

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, FEBRUARY 14, 2022

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Monday, February 14, 2022.

Met at ten 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).

The Chair (Mr. Collins), 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 the Honorable Karen E. Spilka, President of the Senate, announcing the following appointments (pursuant to item 1599-2027 of Chapter 102 of the Acts of 2021) to the Human Services Workforce Board:

Human Services Workforce Board,-- appts.

- Michael Weekes
- Diane Gould (received February 11, 2022);

Communication from the Office of the State Auditor (pursuant to Section 12 of Chapter 11 of the General Laws) submitting its performance audit of the Essex County District Attorney's Office (EDAO) for the period January 1, 2018 through December 31, 2020 (received February 11, 2022); and

OSA,-- EDAO audit. SD2994

Communication from the Honorable Bruce E. Tarr, Minority Leader, announcing the appointment (pursuant to Chapter 30 of the Acts of 2021) of Former Essex County Sheriff Frank G. Cousins, Jr. of Newburyport as his designee on the Hate Crimes Task Force (received February 14, 2022).

Hate Crimes Task Force.

Report.

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of Franklin County Jail and House of Correction, Berkshire County Jail and House of Correction and Barnstable County Correctional Facility (received February 11, 2022),-- **was placed on file.**

DPH,-- facility inspections. SD2993

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Brady, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael D. Brady for legislation relative to the retirement allowance of Christopher Ahlborg; and

Ahlborg retirement. SD2996

By Mr. Cyr, a petition (accompanied by bill) (subject to Joint Rule 12) of Julian Cyr for legislation to establish a sick leave bank for Elizabeth Benard, an employee of the Massachusetts Department of Mental Health;

Elizabeth Benard,-- sick leave. SD2995

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

Reports of Committees.

By Mr. Crighton, for the committee on Financial Services, on Senate, Nos. 628, 631, 632, 633, 634, 637, 645, 647, 649, 650, 654, 659, 666, 667, 669, 670, 671, 673, 679, 699,

Financial Services committee,-- study.

707, 708, 716, 728, 729, 730 and 733, an Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to health matters (Senate, No. 2693);

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, Nos. 1155, 1158, 1160, 1163, 1168, 1175, 1176, 1184, 1186, 1188, 1192, 1193, 1194, 1195, 1199, 1206, 1207, 1209, 1222, 1226, 1232, 1234, 1237, 1241, 1243, 1244, 1250, 1253 and 1254, an Order relative to authorizing the joint committee on Labor and Workforce Development to make an investigation and study of certain current Senate documents relative to employee benefits and rights and employer obligations (Senate, No. 2691); and

Labor and Workforce Development committee,-- study.

By Ms. Comerford, for the committee on Public Health, on Senate, Nos. 1371, 1373, 1379, 1392, 1395, 1398, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1424, 1425, 1426, 1427, 1431, 1432, 1433, 1454, 1459, 1460, 1467, 1468, 1473, 1478, 1484, 1492, 1496, 1499, 1500, 1504, 1505, 1506, 1508, 1509, 1511, 1514, 1518, 1521, 1524, 1529, 1530, 1531, 1533, 1534, 1535, 1536, 2483, 2577 and 2597, an Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current Senate documents relative to public health matters (Senate, No. 2692);

Public Health committee,-- study.

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

By Mr. Finegold, for the committee on Advanced Information Technology, the Internet and Cybersecurity, on petition (accompanied by bill, Senate, No. 60), a Bill establishing a commission on automated decision-making by government in the commonwealth (Senate, No. 2688);

Automated decision-making,-- commission.

By Mr. Velis, for the committee on Veterans and Federal Affairs, on petition, a Bill to modernize property tax abatements for veterans (Senate, No. 2393);

Veterans,-- property tax.

By the same Senator, for the same committee, on petition, a Bill establishing a committee to study an appropriate location for a memorial to LGBT service members and veterans (Senate, No. 2394); and

LGBT veterans,-- memorial.

By the same Senator, for the same committee, on petition, a Bill establishing a commission on Post Traumatic Stress Disorder (Senate, No. 2403);

PTSD,-- commission.

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

By Mr. Finegold, for the committee on Advanced Information Technology, the Internet and Cybersecurity, on petition, a Bill to establish the Massachusetts Open Data Standard (Senate, No. 59, changed in line 89 by striking out the figure "2021" and inserting in place thereof the following:- "2022");

MA Open Data Standard.

By the same Senator, for the same committee, on Senate, Nos. 46, 50 and 220 and House, No. 136, a Bill establishing the Massachusetts Information Privacy and Security Act (Senate, No. 2687);

MA Information Privacy Act.

By Mr. Brady, for the committee on Public Service, on petition, a Bill authorizing independent retirement boards to divest from fossil fuel companies (Senate, No. 722);

Retirement boards,-- investments.

By the same Senator, for the same committee, on petition, a Bill to exempt certain local housing authority executive directors from anti-spiking provisions (Senate, No. 1658);

Local housing,-- anti-spiking.

By the same Senator, for the same committee, on Senate, No. 1677 and House, No. 2664, a Bill relative to the cost of living adjustment for state and teacher retirees (Senate, No. 1677);

Retirees,-- COLA.

By the same Senator, for the same committee, on petition, a Bill relative to pension

Pension,-- parity.

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parity (Senate, No. 1702);

By the same Senator, for the same committee, on petition, a Bill relative to the annual allowance for certain survivors of public retirees and employees (Senate, No. 1723);

By the same Senator, for the same committee, on Senate, No. 1732 and House, No. 2723, a Bill to provide fair working conditions for public higher education adjunct faculty (Senate, No. 1732);

By the same Senator, for the same committee, on petition, a Bill relative to disability pensions for public safety employees who are victims of violence (Senate, No. 1779);

By the same Senator, for the same committee, on Senate, No. 1790 and House, No. 2633, a Bill regulating for legislation to regulate education administrator retirement (Senate, No. 1790);

By the same Senator, for the same committee, on petition, a Bill relative to the definition of Veteran for public retirees (Senate, No. 1795);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1726), a Bill allowing Wayne Estes, a retired member of the Massachusetts DDS, an accidental disability retirement option (Senate, No. 2690);

By Mr. Velis, for the committee on Veterans and Federal Affairs, on petition, a Bill relative to Veterans' Education Tuition System (VETS) (Senate, No. 2390);

By the same Senator, for the same committee, on petition, a Bill to honor our veterans who volunteer as emergency responders (Senate, No. 2391);

By the same Senator, for the same committee, on petition, a Bill relative to service dogs (Senate, No. 2397);

By the same Senator, for the same committee, on petition, a Bill relative to age restrictions for veterans applying to be police officers and firefighters (Senate, No. 2398) [Senator Fattman dissenting];

By the same Senator, for the same committee, on petition, a Bill providing for prisoners of war (Senate, No. 2404);

By the same Senator, for the same committee, on petition, a Bill increasing the annuity for gold star families (Senate, No. 2405);

By the same Senator, for the same committee, on petition, a Bill to aid military service members in finding civilian employment (Senate, No. 2407);

By the same Senator, for the same committee, on petition, a Bill relative to COLA adjustments for veteran benefits (Senate, No. 2408);

By the same Senator, for the same committee, on petition, a Bill relative to reimbursement for annual training for armed forces members (Senate, No. 2409);

By the same Senator, for the same committee, on petition, a Bill relative to public employee benefits for military service members on active duty (Senate, No. 2410);

By the same Senator, for the same committee, on petition, a Bill relative to reimbursement to armed service members (Senate, No. 2411);

By the same Senator, for the same committee, on petition, a Bill relative to waiving education requirements for skilled veterans to be LPNs (Senate, No. 2412);

By the same Senator, for the same committee, on petition, a Bill relative to veteran access to recreational lands (Senate, No. 2418);

By the same Senator, for the same committee, on petition, a Bill relative to protecting veterans (Senate, No. 2419);

By the same Senator, for the same committee, on petition, a Bill relative to shelter benefits for veterans (Senate, No. 2420);

By the same Senator, for the same committee, on petition, a Bill relative to tax credits for homeless veteran housing (Senate, No. 2421);

By the same Senator, for the same committee, on petition, a Bill relative to military

Public retirees,--
annual allowance.

Adjunct faculty,--
state retirement.

Public safety
employees,--
pensions.
School
administrators,--
retirement.

Veterans,-- public
retirees.

Wayne Estes,--
retirement.

Veterans' Education
Tuition System.

Veterans,--
volunteers.

Service dogs,--
veterans.

Veterans,-- age
restrictions.

Prisoners of war.

Gold star families,--
annuity

Service members,--
civilian employment.

Veterans,-- COLA
adjustment.

Armed forces,--
reimbursement.

Military,-- death
benefits.

Service members,--
reimbursement.

Veterans,-- LPNs.

Veterans,-- DCR
fees.

Veterans,-- protect.

Veterans,-- shelter
benefits.

Veterans,--
permanent housing.

Military personnel,--
medical records.

personnel and medical records (Senate, No. 2422);

By the same Senator, for the same committee, on petition, a Bill relative to Veteran annuities for surviving spouses (Senate, No. 2423);

By the same Senator, for the same committee, on petition, a Bill exempting veterans from civil service exam fees (Senate, No. 2427);

By the same Senator, for the same committee, on petition, a Bill relative to ensuring equity in healthcare access for veterans (Senate, No. 2430);

By the same Senator, for the same committee, on petition, a Bill relative to property tax rate exemptions for disabled veterans (Senate, No. 2435); and

By the same Senator, for the same committee, on petition, a Bill relative to reservists with service-connected disabilities (Senate, No. 2604);

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

By Mr. Collins, for the committee on Community Development and Small Businesses, on petition, a Bill authorizing municipalities to expend certain funds for the acquisition of land to be used for rail trails (Senate, No. 148);

By Ms. Gobi, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill designating a certain playground on the Esplanade in the city of Boston as the Gronk Playground (Senate, No. 2623);

By Mr. Velis, for the committee on Veterans and Federal Affairs, on petition, Resolutions for a United States Constitutional Amendment and a limited amendment proposing convention (Senate, No. 2402) [Senator Fattman dissenting];

By the same Senator, for the same committee, on petition, Resolutions condemning political oppression and encouraging free and fair elections in Cambodia (Senate, No. 2406); and

By the same Senator, for the same committee, on petition, a Bill relative to recognition of the "Honor and Remember" flag in the Commonwealth (Senate, No. 2432);

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

By Mr. Brady, for the committee on Public Service, on petition, a Bill providing killed in the line duty benefits to Joanne Songy, surviving spouse of Detective John D. Songy, a police officer of the Town of Rutland (Senate, No. 1727) [Local approval received];

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

PAPERS FROM THE HOUSE.

A Bill relative to the governance, structure and care of veterans at the Commonwealth's veterans' homes (House, No. 4441, amended -- on House, No. 4195),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill establishing a sick leave bank for Julie DeRosa, an employee of the department of mental health (see House, No. 3915), 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 2 to 0.

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

Veteran annuities,-- surviving spouses.

Veterans,-- civil service exams.

Veterans,-- healthcare access.

Disabled veterans,-- property tax.

Reservists,-- disabilities.

Community preservation fund,-- rail trails.

Boston,-- Gronk Playground.

Congressional convention.

Cambodia,-- political oppression.

Honor and Remember Flag.

Rutland,-- Songy benefits.

Soldiers' homes,-- governance.

Julie DeRosa,-- sick leave.

Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Collins) and laid before the Governor for his approbation.

Reports of Committees.

By Mr. Brady, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for John Carlson, an employee of the Department of Correction (Senate, No. 2686);

John Carlson,-- sick leave.

The bill was read. 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.

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 Mark C. Montigny for legislation to establish a sick leave bank for Kim Souza, an employee of the Trial Court.

Kim Souza,-- sick leave. SD2991

Senate Rule 36 was suspended, on motion of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary.

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 the annual observance of September 11th Remembrance Day.

September 11th Remembrance Day. SD2967

Senate Rule 36 was suspended, on motion of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.

Severally sent to the House for concurrence.

Matter Taken Out of the Orders of the Day.

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

The House Bill authorizing the conveyance of a conservation restriction on the land known as Inter Lochen park in the town of Sharon (House, No. 3867) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Sharon,-- land conveyance.

Order Adopted.

On motion of Mr. O'Connor,--

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 of a calendar.

Time of meeting.

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