardy question. He and Barbara loved – and lived – to entertain guests for dinner at their lovely home in Milton, where good spirits were often shared as well as imbibed and a good meal was always enjoyed by all. Their hospitality was the touchstone of every memorable family gathering during the holidays, a roundup which he always marked with a solemn prayer at the start of proceedings.

Bernie, who was a parishioner at St. Elizabeth's Catholic Church in Milton, was predeceased by a 5-year-old brother, Fabian, Jr., in 1929, his mother in 1943, his father in 1969, his sisters Adele (Neumyer) in 1998, and Joann (O'Brien) in 2018, with his eldest sister, Edna (Carroll), the sole surviving sibling at 99 years old.

He is survived by his wife Barbara (Lauro) of Milton, their four children: Deirdre Taracevicz-Berg and her husband, Robert, of Milton, Steven Taracevicz of Jupiter, Florida, Barbara Vega and her husband, Michael, of Milton, Bernard Taracevicz, Jr. of San Francisco, California, and eight grandchildren: Trent and Ava Berg of Milton, Victor Taracevicz of San Luis Obispo, California, James Taracevicz of Los Angeles, California,

**UNCORRECTED PROOF.**

Misha and Luca Taracevicz, of Basel, Switzerland, Natalia and Noel Vega of Milton.

Accordingly, as a mark of respect to the memory of Michael F. Schulze and Bernard John Taracevicz, at twenty-six minutes past eleven o'clock A.M., on motion of Mr. O'Connor, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.