

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**WEDNESDAY, NOVEMBER 3, 2021**

[99]

JOURNAL OF THE SENATE

Wednesday, November 3, 2021.

Met at twenty-seven minutes past one o'clock P.M. (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.

Communications.

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

Communication from His Excellency the Governor, Charles D. Baker, announcing the appointment of Kerima M. Lewis (pursuant to Section 132(a) of Chapter 24 of the Acts of 2021) to the Special Commission to investigate and study the Promotion and Celebration of the Two Hundred and Fiftieth Anniversary of the American Revolution (received November 2, 2021);

250th Anniversary of the American Revolution Commission.

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Senator Susan Moran (pursuant to Section 134 of Chapter 24 of the Acts of 2021) to Non-Emergency Human Services Transportation Task Force (received November 2, 2021); and

Non-Emergency Human Services Transportation Task Force.

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Patricia D. Jehlen (pursuant to Chapter 74 of the Acts of 2021) to the special commission to study poverty in the Commonwealth (received November 2, 2021).

Poverty Commission.

Reports.

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

Report of the Department of Veterans' Services (pursuant to Section 12(b) of Chapter 115A of the General Laws) submitting its annual report on the state of the Commonwealth's two Soldiers' Homes (copies having been forwarded as required to the joint committees on Housing, Public Health and Veterans and Federal Affairs) (received November 1, 2021);

DVS,-- soldiers' homes report. SD2825

Report of the Commission on the Status of Persons with Disabilities (pursuant to Section 74(g) of Chapter 3 of the General Laws) submitting its annual report on the results of its findings and activities for fiscal year 2021 (received October 29, 2021); and

PWD Commission,-- annual report. SD2826

Report of the Office of the State Treasurer (pursuant to Section 35QQ(b) of Chapter 10 of the General Laws) submitting its Economic Empowerment Trust Fund 2021 Annual Report (received November 2, 2021).

Treasurer,-- EETF annual report. SD2827

Reports of Committees.

By Mr. Gomez, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill relative to families impacted by substance misuse (Senate, No. 80);

Substance misuse.

By the same Senator, for the same committee, on petition, a Bill creating a Center on Child Wellness and Trauma (Senate, No. 81);

Child Wellness and Trauma Center.

**UNCORRECTED PROOF.**

By the same Senator, for the same committee, on petition, a Bill establishing a Foster Parents' Bill of Rights (Senate, No. 87) [Senator Eldridge dissenting];

Foster parents,-- bill of rights

By the same Senator, for the same committee, on petition, a Bill relative to Children's Advocacy Centers and the Massachusetts Children's Alliance (Senate, No. 95);

MA Children's Alliance.

By the same Senator, for the same committee, on petition, a Bill to assure quality foster care (Senate, No. 109);

Foster care.

By the same Senator, for the same committee, on petition, a Bill relative to preventing sexual abuse of children and youth by adults in positions of authority or trust (Senate, No. 132);

Sexual abuse,-- prevent.

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 523 and House, No. 961, a Bill to support Plum Island coastal resources (Senate, No. 523);

Plum Island,-- coastal resources.

By the same Senator, for the same committee, on petition, a Bill relative to the Douglas State Forest Maintenance Trust Fund (Senate, No. 532);

Douglas State Forest Trust Fund.

By the same Senator, for the same committee, on Senate, No. 538 and House, No. 990, a Bill promoting snowmobiling sustainability (Senate, No. 538);

Snowmobiles,-- promote.

By the same Senator, for the same committee, on petition, a Bill relative to Stony Brook Reservation (Senate, No. 611); and

Dedham,-- Stony Brook Reservation.

By the same Senator, for the same committee, on petition, a Bill relative to the Elm Bank Reservation (Senate, No. 612);

Wellesley,-- Elm Bank Reservation.

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

By Mr. Gomez, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill relative to expanding access to adoption (Senate, No. 123);

Adoption,-- access.

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill designating a certain boat launch area in the town of Rutland as the Detective John D. Songy Boat Launch (Senate, No. 535); and

Rutland,-- Songy Boat Launch.

By the same Senator, for the same committee, on Senate, No. 544 and House, No. 1028, a Bill designating the Quabbin Visitor Center, in the town of Belchertown, as The Les and Terry Campbell Quabbin Visitor Center (Senate, No. 544);

Belchertown,-- Quabbin Visitor Center.

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

PAPERS FROM THE HOUSE.

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

Representative Murator of Plymouth has been appointed to serve as his designee (under Section 134 of Chapter 24 of the Acts of 2021) to the Non-Emergency Human Services Transportation Task Force.

Non-Emergency Human Services Transportation Task Force.

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

Petition (accompanied by bill, House, No. 4231) of Natalie M. Blais and Joanne M. Comerford (by vote of the town) relative to the date for the annual town election in the town of Montague;

Montague,-- town election.

**To the committee on Election Laws.**

Petition (accompanied by bill, House, No. 4232) of Donald R. Berthiaume, Jr., and Anne M. Gobi (by the vote of the town) that the town of Oakham be authorized to continue the employment of Russel Willette, a fire lieutenant in the fire department of said town; and

Russel Willette,-- employment.

Petition (accompanied by bill, House, No. 4233) of Rob Consalvo (with the approval

Daniel Flores,-- age requirement.

**UNCORRECTED PROOF.**

of the mayor and city council) for legislation to authorize the appointment of Daniel Flores as a police officer in the city of Boston, notwithstanding the maximum age requirement;

**To the committee on Public Service.**

A Bill relative to immediate COVID-19 recovery needs (House, No. 4234,-- on House, No. 3922, in part),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

ARPA funds.

**Bills**

Changing the Board of Selectmen of the town of Plainfield to a Select Board (House, No. 3859,-- on petition) [Local approval received]; and

Plainfield,--  
select board.

Relative to the Chilmark Select Board (House, No. 3985, amended,-- on petition) [Local approval received];

Chilmark,--  
select board.

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

A report of the committee on Telecommunications, Utilities and Energy, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3263) of Natalie M. Blais relative to identification for certain delivery vehicles under the control of the Department of Telecommunications and Energy,-- and recommending that the same be referred to the committee on Transportation,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Delivery vehicles,--  
identification.

*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 Irving Murstein for legislation relative to required minimum limits for damage to personal property;

Personal property,--  
damage.  
SD2807

**Senate Rule 36 was suspended, on motion of Ms. DiZoglio, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied bill) was referred to the committee on Financial Services.**

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 Freya Schlegel for legislation to ban single use plastic applicators;

Plastic applicators,--  
ban.  
SD2806

**Senate Rule 36 was suspended, on motion of Ms. DiZoglio, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied bill) was referred to the committee on Public Health.**

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 Patrick M. O'Connor for legislation to establish a sick leave bank for Joseph Filardi, an employee of the Department of Revenue;

Joseph Filardi,--  
sick leave.  
SD2805

**Senate Rule 36 was suspended, on motion of Ms. DiZoglio, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied bill) was referred to the committee on Public Service.**

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

*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 House Bill authorizing the town of Clinton to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 3896),-- **was**

Clinton,-- liquor  
license.

read a third time and passed to be engrossed, in concurrence.

*Report of a Committee.*

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill relative to immediate COVID-19 recovery needs (House, No. 4234),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2564,-- **under Senate Rule 26, placed in the Orders of the Day for the next session.**

ARPA funds.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4237) of Rady Mom that the Commissioner of Capital Asset Management and Maintenance be authorized to convey certain land in the city of Lowell to the Lowell Housing Authority,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

Lowell,-- land conveyance.

*Engrossed Bill.*

An engrossed Bill authorizing the town of Deerfield to continue the employment of police department members Robert Warger, Joseph Mieczkowski and Raymond Burniske (see House, No. 4128) (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 Acting President (Ms. Lovely) and laid before the Governor for his approbation.**

Bill laid before the Governor.

*Order.*

Mr. Rodrigues offered the following order, to wit:

*Ordered,* That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to immediate COVID-19 recovery needs (House, No. 4234) (the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2564) shall be placed in the Orders of the Day for a second reading on Wednesday, November 10, 2021.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 3:00 P.M, on Friday, November 5, 2021. All such amendments shall be second reading-amendments to the Senate Ways and Means new text (Senate, No. 2564), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading (Senate, No. 2565).

**Mr. Tarr moved to suspend the rules to consider the order forthwith; but objection was made thereto by Ms. DiZoglio and the order was referred to the committee on Rules.**

*Order Adopted.*

On motion of Mr. Tarr,--

**UNCORRECTED PROOF.**

*Ordered,* That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M. in a full formal session without a calendar.

Time of meeting.

On motion of the same Senator, at seventeen minutes past two o'clock P.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.