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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, JANUARY 13, 2022**

JOURNAL OF THE SENATE

Thursday, January 13, 2022.

Met at twenty minutes past eleven o'clock A.M. (Mr. Brownsberger 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. Brownsberger), 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 Office of the Comptroller (pursuant to Section 6B(b) of Chapter 29 of the General Laws) submitting its quarterly report on the status of federal funds applied for, received and expended in the second quarter of fiscal year 2022 (received January 10, 2022); and

CTR,-- federal grants report. SD2937

Communication from the Department of Public Health relative to its plan of correction for the Massachusetts Treatment Center inspection on November 3 and 4, 2021 (received January 10, 2022).

DPH,-- plan of correction. SD2938

Reports.

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

Report of the Office of the Attorney General (pursuant to Section 99R of Chapter 272 of the General Laws) submitting its annual report of wiretap interceptions for the 2021 calendar year (received January 10, 2022); and

AGO,-- wiretap. SD2936

Report of the Massachusetts District Attorneys Association (pursuant to item 0340-2100 of Chapter 24 of the Acts of 2021) submitting its prosecution statistics annual report for calendar year 2021 (received January 10, 2022).

MDAA,-- prosecution stats report. SD2939

Petition.

Mr. Gomez presented a petition (by request) (accompanied by bill) (subject to Joint Rule 12) of Adam Gomez for legislation to establish a sick leave bank for Elminia Falcone, an employee of the Department of Revenue,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Elminia Falcone,-- sick leave. SD2940

Reports of Committees.

By Mr. Brady, for the committee on Public Service, on petition, a Bill exempting Barbara Killeen from certain requirements of the retired municipal teacher program (Senate, No. 1673);

Barbara Killeen,-- retirement.

By the same Senator, for the same committee, on petition, a Bill relative to retirement buy back into the Massachusetts State Retirement system for Sherrie Stevens (Senate, No. 1724);

Sherrie Stevens,-- retirement.

By the same Senator, for the same committee, on petition, a Bill relative to surviving family members of public emergency medical technicians (Senate, No. 1771);

Emergency medical technicians,-- benefits.

By Mr. Barrett, for the committee on Telecommunications, Utilities and Energy, on

MBTA bus fleet,--

petition, a Bill to convert the MBTA bus fleet to zero-emission vehicles (Senate, No. 2130);

zero-emission.

By the same Senator, for the same committee, on petition, a Bill to expand the Bottle Bill (Senate, No. 2149) [Representatives Jones of North Reading and Mirra of Georgetown dissenting];

Bottle bill,-- expansion.

By the same Senator, for the same committee, on petition, a Bill relative to electric ratepayer protections (Senate, No. 2150);

Ratepayer,-- electric protections.

By the same Senator, for the same committee, on petition, a Bill supporting solar energy deployment in the Commonwealth (Senate, No. 2180);

Solar energy,-- expansion.

By the same Senator, for the same committee, on petition, a Bill furthering adoption of electric vehicles (Senate, No. 2192);

Electric vehicles.

By the same Senator, for the same committee, on petition, a Bill relative to home energy efficiency (Senate, No. 2196) [Representatives Jones of North Reading and Mirra of Georgetown dissenting];

Energy assessments,-- residential.

By the same Senator, for the same committee, on petition, a Bill to prevent biomass energy to protect the air we breathe (Senate, No. 2197); and

Biomass energy,-- prevention.

By the same Senator, for the same committee, on petition, a Bill relative to better buildings (Senate, No. 2232);

Residential buildings,-- energy.

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

By Mr. Brady, for the committee on Public Service, on petition, a Bill relative to civil service resident preference (Senate, No. 1661);

Civil service,-- resident preference.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4321) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the town of Oak Bluffs be authorized to convey a certain parcel of land to the Martha's Vineyard Land Bank Commission; and

Oak Bluffs,-- land conveyance.

Petition (accompanied by bill, House, No. 4322) of Dylan A. Fernandes (by vote of the town) that the town of Oak Bluffs be authorized to further regulate the rental of mopeds and motor scooters in said town;

Oak Bluffs,-- moped rentals.

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

A Bill relative to town elections in the town of Wilbraham (House, No. 3935,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Wilbraham,-- elections.

Reports

Of the committee on Municipalities and Regional Government, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 3750) of Sean Garballey and Cindy F. Friedman (by vote of the town) that the town of Arlington be authorized to regulate new construction or major renovation projects that do not qualify as fossil fuel-free buildings;

Arlington,-- new construction regulations.

Of the petition (accompanied by bill, House, No. 3893) of Michelle L. Ciccolo and Cindy F. Friedman (by vote of the town) that the town of Lexington be authorized to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction; and

Lexington,-- fossil fuel infrastructure regulations.

Of the petition (accompanied by bill, House, No. 4117) of Tami L. Gouveia (by vote

Concord,-- fossil fuel infrastructure

of the town) that the town of Concord be authorized to adopt and enforce local regulations restricting new fossil fuel infrastructure in certain construction in said town;

regulations.

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

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

*Emergency Preamble Adopted.*

An engrossed Bill authorizing the division of capital asset management and maintenance to convey a certain parcel of land to the Claremont Realty Trust in the city of Framingham (see House, No. 4252), 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.

Framingham,-- land conveyance.

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

*Resolutions.*

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

Resolutions (filed by Mr. Eldridge) “congratulating Chief Justice Paula M. Carey on her retirement as Chief Justice of the Trial Court of the Commonwealth.”

Chief Justice Paula M. Carey.

*Recess.*

There being no objection, at twenty-two minutes past eleven o’clock A.M., the Chair (Mr. Brownsberger) declared a recess, subject to the call of the Chair; and at eighteen minutes before two o’clock P.M., the Senate reassembled, the President in the Chair.

Recess.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4331) of Jacob R. Oliveira and Natalie M. Blais relative to zoning ordinances for the regulation of the installation of solar energy systems;

Solar energy systems,-- installation.

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

Petition (accompanied by bill, House, No. 4332) of Josh S. Cutler that the bridge on Tremont Street spanning Route 3 in the town of Duxbury be designated the Lewis Sisters bridge;

Duxbury,-- Lewis Sisters bridge.

Petition (accompanied by bill, House, No. 4333) of Josh S. Cutler that the Congress Street bridge spanning Route 3 in Duxbury be designated as the Cora Wilburn bridge;

Duxbury,-- Cora Wilburn bridge.

Petition (accompanied by bill, House, No. 4334) designating a certain bridge in the town of Duxbury as the George W. W. Scott Bridge; and

Duxbury,-- George W. W. Scott bridge.

Petition (accompanied by bill, House, No. 4335) of Josh S. Cutler that the intersection of Tremont Street, state Route 3A, and St. George Street in the town of Duxbury be designated as the Charlotte Bradford square;

Duxbury,--Charlotte Bradford square.

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

*Matter Taken Out of the Notice Section.*

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

The House Bill 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),-- **was read a third time and passed to be engrossed, in concurrence.**

Concord,-- liquor license.

*Orders of the Day.*

The Orders of the Day were considered, as follows:

**Bills**

Second reading bills.

Providing for a gender-neutral charter in the City of Somerville (Senate, No. 2524);  
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);

Authorizing the town of Danvers to convey and acquire certain property (House, No. 3751);

Amending the charter for the town of Nantucket (House, No. 3792);

Providing for alcoholic beverage licenses in the town of Dunstable (House, No. 3812);

Changing the Board of Selectmen of the town of Plainfield to a Select Board (House, No. 3859);

Relative to the Chilmark Select Board (House, No. 3985, amended);

To amend the Blackstone home rule charter by eliminating the Town Administrator residency requirement (House, No. 3998);

Authorizing the town of Sudbury to transfer a certain parcel of land (House, No. 4108);

Relative to the South Norwood General Business District (House, No. 4114, amended); and

Relative to the West Tisbury Select Board (House, No. 4222);

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

The Senate Bill relative to expanding access to adoption (Senate, No. 123),-- was read a second time.

Adoption,-- access.

After remarks, the pending amendment, previously recommended by the committee Rules, substituting a new draft entitled "An Act expanding access to adoption" (Senate, No. 2616),-- was considered; and it was adopted.

The bill (Senate, No. 2616) 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 ten minutes before two o'clock P.M., on motion of Ms. Lovely, as follows to wit (yeas 39 – nays 0) [**Yeas and Nays No. 116**]

**YEAS.**

Barrett, Michael J.  
Brady, Michael D.  
Brownsberger, William N.  
Chandler, Harriette L.  
Chang-Diaz, Sonia  
Collins, Nick

Hinds, Adam G.  
Jehlen, Patricia D.  
Keenan, John F.  
Kennedy, Edward J.  
Lesser, Eric P.  
Lewis, Jason M.

**UNCORRECTED PROOF.**

Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cronin, John J.  
Cyr, Julian  
DiDomenico, Sal N.  
DiZoglio, Diana  
Eldridge, James B.  
Fattman, Ryan C.  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gobi, Anne M.  
Gomez, Adam

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.  
Spilka, Karen E.  
Tarr, Bruce E.  
Timilty, Walter F.  
Velis, John C. – **39.**

**NAYS – 0.**

**The yeas and nays having been completed at three minutes before two o'clock P.M., the bill was passed to be engrossed.  
Sent to the House for concurrence.**

Mr. Brownsberger in the Chair, the Senate Bill to provide identification to youth and adults experiencing homelessness (Senate, No. 2276),-- was read a second time.

After remarks, the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2612),-- was considered; and it was adopted.

The bill (Senate, No. 2612) 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 twelve minutes past two o'clock P.M., on motion of Ms. Chandler, as follows to wit (yeas 39 – nays 0) [**Yeas and Nays No. 117**]

Real ID,-- homeless individuals.

**YEAS.**

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.  
Cyr, Julian  
DiDomenico, Sal N.  
DiZoglio, Diana  
Eldridge, James B.  
Fattman, Ryan C.  
Feeney, Paul R.  
Finegold, Barry 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.  
Pacheco, Marc R.  
Rausch, Rebecca L.  
Rodrigues, Michael J.  
Rush, Michael F.  
Spilka, Karen E.  
Tarr, Bruce E.  
Timilty, Walter F.  
Velis, John C. – **39.**

NAYS – 0.

The yeas and nays having been completed at eighteen minutes past two o'clock P.M., the bill was passed to be engrossed.  
Sent to the House for concurrence.

PAPERS FROM THE HOUSE

*Engrossed Bills.*

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation, to wit:

Relative to bidding requirements for a certain affordable housing project in the town of Brookline (see House, No. 4083); and

Authorizing the division of capital asset management and maintenance to convey a certain parcel of land to the Claremont Realty Trust in the city of Framingham (see House, No. 4252).

Bills laid before the Governor.

*Order Adopted.*

On motion of Mr. Montigny,--

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

Time of meeting.

On motion of Mr. Moore, at nineteen minutes past two o'clock P.M., the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.