
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, FEBRUARY 10, 2022

[13]

JOURNAL OF THE SENATE

Thursday, February 10, 2022.

Met at nineteen minutes before twelve o'clock noon (Ms. Creem 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. Creem), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communication.

Communication from the Essex County District Attorney (pursuant to item 0340-2100 of Section 2 of Chapter 24 of the Acts of 2021) submitting notice of intent to transfer funds from the AA object class of its administrative line item (received February 2, 2022), - placed on file.

Essex DA,-- funds transfer. SD2989

Reports.

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

Report of the Department of Elementary and Secondary Education (pursuant to Section 1P(g) of Chapter 69 of the General Laws) submitting its Safe and Supportive Schools Commission Seventh Annual Report (copies having been forwarded as required to the Senate Committee on Ways and Means and the joint committees on Children, Families and Persons with Disabilities, Education and Mental Health, Substance Use and Recovery) (received February 8, 2022); and

DESE,-- SaSS report. SD2990

Report of the Health Policy Commission (pursuant to Section 7(c) of Chapter 124 of the Acts of 2019) submitting its report on children with medical complexity in the Commonwealth (received February 9, 2022).

HPC,-- CMC report. SD2992

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Creem, a petition (accompanied by bill, Senate, No. 2684) of Cynthia Stone Creem and Tommy Vitolo (by vote of the town) for legislation to amend section 5 of chapter 270 of the Acts of 1985, as amended, to authorize delegation by general by-law of all select board licensing authority [Local approval received]; and

Brookline,-- licensing authority.

By the same Senator, a petition (accompanied by bill, Senate, No. 2685) of Cynthia Stone Creem and Tommy Vitolo (by vote of the town) for legislation to exempt the town of Brookline from in-person quorums [Local approval received];

Brookline,-- quorums.

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

Severally 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 Kim Souza, an employee of the Trial Court,-- under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Kim Souza,-- sick leave. SD2991

Reports of Committees.

By Mr. Finegold, for the committee on Advanced Information Technology, the Internet and Cybersecurity, on Senate, Nos. 45, 48, 49, 52, 53, 54, 55, 56, 57, 58, 61, 62 and 225, an Order relative to authorizing the joint committee on Advanced Information Technology, the Internet and Cybersecurity to make an investigation and study of certain current Senate documents relative to advanced information technology, the internet and cybersecurity matters (Senate, No. 2683);

Advanced Information Technology, the Internet and Cybersecurity committee,-- study.

By Mr. Brady, for the committee on Public Service, on Senate, Nos. 1167, 1368, 1655, 1656, 1664, 1666, 1667, 1669, 1671, 1672, 1674, 1675, 1678, 1679, 1680, 1682, 1683, 1685, 1686, 1687, 1688, 1689, 1690, 1692, 1693, 1694, 1699, 1700, 1703, 1706, 1707, 1708, 1709, 1710, 1711, 1713, 1715, 1716, 1720, 1728, 1730, 1731, 1735, 1736, 1738, 1740, 1744, 1746, 1748, 1749, 1750, 1751, 1753, 1754, 1757, 1759, 1760, 1762, 1763, 1764, 1765, 1768, 1769, 1770, 1773, 1774, 1776, 1777, 1780, 1781, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1792 and 2444, an Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service matters (Senate, No. 2679) [Senator Collins dissents insomuch as relates to Senate, Nos. 1664, 1666, 1667, 1669 and 1671, Senator DiZoglio dissents insomuch as relates to Senate, Nos. 1699, 1700 and 2444 and Senator Fattman dissents insomuch as relates to Senate, Nos. 1682, 1706, 1707 and 1708 and Representative Uyterhoeven of Somerville dissents insomuch as relates to Senate, Nos. 1167, 1669, 1683, 1690, 1693, 1694, 1703, 1709, 1711 and 1735];

Public Service committee,-- study.

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 935, 1125, 2010, 2024, 2025, 2029, 2043, 2046, 2048, 2049, 2050, 2052, 2054, 2057, 2070, 2071, 2094, 2107, 2118, 2119, 2120 and 2121, an Order relative to authorizing the joint committee on State Administration and Regulatory Oversight to make an investigation and study of certain current Senate documents relative to state administration and regulatory oversight matters (Senate, No. 2681) [Senator Rausch dissents insomuch as relates to Senate, Nos. 935, 1125, 2048, 2070 and 2107];

State Administration and Regulatory Oversight committee,-- study.

By Mr. Keenan, for the committee on Transportation, on Senate, Nos. 1161, 2270, 2272, 2278, 2313, 2317, 2338, 2360 and 2383, an Order relative to authorizing the joint committee on Transportation to make an investigation and study of certain current Senate documents relative to rail operations and other matters (Senate, No. 2682); and

Transportation committee,-- study.

By Mr. Velis, for the committee on Veterans and Federal Affairs, on Senate, Nos. 2392, 2399, 2400, 2401, 2413, 2414, 2415, 2416 and 2426, an Order relative to authorizing the joint committee on Veterans and Federal Affairs to make an investigation and study of certain current Senate documents relative to veterans affairs (Senate, No. 2680);

Veterans and Federal Affairs committee,-- study.

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

By Ms. Moran, for the committee on Consumer Protection and Professional Licensure, on Senate, Nos. 202, 204 and 208 and House, Nos. 333 and 428, a Bill to end housing discrimination in the Commonwealth (Senate, No. 2675);

Housing discrimination.

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

By Ms. Moran, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill relative to home inspections (Senate, No. 162);

Home inspections.

By the same Senator, for the same committee, on Senate, No. 166 and House, No. 341, a Bill relative to Digital Right to Repair Act (Senate, No. 166);

Right to repair,-- digital.

UNCORRECTED PROOF.

By the same Senator, for the same committee, on Senate, No. 171 and House, No. 308, a Bill relative to safe application and removal of body art (Senate, No. 171);

By the same Senator, for the same committee, on petition, a Bill providing consumers with equal protection for all real estate appraisals (Senate, No. 178);

By the same Senator, for the same committee, on Senate, No. 180 and House, No. 421, a Bill relative to consumer protection on online automobile franchise transactions (Senate, No. 180);

By the same Senator, for the same committee, on petition, a Bill to prevent unscrupulous medical debt recovery practices (Senate, No. 224);

By the same Senator, for the same committee, on petition, a Bill relative to small businesses and the sale of certain cultural products (Senate, No. 2536);

By the same Senator, for the same committee, on Senate, No. 215 and House, No. 357, a Bill relative to protect innovation and entrepreneurship in the Commonwealth (Senate, No. 2673);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 209), a Bill expanding the sale of products by farmer distilleries and wineries (Senate No. 2674);

By the same Senator, for the same committee, on Senate, No. 207 and House, No. 939, a Bill relative to toxic-free kids (Senate, No. 2676);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 175), a Bill relative to updates to the home improvement contractors registration (Senate No. 2677);

By the same Senator, for the same committee, on Senate, Nos. 176 and 190 and House, Nos. 311 and 331, a Bill to mandate domestic violence and sexual assault awareness education (Senate, No. 2678);

By Mr. Eldridge, for the committee on the Judiciary, on Senate, No. 934 and House, No. 1673, a Bill related to indigency (Senate, No. 934);

By the same Senator, for the same committee, on Senate, No. 975 and House, No. 1634, a Bill relative to the Uniform Child Custody Jurisdiction and Enforcement Act (Senate, No. 975);

By the same Senator, for the same committee, on Senate, No. 1047 and House, No. 1483, a Bill preventing unnecessary vacancies in foreclosed homes (Senate, No. 1047);

By the same Senator, for the same committee, on Senate, No. 1083 and House, No. 1711, a Bill prohibiting discrimination against adults with disabilities in family and juvenile court proceedings (Senate, No. 1083);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 916), a Bill relative to the reliability of testifying informants (Senate No. 2668);

By the same Senator, for the same committee, on Senate, No. 1127 and House, No. 1822, a Bill prohibiting body size discrimination (Senate, No. 2669);

By the same Senator, for the same committee, on Senate, Nos. 948 and 1022 and House, No. 1794, a Bill to prevent the imposition of mandatory minimum sentences based on juvenile adjudications (Senate, No. 2670);

By the same Senator, for the same committee, on Senate, No. 965 and House, Nos. 1452, 1724, 1757, and 4279, a Bill relative to forfeiture reform (Senate, No. 2671); and

By the same Senator, for the same committee, on Senate, Nos. 943, 1097 and 1111 and House, Nos. 1651, 1652, 1656, 1716, 1824 and 1840, a Bill addressing investigations of reports of animal abuse and neglect (Senate, No. 2672);

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

Regulation,-- body art and piercing.

Appraisals,-- consumer protection.

Auto sales,-- online.

Medical debt,-- recovery.

Small businesses,-- cultural products.

Entrepreneurship,-- patent infringement.

Farmers markets,-- wine sales.

Children's products,-- chemicals.

Home improvement,-- registration.

Domestic violence,-- education.

Public assistance,-- indigency.

Child custody,-- jurisdiction.

Foreclosed homes,-- vacancies.

Disabled adults,-- discrimination.

Testifying informant,-- reliability.

Discrimination,-- body size.

Juveniles,-- mandatory minimums.

Criminal forfeiture,-- reform.

Animals,-- abuse and neglect.

UNCORRECTED PROOF.

By Mr. Eldridge, for the committee on the Judiciary, on petition, a Bill relative to archaic laws (Senate, No. 930);

Archaic laws,--
repeal.

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

By Ms. Moran, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill authorizing the town of Mansfield to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2591) [Local approval received];

Mansfield,-- liquor
licenses.

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

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 Transportation to make an investigation and study of certain current Senate documents relative to registration plates and other matters (Senate, No. 2642);

Transportation
committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Tourism, Arts and Cultural Development to make an investigation and study of a certain current Senate document to establish a commission on artistic representation in the People's House (Senate, No. 2648);

Tourism, Arts and
Cultural
Development
committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Children, Families and Persons with Disabilities to make an investigation and study of certain current Senate documents relative to children, families and persons with disabilities matters (Senate, No. 2649);

Children, Families
and Persons with
Disabilities
committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Elder Affairs to make an investigation and study of certain current Senate documents relative to elder affairs issues (Senate, No. 2650);

Elder Affairs
committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain current Senate document relative to accountability for vulnerable children and families (Senate, No. 2659);

Children, Families
and Persons with
Disabilities
committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Cannabis Policy to make an investigation and study of certain current Senate documents relative to cannabis industry issues (Senate, No. 2661);

Cannabis Policy
committee,-- study.

Of the Senate Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents relative to judiciary matters (Senate, No. 2665); and

Judiciary committee,-
- study.

Of the Senate Order relative to authorizing the joint committee on Consumer Protection and Professional Licensure to make an investigation and study of certain current Senate documents relative to consumer protection and professional licensure matters (Senate, No. 2666).

Consumer Protection
and Professional
Licensure
committee,-- study.

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.

PAPERS FROM THE HOUSE.

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

Representative Howitt of Seekonk has been appointed to serve as his designee on the Hate Crimes Task Force established (under Chapter 30 of the Acts of 2021); and

Mary Gatslick has been appointed to serve as his designee on the Nuclear Decommissioning Citizens Advisory Panel established (under Section 14 of Chapter 188 of the Acts of 2016).

Hate Crimes Task Force.

Nuclear Decommissioning Citizens Advisory Panel.

A message from His Excellency the Governor recommending legislation relative to financing improvements to municipal roads and bridges (House, No. 4358),-- **was referred, in concurrence, to the committee on Transportation.**

Roads and bridges.

A petition (accompanied by bill, House, No. 4316) (subject to Joint Rule 9) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) for legislation to establish a Beachwood/Lenstock maintenance district in the town of Stockbridge,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Stockbridge,-- maintenance district.

Bills

Regulating the enforcement of illegal hunting practices (House, No. 4442,-- on Senate, No. 587 and House, No. 904); and

Illegal hunting.

Relative to the alternative superannuation retirement benefit program for teachers (House, No. 4443,-- on Senate, No. 1721 and House, Nos. 19, 2594 and 4111);

Teachers,-- retirement benefits.

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

Bills

Authorizing the establishment of a regional old colony communications center enterprise fund by the town of Duxbury (House, No. 3748,-- on petition) [Local approval received]; and

Duxbury,-- enterprise fund.

Providing for the appointment and removal authority of the town administrator of the town of Wilbraham for officers and employees of the town other than those employees of the Wilbraham Police Department, Wilbraham Fire Department, and Wilbraham Department of Public Works (House, No. 3997,-- on petition) [Local approval received];

Wilbraham,-- town appointments.

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

Reports

Of the committee on Covid-19 and Emergency Preparedness and Management, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 493) of Richard M. Haggerty, Christopher Hendricks and Kate Lipper-Garabedian for legislation to further regulate virtual notarization,-- and recommending that the same be referred to the committee on the Judiciary;

Virtual notarization.

Of the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 604) of Marc R. Pacheco and Michael D. Brady for legislation to establish tracking and reporting requirements for Massachusetts transportation fuels and associated greenhouse gas emissions;

MA transportation fuels,-- tracking.

Of the petition (accompanied by bill, Senate, No. 607) of Marc R. Pacheco and

Emissions benchmarks.

Michael D. Brady for legislation relative to 2030 and 2040 emissions benchmarks;

Of the petition (accompanied by bill, House, No. 852) of John Barrett, III and others for legislation to establish idling time limits for trains; and

Trains,-- idling times.

Of the petition (accompanied by bill, House, No. 944) of Daniel J. Hunt for legislation to direct the Secretary of the Executive Office of Energy and Environmental Affairs to formulate a plan to increase small business participation in energy savings services and programs;

Small business,-- energy savings programs.

And recommending that the same severally be referred to the committee on Telecommunications, Utilities and Energy;

Of the committee on Transportation, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3570) of Edward R. Philips and others relative to penalties for driving on a non-administrative license suspension,-- and recommending that the same be referred to the committee on the Judiciary.

License suspension,-- penalties.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

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

Petition (accompanied by bill, House, No. 4447) of Sheila C. Harrington for legislation to further regulate the Devens Regional Enterprise Zone;

Devens,-- Regional Enterprise Zone.

Under suspension of Joint Rule 12, to the committee on Economic Development and Emerging Technologies.

Petition (accompanied by bill, House, No. 4444) of Josh S. Cutler, Kathleen R. LaNatra and others for legislation to establish penalties for the disposal of radioactive waste into the Commonwealth's waters;

Radioactive waste,-- disposal.

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 4448) of Clinton Graham relative to police transparency;

Police transparency.

Under suspension of Joint Rule 12, to the committee on Public Safety and Homeland Security.

Petition (accompanied by bill, House, No. 4449) of Paul W. Mark relative to solar distribution;

Solar distribution.

Under suspension of Joint Rule 12, to the committee on Telecommunications, Utilities and Energy.

Petition (accompanied by bill, House, No. 4445) of Josh S. Cutler relative to motor vehicle safety glass standards established by the registrar of motor vehicles; and

Motor vehicles,-- safety glass.

Petition (accompanied by bill, House, No. 4446) of Kenneth I. Gordon and Michael J. Barrett for legislation to designate a certain bridge on Great Road in the town of Bedford as the Major Barry Allan Seidman, USAF memorial bridge;

Bedford,-- memorial bridge.

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

Report of a Committee.

By Mr. Brady, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Alecia Simmons, an employee of the Office of the Comptroller (Senate, No. 2654).

Alecia Simmons,-- sick leave.

The bill was read. There being no objection, the rules were suspended, on motion of Ms. Friedman, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act establishing a sick leave bank for Alecia Simmons, an employee of the office of the comptroller".

Sent to the House for concurrence.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following item was taken out of the Notice Section of the Calendar and considered as follows:

The House Bill establishing a sick leave bank for Julie DeRosa, an employee of the department of mental health (House, No. 3915) (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.**

Julie DeRosa,--
sick leave.

PAPERS FROM THE HOUSE

Orders.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Wednesday, February 9, 2022 within which time to make its final report on current Senate document numbered 880, and House document numbered 1411.

Housing,-- extension
order.

The rules were suspended on motion of Mr. Keenan and the order was considered forthwith.

Pending the question on adoption of the order, Mr. Keenan offered an amendment in line 2 by striking out the words “Wednesday, February 9, 2022” and inserting in place thereof the following words:- “Wednesday, February 23, 2022”.

After remarks, the amendment was adopted.

The order (House, No. 4414), as amended, was then adopted.

Sent to the House for concurrence in the amendment.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Wednesday, February 9, 2022 within which time to make its final report on current House document numbered 1376.

Id.

The rules were suspended on motion of Mr. Keenan and the order was considered forthwith.

Pending the question on adoption of the order, Mr. Keenan offered an amendment in line 2 by striking out the words “Wednesday, February 9, 2022” and inserting in place thereof the following words:- “Wednesday, February 23, 2022”.

The amendment was adopted.

The order (House, No. 4417), as amended, was then adopted.

Sent to the House for concurrence in the amendment.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Tuesday, March 1, 2022 within which time to make its final report on current Senate documents numbered 866, 867, 874, 889 and 894, and House documents numbered 1373, 1404, 1415, 1429, 1436, 1440, 1442, 3721, 4148 and 4354.

Id.

The rules were suspended, on motion of Mr. Keenan, and the order (House, No. 4413) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Friday, February 11, 2022 within which time to make its final report on current Senate document numbered 863.

Id.

The rules were suspended, on motion of Mr. Keenan, and the order (House, No.

4415) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Tuesday, February 22, 2022 within which time to make its final report on current Senate documents numbered 869 and 891, and House documents numbered 1381 and 1434.

Id.

The rules were suspended, on motion of Mr. Keenan, and the order (House, No. 4416) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Tuesday, March 8, 2022 within which time to make its final report on current Senate document numbered 890, and House documents numbered 1426, 4208 and 4229.

Id.

The rules were suspended, on motion of Mr. Keenan, and the order (House, No. 4418) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, March 4, 2022 within which time to make its final report on current Senate documents numbered 1772, 2265, 2287 and 2289, and House documents numbered 3456, 3551, 3563 and 370.

Transportation,-- extension order.

The rules were suspended, on motion of Mr. Keenan, and, after remarks, the order (House, No. 4368) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, March 11, 2022 within which time to make its final report on current Senate document numbered 2436.

Id.

The rules were suspended, on motion of Mr. Keenan, and the order (House, No. 4379) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Friday, March 18, 2022 within which time to make its final report on current Senate documents numbered 2256, 2353 and 2356, and House documents numbered 3482, 3579, 3615 and 4301.

Id.

The rules were suspended, on motion of Mr. Keenan, and the order (House, No. 4380) was considered forthwith; and adopted, in concurrence.

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain easement in the town of Savoy (see House, No. 4251) (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 four minutes past twelve o'clock noon, as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 125**]:

Savoy,-- easement.

YEAS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.

Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.

Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Edwards, Lydia
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

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.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at eight minutes past twelve o'clock noon, 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 his approbation.

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Second reading bills.

Authorizing the town of Marblehead to amend Chapter 37 of the Acts of 2004: Parking Violations in the Town of Marblehead (Senate, No. 2288);

Amending the charter of the city of Newburyport (House, No. 3925); and

Authorizing the town of West Stockbridge to continue the employment of Steven Traver (House, No. 4297);

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

The Senate Bill relative to pharmaceutical access, costs and transparency (Senate, No. 771),-- was read a second time.

Pharmacy,-- cost and transparency.

Moment of Silence.

There being no objection during consideration of the Orders of the Day, at the request of the Chair (Ms. Creem), the members guests and staff stood in a moment of silence and reflection in memory of Avram Goldberg.

Moment of silence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill relative to pharmaceutical access, costs and transparency (Senate, No. 771),-- was further considered, the main question being on ordering the bill to a third reading.

Pharmacy,-- cost and transparency.

After remarks, and 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. 2651) and pending the main question on ordering the bill to a third reading, Mr. Gomez, Ms. Chang-Diaz and Mr. Pacheco moved that the proposed new draft

5

be amended in section 21, in proposed section 20 of chapter 6D, by striking out subsection (h) and inserting in place thereof the following subsection:-

“(h) The proposed value of an eligible drug as determined by the commission and the commission’s underlying analysis of the eligible drug is not intended to be used to determine whether any individual patient receives prior authorization or approval for the eligible drug or is subjected to step therapy or utilization management with regard to the eligible drug. The proposed value and underlying analysis shall not be the predominant factor in determining whether a drug is included in a formulary.”.

After remarks, the amendment was adopted.

Ms. DiZoglio and Messrs. Collins, Tarr, Pacheco and O'Connor moved that the proposed new draft be amended by inserting after section 68 the following section:-

“SECTION XX. For purposes of this section, the term ‘epinephrine injector’ shall include an auto-injector approved by the federal Food and Drug Administration for the administration of epinephrine and a pre-filled syringe approved by the federal Food and Drug Administration for the administration of epinephrine that contains a pre-measured dose of epinephrine that is equivalent to the dosages used in an auto-injector.

Notwithstanding any general or special law to the contrary, the center for health information and analysis shall provide a cost estimate review and evaluation of coverage for medically necessary appropriate weight-based dosage epinephrine injectors for persons 18 years of age or under; provided, however, that coverage shall not be subject to any deductible, co-insurance or co-pay; provided further, that the review and evaluation shall include an estimate of costs to the commonwealth under 45 C.F.R. 155.170.

Not later than June 30, 2022, the review and evaluation shall be posted on the center’s website and shall be filed with the clerks of the senate and the house of representatives and the house and senate committees on ways and means.”

After remarks, the amendment was adopted.

Mr. Kennedy moved that the proposed new draft be amended by striking out section 54 and inserting in place thereof the following section:-

“SECTION 54. Said chapter 1760 is hereby further amended by adding the following section:-

Section 30. (a) For the purposes of this section, the following words shall have the following meanings unless the context clearly requires otherwise:

‘Cost-sharing’, an amount owed by an individual under the terms of the individual’s health benefit plan.

‘Pharmacy retail price’, the amount an individual would pay for a prescription medication at a pharmacy if the individual purchased that prescription medication at that pharmacy without using a health benefit plan or any other prescription medication benefit or discount.

(b) At the point of sale, a pharmacy shall charge an individual the: (i) appropriate cost-sharing amount; or (ii) pharmacy retail price, whichever is the lowest; provided, however, that a carrier, or an entity that manages or administers benefits for a carrier, shall not require an individual to make a payment for a prescription drug at the point of sale in an amount that exceeds the lesser of the: (a) individual’s cost share; or (b) pharmacy retail price.

(c) A contract shall not: (i) prohibit a pharmacist from complying with this section; or (ii) impose a penalty on the pharmacist or pharmacy for complying with this section.”

After remarks, the amendment was adopted.

Mr. Kennedy moved that the proposed new draft be amended in section 42, by striking out, in line 644, the words “in section 3B of chapter 176D” and inserting in place thereof the following words:- “by the board”;

In said section 42, by striking out, in line 674, the word “drug” and inserting in place

thereof the following words:- “specialty medication”;

In said section 42, by striking out, in lines 676 and 677, the words “division of insurance may adopt any written policies or procedures or promulgate regulations that the division determines are necessary to implement this section” and inserting in place thereof the following words:- “board shall adopt written policies or procedures or promulgate regulations that the board determines are necessary to implement this section; provided, however, that the board shall define the term “specialty medication” for the purposes of this section”;

In section 48, by striking out, in lines 734 to 737, inclusive, the words “drugs as defined by this section that are included in its pharmaceutical drug benefits to insureds by any licensed pharmacy; provided, however, that the pharmacy is able to comply with the special handling, administration and monitoring requirements of the specialty drug” and inserting in place thereof the following words:- “medications that are included in its pharmaceutical drug benefits to insureds by any pharmacy licensed under section 39K of chapter 112”;

In said section 48, by striking out, in line 738, the word “drugs” and inserting in place thereof the following word:- “medications”;

In section 50, by striking out, in lines 752 to 754, inclusive, the words “‘drugs’ shall mean a prescription medication that requires special handling, administration or monitoring” and inserting in place thereof the following words:- “‘medications’ shall mean a specialty medication as defined pursuant to section 39K of chapter 112”;

By inserting after section 62 the following 2 sections:-

“SECTION 62A. The health policy commission, in consultation with the department of public health, the office of Medicaid, the group insurance commission and the division of insurance, shall study and analyze health insurance payer, including public and private payer, specialty pharmacy networks in the commonwealth. The study shall include: (i) a description of the type of specialty medications most often provided by specialty pharmacies; (ii) the impact of existing health insurance payers’ specialty pharmacy networks on patient access, availability of clinical support, continuity of care, safety, quality, cost sharing and health care costs; and (iii) any recommendations for increasing patient access to and choice of specialty medications, maintaining high-quality specialty pharmacy standards, and meeting the commonwealth’s health care cost containment goals.

The commission shall submit a report of its findings and recommendations to the clerks of the senate and house of representatives, the senate and house committees on ways and means, the joint committee on health care financing and the joint committee on public health not later than July 1, 2023.

SECTION 62B. The regulations required by subsection (d) of section 39K of chapter 112 of the General Laws shall be promulgated not later than December 31, 2022.”; and

In section 65, by striking out, in line 1097, the words “December 15, 2022” and inserting in place thereof the following words:- “April 1, 2023”.

The amendment was adopted.

Messrs. Keenan, Timilty and O'Connor moved that the proposed new draft be amended by striking out the word “may”, in line 350, and inserting in place thereof the following word:-“shall”; and

11

By inserting after the word “section.”, in line 353, the following words:- “The recommendation shall be publicly posted on the commission's website.”

After remarks, the amendment was adopted.

Messrs. Keenan, Montigny and Timilty moved that the proposed new draft be amended by inserting after the word “range”, in line 626, the following words:- “, geographic region”.

12

The amendment was adopted.

Messrs. Tarr and Timilty moved that the proposed new draft be amended by inserting in line 1061 after the word “price” the following:- “(xiv) review the feasibility and appropriateness of reimbursement to pharmacists by insurers for pharmacist provided patient care services currently allowed under Massachusetts laws and regulations”. 13

After remarks, the amendment was *rejected*.

Messrs. Tarr and Timilty moved that the proposed new draft be amended by inserting in line 793 after the word “lower” the following- “; provided further, no carrier or entity that manages or administers benefits for a carrier shall reimburse pharmacies at an amount which is below the pharmacies acquisition cost for a drug available from Massachusetts licensed wholesalers”. 14

After remarks, the amendment was *rejected*.

Messrs. Tarr and Timilty moved that the proposed new draft be amended by inserting in line 750 after the word “mail order pharmacy”, the following words:- “; provided further, steering of patients to a particular mail service pharmacy by a carrier or agent of an insurer providing pharmacy benefits management shall be prohibited”. 18

After remarks, the amendment was *rejected*.

Messrs. Tarr, Montigny and Timilty moved that the proposed new draft be amended by inserting after section _ the following section:- 22

“SECTION _ . Chapter 111 of the general laws is hereby amended by inserting after Section 4N, the following new language: -

Section 4M1/2 Public Disclosure of Patient prescription drug advocacy programs

(a) As used in this section, the following words shall, have the following meanings:

‘Patient advocacy program’ means a program offered by an independent nonprofit organization that advocates on behalf of patients on behalf of a specific disease.

‘Pharmaceutical manufacturer’ means a person that is engaged in the manufacturing of drugs or pharmaceutical devices that are available for purchase by residents of the state; or a person that is responsible for setting the price of a drug or device that is available for purchase by residents of the state on behalf of a person engaged in the manufacturing.

(b) On or before February 1 of each year, all pharmaceutical manufactures and all trade or advocacy groups representing pharmaceutical manufacturers shall report to the department any payment, donation, subsidy or anything else of value made to a patient advocacy program during the immediately preceding calendar year. The report required by Subsection (1) shall include each payment, donation, subsidy, or contribution of value to a patient advocacy program, the amount of the contribution and the entity that provided the contribution.

The report shall be posted on the Department of Public Health’s and the Health Policy Commission’s internet websites and filed with the clerks of the house and the senate and the house and senate chairs of the joint committee on health care financing.

(c) The Department of Public Health may impose an administrative penalty on any pharmaceutical manufactures and all trade or advocacy groups representing pharmaceutical manufacturers that fails to post or provide to the Department the report required by this Section on a timely basis, if the failure was not caused by excusable neglect, technical problems, or other extenuating circumstances, in an amount of not more than \$5,000 for each day of such failure to report.”

The amendment was *rejected*.

Messrs. Finegold, Timilty and Collins, Ms. Chang-Diaz and Messrs. O'Connor and Feeney moved that the proposed new draft be amended in section 58, by striking out, in line 995, the figure “8” and inserting in place thereof the following figure:- “9”; and 26

In said section 58, by inserting after the word “field”, in line 998, the following words:- “, 1 of whom shall be a representative from a community health center”.

After remarks, the amendment was adopted.

Messrs. Tarr and Timilty moved that the proposed new draft be amended by striking section 49 of the bill in its entirety and inserting in place thereof the following new language:-

“SECTION 49. Said section 3B of said Chapter 176D, as so appearing, is hereby further amended by inserting after the fifth paragraph and inserting in place thereof the following paragraph:-

A carrier shall not prohibit a network pharmacist or pharmacy from offering and providing direct and limited delivery services including mailing delivery services, to an insured as an ancillary service of the pharmacy; provided that the network pharmacist or pharmacy can demonstrate quality, stability, and safety standards during delivery; and provided further, that the network pharmacist or pharmacy discloses to the member any delivery service fee associated with the delivery service, and that the carrier will not reimburse the delivery service fee.”

The amendment was *rejected*.

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

PAPER FROM THE HOUSE

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill authorizing the city of Northampton to amend a certain conservation easement (see House, No. 3900, 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 five minutes before two o'clock P.M., as follows, to wit (yeas 38 - nays 0) [**Yeas and Nays No. 126**]:

Northampton,--
easement.

YEAS.

- | | |
|--------------------------|-----------------------------|
| Barrett, Michael J. | Gobi, Anne M. |
| Brady, Michael D. | Gomez, Adam |
| Brownsberger, William N. | Hinds, Adam G. |
| Chandler, Harriette L. | Jehlen, Patricia D. |
| Chang-Diaz, Sonia | Keenan, John F. |
| Collins, Nick | Kennedy, Edward J. |
| Comerford, Joanne M. | Lesser, Eric P. |
| Creem, Cynthia Stone | Lewis, Jason M. |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| DiZoglio, Diana | Pacheco, Marc R. |
| Edwards, Lydia | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. – 38. |

NAYS – 0.

ABSENT OR NOT VOTING.

Lovely, Joan B. – 1.

The yeas and nays having been completed at ten minutes past 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 (Ms. Creem) and laid before the Governor for his approbation.

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill relative to pharmaceutical access, costs and transparency (Senate, No. 771),-- was further considered, the main question being on ordering the bill to a third reading.

Pharmacy,-- cost and transparency.

Mr. Tarr moved that the pending new draft be amended by inserting the following sections:-

31

“SECTION_. Section 226 of chapter 139 of the acts of 2012 is hereby amended by striking out the figure ‘2023’, inserted by SECTION 59 of chapter 227 of the acts of 2020, and inserting in place thereof the following figure: - ‘2028’

SECTION_. Notwithstanding any general or special law to the contrary prescription drug manufacturers shall provide annually to the center for health information and analysis to the maximum extent feasible information on prescription drug coupon redemption and value. The center of health information and analysis shall post said information on their website

SECTION_. Notwithstanding any general or special law to the contrary to the maximum extent feasible insurers licensed pursuant to Chapter 175 shall (1) provide pricing information for drugs and alternative drugs where a drug discount coupon is available to network providers who shall provide such information to members during clinical visits where one or more drugs may be prescribed; and (2) shall further develop and disseminate information to network providers on appropriate drug alternatives where a drug may be prescribed that is the subject of a drug discount coupon, provided further that such information shall be provided to patients during clinical visits.”

Mr. Brownsberger in the Chair, after remarks, the question on adoption of the amendment, was determined by a call of the yeas and nays, at twenty-seven minutes before three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 7 – nays 31) [Yeas and Nays No. 127]:

YEAS.

DiZoglio, Diana
Fattman, Ryan C.
Gobi, Anne M.
Moore, Michael O.

O'Connor, Patrick M.
Tarr, Bruce E.
Timilty, Walter F. – 7.

NAYS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.

Friedman, Cindy F.
Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Montigny, Mark C.
Moran, Susan L.

Cyr, Julian
DiDomenico, Sal N.
Edwards, Lydia
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.

Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Velis, John C. – 31.

ABSENT OR NOT VOTING.

Lovely, Joan B. – 1.

The yeas and nays having been completed at twenty-one minutes before three o'clock P.M., the amendment was *rejected*.

Mr. Montigny and Ms. Jehlen moved that the proposed new draft be amended by striking, in line 560, the word “may” and inserting in place thereof the word “shall”; 34

By striking, in line 565, the words “not more than \$2,000” and inserting in place thereof the words “up to \$5,000”; and

By inserting at the end of the paragraph the following sentence:- “The center may promulgate regulations to define ‘just cause’ for the purposes of this section.”

The amendment was *rejected*.

Mr. Montigny, Ms. Jehlen and Ms. Chang-Diaz moved that the proposed new draft be amended by inserting after section ___ the following section:- 35

“SECTION ___. Section 2 of chapter 111N of the General Laws, as so appearing, is hereby amended by striking the words “unless otherwise permitted under this section”;

By striking the words “(6) the provision of or payment for modest meals and refreshments in connection with non-CME educational presentations for the purpose of educating and informing health care practitioners about the benefits, risks and appropriate uses of prescription drugs or medical devices, disease states or other scientific information, provided that such presentations occur in a venue and manner conducive to informational communication; and provided further, that any such provision of or payment for modest meals and refreshments complies with the requirements set forth in section 2A; provided that the department shall define modest meals and refreshments through regulation.”; and

By inserting the following section:-

“SECTION ___. Chapter 111N of the General Laws, as so appearing, is hereby amended by striking section 2A in its entirety.”

The amendment was *rejected*.

Mr. Montigny and Ms. Jehlen moved that the proposed new draft be amended by inserting after section 62 the following section:- 36

“SECTION 62A. The department of public health, in consultation with the attorney general, district attorneys, patient advocates, health care practitioners and other relevant stakeholders, shall analyze the effectiveness and sufficiency of the marketing code of conduct rules established pursuant to chapter 111N of the General Laws. The department’s analysis shall include, but not be limited to: (i) an evaluation of the reports, compliance information and data required under section 2A, section 5 and section 6 of said chapter 111N; (ii) a comparison of the marketing code of conduct rules with similar rules established in other states; (iii) a review of any enforcement actions taken for violations of said chapter 111N; (iv) a review of opioid marketing practices and direct impact upon increased substance abuse disorders and related deaths; and (v) an assessment of the need, and recommendations for implementation, for further requirements to ensure marketing activities by pharmaceutical and medical device manufacturers do not influence prescribing patterns in a manner that adversely affects patient care, which shall include, but not be limited to, requiring the licensing of all pharmaceutical and medical device representatives, including pharmaceutical or medical device manufacturing agents, as

defined in section 1 of said chapter 111N. The department shall file a report of its findings with the clerks of the senate and house of representatives, the joint committee on public health, the joint committee on health care financing, the senate committee on steering and policy and the senate and house committees on ways and means not later than May 1, 2022.”

After remarks, the question on adoption of the amendment 36 was determined by a call of the yeas and nays, at seven minutes before three o'clock P.M., on motion of Mr. Montigny, as follows, to wit (yeas 38 – nays 0) **[Yeas and Nays No. 128]:**

YEAS.

Barrett, Michael J.	Gobi, Anne M.
Brady, Michael D.	Gomez, Adam
Brownsberger, William N.	Hinds, Adam G.
Chandler, Harriette L.	Jehlen, Patricia D.
Chang-Diaz, Sonia	Keenan, John F.
Collins, Nick	Kennedy, Edward J.
Comerford, Joanne M.	Lesser, Eric P.
Creem, Cynthia Stone	Lewis, Jason M.
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	O'Connor, Patrick M.
DiZoglio, Diana	Pacheco, Marc R.
Edwards, Lydia	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Tarr, Bruce E.
Finegold, Barry R.	Timilty, Walter F.
Friedman, Cindy F.	Velis, John C. – 38.

NAYS – 0.

ABSENT OR NOT VOTING.

Lovely, Joan B. – **1.**

The yeas and nays having been completed at one minute before three o'clock P.M., the amendment was adopted.

Mr. Tarr moved that the proposed new draft be amended in section 55, by inserting after the word “record”, in line 935, the following words:- “, be posted on the division’s website and be submitted to the clerks of the senate and the house of representatives”.

After remarks, the amendment was adopted.

Messrs. Tarr and Fattman moved that the proposed new draft be amended in section 40, in the proposed first paragraph of subsection (a) of section 2RRRRR of chapter 29, by inserting after the third sentence the following sentence:- “The secretary shall seek to maximize available federal reimbursements for money spent from the fund.”

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new draft be amended in section 24, by striking out, in line 435, the words “clinical, safety and adherence programs for pharmacy services; and (x)” and inserting in place thereof the following words:- “(x) clinical, safety and adherence programs for pharmacy services; and (xi)”;

In section 49, by striking out, in lines 747 and 748, the words “and (iii) impose” and inserting in place thereof the following words:- “or (iii)”;

In section 55, by inserting after the word “shall”, in line 832, the following word:-

“not”; and

In said section 55, by striking out, in lines 833 and 834, the words “that does not contract with a pharmacy benefit manager and manages its own prescription drug benefits”.

The amendment was adopted.

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

The bill (Senate, No. 2651, 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 three minutes past three o'clock P.M., on motion of Ms. Friedman, as follows, to wit (yeas 39 – nays 1) [**Yeas and Nays No. 129**]:

YEAS.

- | | |
|--------------------------|------------------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| Brady, Michael D. | Jehlen, Patricia D. |
| Brownsberger, William N. | Keenan, John F. |
| Chandler, Harriette L. | Kennedy, Edward J. |
| Chang-Diaz, Sonia | Lesser, Eric P. |
| Collins, Nick | Lewis, Jason M. |
| Comerford, Joanne M. | Lovely, Joan B. |
| Creem, Cynthia Stone | Montigny, Mark C. |
| Crighton, Brendan P. | Moore, Michael O. |
| Cronin, John J. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Edwards, Lydia | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Feeney, Paul R. | Spilka, Karen E. |
| Finegold, Barry R. | Tarr, Bruce E. |
| Friedman, Cindy F. | Timilty, Walter F. |
| Gobi, Anne M. | Velis, John C. – 39 . |
| Gomez, Adam | |

NAYS.

- Fattman, Ryan C. – **1**.

The yeas and nays having been completed at twelve minutes past three o'clock P.M., the bill was passed to be engrossed [For text of Senate Bill, printed as amended, see Senate, No. 2695]

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Environment, Natural Resources and Agriculture be granted until Monday, February 28, 2022 within which time to make its final report on current Senate documents numbered 548 and 590.

The rules were suspended, on motion of Ms. Rausch, and, after remarks, the order (House, No. 4420) was considered forthwith; and adopted, in concurrence.

Environment, Natural Resources and Agriculture,-- extension.

Education,--
extension.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Tuesday, March 1, 2022 within which time to make its final report on current Senate documents numbered 286, 311, 344 and 809, and House documents numbered 597, 614, 644, 648, 669, 693 and 4138.

The rules were suspended, on motion of Mr. Lewis, and, after remarks, the order (House, No. 4394) was considered forthwith; and adopted, in concurrence.

Id.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Education be granted until Tuesday, March 1, 2022 within which time to make its final report on current House document numbered 664.

The rules were suspended, on motion of Mr. Timilty, and the order (House, No. 4427) was considered forthwith; and adopted, in concurrence.

Order Adopted.

On motion of Mr. Tarr,--

Time of meeting.

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.

Adjournment in Memory of Avram Jacob Goldberg.

The Senator from Middlesex and Norfolk, Ms. Creem and the Senator from Norfolk and Middlesex, Ms. Spilka, moved that when the Senate adjourns today, it adjourns in memory of Avram Jacob Goldberg of Brookline, longtime leader of Stop & Shop Supermarkets and beloved father of Massachusetts State Treasurer Deborah Goldberg. Avram Goldberg passed away on January 30, 2022, at the age of 92.

Avram was born in Brookline on January 26, 1930 and received his education in Massachusetts, graduating from Boston Latin School in 1947, Harvard College in 1951, and Harvard Law School in 1954.

Avram married Carol Rabb in 1950, while he was a student at Harvard College. Avram worked part-time at Stop & Shop during college and law school and joined his father-in-law, Sidney R. Rabb, at the company years later. Avram became an industry leader as Chief Executive of Stop & Shop. He was named Executive Vice President in 1968 and then President in 1971. In 1985, he became Chairman of the Board and his wife, Carol, became President of the company.

As a husband and wife team, Avram and Carol were viewed as ahead of their time. Avram viewed his wife as his co-equal and, together, they navigated the company through years of growth and success.

Avram received many awards and acknowledgments over the years. In 1987, he received the Boston Latin School Distinguished Graduate Award and was named as one of Business Elite's Corporate Elite during his leadership at Stop & Shop Supermarkets. Both he and his wife received the Sidney R. Rabb Award from the Food Industry Association for excellence in serving the consumer, the community, and the industry.

Avram was known to his friends and family as a bright presence with a passion for serving his community. In addition to his widespread philanthropic contributions, he also devoted considerable time and support to Jewish causes. Notably, he endowed the Jewish precursor to the nationwide Big Brother Big Sister organization, which was originally founded by his father. He was also celebrated for his leadership at Congregation Kehillath Israel, where his family attended synagogue for six generations.

Avram is survived by his beloved wife of 73 years, Carol Goldberg, and his two

UNCORRECTED PROOF.

children, State Treasurer Deborah Goldberg and her husband Michael Winter, and Joshua Goldberg and his life partner, Sarah Key. He was also the loving grandfather to Evan L.G. and Meredith S.G. Winter.

He will be greatly missed by the community of Brookline and by all who knew him.

Accordingly, as a mark of respect to the memory of Avram Jacob Goldberg, at twenty-six minutes before four o'clock P.M., on motion of Mr. Collins, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.