

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, OCTOBER 27, 2021

JOURNAL OF THE SENATE

Wednesday, October 27, 2021.

Met at fourteen minutes past one o'clock P.M. (Ms. Friedman in the Chair).

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

Pledge of allegiance.

Communication.

Communication from the Department of Public Health relative to its plan of correction for the MCI Shirley inspection on August 18 and 19, 2021 (received October 26, 2021),-- was placed on file.

DPH,-- plan of correction. SD2816

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2562) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to amend the charter of the town of Wareham [Local approval received];

Wareham,-- charter.

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

Sent to the House for concurrence.

By Mr. Montigny, a petition (accompanied by bill) (subject to Joint Rule 12) of Mark C. Montigny for legislation to establish a sick leave bank for Jennifer Almond, an employee of the Department of Correction,-- **under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Jennifer Almond,-- sick leave. SD2815

Reports of a Committee.

By Mr. Cronin, for the committee on Municipalities and Regional Government, on petition, a Bill authorizing the county of Plymouth to issue pension obligation bonds or notes (Senate, No. 2539);

Plymouth county,-- pension bonds.

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

By Mr. Cronin, for the committee on Municipalities and Regional Government, on petition, a Bill providing for a gender-neutral charter in the City of Somerville (Senate, No. 2524) [Local approval received];

Somerville,-- charter.

By the same Senator, for the same committee, on petition, a Bill authorizing the expenditure of \$500,000 from town of Brookline Marijuana Mitigation Stabilization Fund for purpose of advancing racial equity in the town of Brookline (Senate, No. 2529) [Local approval received]; and

Brookline,-- marijuana fund.

By the same Senator, for the same committee, on petition, a Bill authorizing the town of Stoughton to transfer certain park property in exchange for acquisition and dedication of other land to park purposes (Senate, No. 2548) [Local approval received];

Stoughton,-- park land.

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

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4223) of Angelo J. Puppolo, Jr., (with the approval of the mayor and the city council) for legislation to further regulate the filling of vacancies in the offices of the city council in the city of Springfield,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Springfield,-- city council vacancies.

Bills

Authorizing the disbursement of funds held by the town of Westford (House, No. 3724,-- on petition) [Local approval received];

Westford,-- funds.

Authorizing the town of Danvers to convey and acquire certain property (House, No. 3751, changed,-- on petition) [Local approval received];

Danvers,-- real property.

Providing for alcoholic beverage licenses in the town of Dunstable (House, No. 3812,-- on House, No. 383) [Local approval received on House, No. 383]; and

Dunstable,-- liquor license.

Relative to the West Tisbury Select Board (House, No. 4222,-- on House, No. 3860) [Local approval received on House, No. 3860];

West Tisbury Select Board.

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

Recess.

There being no objection at a quarter past one o'clock P.M., the Chair (Ms. Friedman) declared a recess subject to the call of the Chair; and, at twenty-three minutes past three o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

Resolutions.

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

Resolutions (filed by Mr. Velis) "commending the Doctor I.R. Calkins Assembly of the Society of American Magicians on their observance of National Magic Day on October 31, 2021."

National Magic Day.

PAPERS FROM THE HOUSE

Engrossed Bill.

An engrossed Bill authorizing the town of Sandisfield to continue the employment of employees subject to mandatory retirement (see House, No. 3856) (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 and signed by the President and laid before the Governor for his approbation.**

Bill laid before the Governor.

A petition (accompanied by bill, House, No. 4224) of Natalie M. Blais, Mindy Domb and others for the annual issuance of a proclamation by the Governor designating the first Monday in March as COVID-19 remembrance day,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

COVID-19,-- remembrance day.

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Authorizing the town of Middleborough to convey certain conservation land in the

Second reading bills

town (Senate, No. 2517);

Authorizing 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 (Senate, No. 2518);

To allow the town of Andover to transfer conservation land (House, No. 2193);

Granting 4 additional liquor licenses for the sale of wines and malt beverages to be drunk on the premises in Concord (House, No. 3712, amended);

Further regulating the membership of the board of trustees of the Woburn Public Library Corporation (House, No. 3820);

Authorizing the city of Northampton to amend a certain conservation easement (House, No. 3900);

Amending the charter of the town of Hudson (House, No. 3920); and

Establishing a cell tower receipts special account for the town of North Reading (House, No. 4020)

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

The Committee Bill establishing senatorial districts (Senate, No. 2560),-- was read a second time.

Senatorial districts,--
establishing.

After debate and pending the question on ordering the bill to a third reading, Mr. Brownsberger moved that the bill be amended by striking out section 1;

In section 2, by inserting after the figure “3.”, in line 13, the following words:- “For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

‘Block’, 2020 census block geography designated by the United States Census Bureau for which population data is reported under P.L. 94-171 2020 Census National Redistricting Data Summary File.

‘VTD’, 2020 census voting district geography designated by the United States Census Bureau for which population data is reported under P.L. 94-171 2020 Census National Redistricting Data Summary File.”;

In said section 2, by striking out, in line 76, the figure “250092606003003” and inserting in place thereof the following words:- "block 250092601001000; block 250092601001001; block 250092602001000; block 250092602001001; block 250092602001002; block 250092602001003; block 250092602001007; block 250092602001008; block 250092605001019; block 250092605001020; block 250092605003009; block 250092605003012; block 250092605003013; block 250092605003014; block 250092606003000; block 250092606003001; block 250092606003003; block 250092606003004; block 250092606003005; block 250092606003006; block 250092606003008 ”;

In said section 2, by inserting after the figure “25013000595”, in line 231, the following words:- “, VTD 25013000596; VTD 25013000605; VTD 25013000606, block 250138110001007; block 250138110002000; block 250138110002001; and block 250138112003007 in VTD 25013000609”;

In said section 2, by striking out, in lines 252 to 254, inclusive, the words “, VTD 25013000596; VTD 25013000605; VTD 25013000606, block 250138110001007; block 250138110002000; block 250138110002001; and block 250138112003007 in VTD 25013000609”;

In said section 2, by striking out, in lines 364 to 367, inclusive, the words “, block 250214203021000; block 250214203021001; block 250214203021002; block 250214203021003; block 250214203021004; block 250214203021005; block 250214203021006; block 250214203021020; block 250214203024010; block 250214203025014 in VTD 25021001565”;

UNCORRECTED PROOF.

In said section 2, by striking out, in line 386, the word “precincts;”;

In said section 2, by inserting after the figure “25025001902;” in line 402, the following words:- “block 250251201053000; block 250251201053001; block 250251201053002; block 250251201053003; block 250251204005000; block 250251204005001; block 250251204005002; block 250251204005003; block 250251204005004; block 250251204005005; block 250251204005006; block 250251204005007; block 250251204005008; block 250259818001022; block 250259818001023; block 250259818001026; block 250259818001027; block 250259818001028 in”;

In said section 2, by striking out, in lines 411 and 412, the words “Plympton and Plymouth” and inserting thereof the following words:- “Plymouth and Plympton”;

In said section 2, by striking out, in lines 527 to 531, inclusive, the words “; VTD 25025001701; VTD 25025001702; VTD 25025001703; VTD 25025001704; VTD 25025001705; VTD 25025001706; VTD 25025001707; VTD 25025001708; VTD 25025001709; VTD 25025001710; VTD 25025001711; VTD 25025001712; VTD 25025001713; and VTD 25025001714;”;

In said section 2, by inserting after figure “25025001901”, in line 562, the following words:- “; block 250251206003000 in VTD 25025001903”;

In said section 2, by striking out, in line 639, the words “, block 250250104041005; VTD 25025000409”;

In said section 2, by inserting after the figure “25025000508,” in line 641, the following words:- “block 250250107013000; block 250250107013001; block 250250107013002; block 250250107013003; block 250250107013004; block 250250107013005; block 250250107013006; block 250250107013007; block 250250107013008; block 250250107013009; block 250250107013010; block 250250107013011; block 250250107013012”;

In said section 2, by inserting after the figure “250250103001001”, in line 652, the following words:- “; block 250250104041005”;

In said section 2, by inserting after figure “25025000502”, in line 667, the following figure:- “, VTD 2502500502A”;

In said section 2, by striking out, in lines 670 to 674, inclusive, the words “; block 250250107013000; block 250250107013001; block 250250107013002; block 250250107013003; block 250250107013004; block 250250107013005; block 250250107013006; block 250250107013007; block 250250107013008; block 250250107013009; block 250250107013010; block 250250107013011; block 250250107013012”;

In said section 2, by striking out, in line 676, the words “cities of the Cambridge;” and inserting in place thereof the following words:- “city of Cambridge, block 250173545002011 in VTD 25017000522, ”; and

By inserting before the enacting clause the following emergency preamble:-

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith senatorial districts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted.

The bill (Senate, No. 2560, 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 twenty-five minutes before five o’clock P.M., on motion of Mr. Brownsberger, as follows, to wit (yeas 36 – nays 3) **[Yeas and Nays No. 98]**:

YEAS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crichton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.
Gomez, Adam

Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 36.

NAYS.

DiZoglio, Diana
Finegold, Barry R.

Pacheco, Marc R. – 3.

The yeas and nays having been completed at twenty minutes before five o'clock P.M., the bill was passed to be engrossed [For Senate Bill, printed as amended, see Senate, No. 2563].

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

A Bill relative to establishing representative districts in the General Court (House, No. 4217,-- on House, No. 4210),-- was read.

Representative districts,-- establishing.

There being no objection, the rules were suspended, on motion of Mr. Brownsberger, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Moment of Silence.

At the request of the President, the members, guests and staff stood in a moment of silence and reflection in memory of Ian Tacey.

Moment of silence.

Order Adopted.

On motion of Ms. Moran,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow 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 Ian Tacey.

The Senator from Essex and Middlesex, Mr. Finegold, presented a request that when the Senate adjourns today it do so in memory of Ian Tacey of Tewksbury.

Ian tragically lost his life this past summer at the age of 19 after a long battle with bipolar disorder, anxiety, and major depressive disorder.

Ian had many talents, from basketball to music. He played piano, guitar, didgeridoo, drums, American slide whistle, banjo, and bass guitar. Ian was self-taught on all instruments and excelled at each. He was also an outstanding student, graduating magna cum laude from Tewksbury Memorial High School and was placed on the Dean's list his first two semesters at UMass Amherst.

But perhaps most importantly, Ian was extremely kind with a great sense of humor that endeared him to so many, all while battling with his mental health. He was a fierce advocate for mental health amongst his friends and in his community. Ian would often share resources and information on his social media accounts and was always willing to help family and friends understand the symptoms of anxiety and depression. In a time when so many young people are struggling with mental illness, Ian took time to reach out and help others.

Our thoughts go out to his parents Laura Harrington and Jeffrey Puzzo along with the rest of his family.

Accordingly, as a mark of respect to the memory of Ian Tacey, at eleven minutes before five o'clock P.M., on motion of Mr. Keenan, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.
