

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MARCH 7, 2022

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JOURNAL OF THE SENATE

Monday, March 7, 2022.

Met at fourteen 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.

Communication.

Communication from the Department of Public Health relative to its plan of correction for the MCI Framingham inspection on December 14 and 15, 2021 (received March 4, 2022),-- was placed on file.

DPH,-- plan of correction. SD3031

Reports.

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

Report of the Department of Mental Health (pursuant to Section 35 of Chapter 123 of the General Laws) submitting its 2021 report on whether a facility other than the Massachusetts Correctional Institution at Bridgewater is being used for treatment of males committed to MASAC (received March 2, 2022);

DMH,-- MASAC treatment report. SD3028

Report of the Executive Office of Labor and Workforce Development (pursuant to item 1790-3009 of Section 2 of Chapter 151 of the Acts of 2020) submitting its third quarterly report on the deployment of an online delivery system for unemployment insurance compensation benefits (received March 4, 2022);

EOLWD,-- online UI report. SD3029

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of Essex County Correctional Alternative Center (received March 3, 2022);

DPH,-- facility inspection. SD3030

Report of the Northwestern District Attorney's Office (pursuant to Section 99R of Chapter 272 of the General Laws) submitting its annual report of wiretap interceptions for the calendar year 2021 (received March 4, 2022); and

Northwestern DA,-- wiretap. SD3032

Report of the Plymouth County Sheriff's Department (pursuant to Section 126(a) of Chapter 24 of the Acts of 2021) submitting its Immigration and Customs Enforcement contract and reimbursement report for fiscal years 2018 to 2022 (received March 7, 2022).

Plymouth Sheriff,-- ICE report. SD3033

Reports of Committees.

By Mr. Lewis, for the committee on Education, on petition, a Bill to establish a special commission on innovative technology-enabled teaching and learning (Senate, No. 364);

Technology-enabled teaching.

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on Senate, Nos. 507 and 508, a Bill establishing a special commission to study the noise effects of hunting migratory game birds in neighborhoods and communities within established coastal zones (Senate, No. 508); and

Game birds,-- hunting.

By the same Senator, for the same committee, on petition (accompanied by resolve, Senate, No. 571), a Resolve to diversify farmland opportunities to combat climate change (Senate, No. 2737);

Climate change,-- farmland.

Severally read and, under Joint Rule 29, referred to the committees on Rules of

the two branches, acting concurrently.

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill protecting public health and reducing health care costs (Senate, No.577);

Referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on Senate, Nos. 369 and 376, a Bill stopping harm inflicted by the exploitation of life and development (Senate, No. 369) [Representative Pease of Westfield dissenting];

By the same Senator, for the same committee, on petition, a Bill modernizing student transportation (Senate, No. 341);

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill to restrict the use of pesticides around children (Senate, No. 498);

By the same Senator, for the same committee, on petition, a Bill requiring the establishment of recycling programs for ionization smoke detectors (Senate, No. 500);

By the same Senator, for the same committee, on Senate, No. 504 and House, No. 905, a Bill establishing the municipal reforestation program (Senate, No. 504);

By the same Senator, for the same committee, on Senate, No. 505 and House, No. 920, a Bill relative to funding water infrastructure and addressing economic target areas (Senate, No. 505);

By the same Senator, for the same committee, on petition, a Bill protecting our coasts from offshore drilling (Senate, No. 514);

By the same Senator, for the same committee, on petition, a Bill to create a Merrimack River District Commission (Senate, No. 520);

By the same Senator, for the same committee, on petition, a Bill improving municipal water infrastructure (Senate, No. 527);

By the same Senator, for the same committee, on Senate, Nos. 530 and 617 and House, Nos. 898, a Bill relative to maintaining adequate water supplies through effective drought management (Senate, No. 530);

By the same Senator, for the same committee, on Senate, No. 537 and House, No. 857, a Bill relative to agricultural disaster relief (Senate, No. 537);

By the same Senator, for the same committee, on petition, a Bill regarding raw milk (Senate, No. 540);

By the same Senator, for the same committee, on petition, a Bill to ensure financial viability in the transportation of farm goods (Senate, No. 543);

By the same Senator, for the same committee, on petition, a Bill to reimburse the Inland Fisheries and Game Fund (Senate, No. 546);

By the same Senator, for the same committee, on petition, a Bill relative to reducing food insecurity (Senate, No. 549);

By the same Senator, for the same committee, on Senate, No. 555 and House, No. 1001, a Bill providing for protections from chemical pesticides (Senate, No. 555);

By the same Senator, for the same committee, on petition, a Bill establishing the Office of Outdoor Recreation (Senate, No. 560);

By the same Senator, for the same committee, on Senate, No. 564 and House, No. 973, a Bill relative to establishing a food justice frontline (Senate, No. 564);

By the same Senator, for the same committee, on petition, a Bill re-establishing the Clean Environment Fund (Senate, No. 565);

By the same Senator, for the same committee, on Senate, No. 576 and House, No.

Health care cost,--
assessment.

Sexual abuse,--
children.

Student
transportation.

Pesticides,-- exposure
to children.

Smoke detectors,--
recycling.

Reforestation
program.

Water infrastructure,-
- funding.

Offshore drilling,--
coasts.

Merrimack River
commission.

Water infrastructure,-
- fund.

Drought
management,-- task
force.

Agricultural disaster
relief,-- fund.

Raw milk,-- shared
animals.

Farm goods,--
transport fee.

Fisheries Fund,--
reimbursement.

Food insecurity.

Agricultural
application,--
pesticide use.

OOR,-- establish.

Food Justice
Frontline Program.

Clean Environment
Fund.

Ivory trafficking

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903, a Bill relative to ivory and rhinoceros horn trafficking (Senate, No. 576);

By the same Senator, for the same committee, on Senate, No. 580 and House, No. 906, a Bill ensuring safe drinking water in schools (Senate, No. 580);

By the same Senator, for the same committee, on petition, a Bill requiring the supervision of animals at day care services (Senate, No. 582);

By the same Senator, for the same committee, on petition, a Bill relative to a cranberry wetland mitigation bank (Senate, No. 589);

By the same Senator, for the same committee, on Senate, Nos. 518, 519 and 605 and House, Nos. 921 and 927, a Bill to eliminate hydraulic fracturing in the Commonwealth (Senate, No. 605) [Senator Fattman dissenting];

By the same Senator, for the same committee, on petition, a Bill relative to recycling car seats (Senate, No. 608); and

By the same Senator, for the same committee, on Senate, No. 2522 and House, No. 4022, a Bill protecting the Upper Cape water supply reserve (Senate, No. 2552);

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

By Mr. Finegold, for the committee on Election Laws, being a message from His Excellency the Governor, a Bill relative to the 2022 annual town meeting for the town of Tisbury (printed in Senate, No. 2611);

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 499 and House, No. 963, a Bill regarding agricultural composting programs (Senate, No. 499);

By the same Senator, for the same committee, on petition, a Bill relative to the pesticide board (Senate, No. 510);

By the same Senator, for the same committee, on petition, a Bill to improve notice requirements of hazardous waste release (Senate, No. 516);

By the same Senator, for the same committee, on petition, a Bill relative to the Ware river watershed advisory committee (Senate, No. 541);

By the same Senator, for the same committee, on petition, a Bill relative to the Underground Storage Tank Petroleum Cleanup Fund Administrative Review Board (Senate, No. 542);

By the same Senator, for the same committee, on petition, a Bill relative to the definition of farming (Senate, No. 545);

By the same Senator, for the same committee, on petition, a Bill relative to creating an animal advisory board to the Massachusetts Department of Agriculture (Senate, No. 551);

By the same Senator, for the same committee, on Senate, No. 552 and House, No. 1025, a Bill relative to hunting near a dwelling (Senate, No. 552); and

By Ms. Gobi, for the committee on Higher Education, on petition, a Bill protecting public higher education student information (Senate, No. 850);

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

PAPER FROM THE HOUSE.

A Bill advancing offshore wind and clean energy (House, No. 4524,-- on Senate, No. 2227 and House, Nos. 3294, 3302, 3310, 3313, 3328 and 4204),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Schools,-- safe drinking water.

Animal supervision,-- day care.

Cranberry bogs,-- projects.

Hydraulic fracturing,-- eliminate.

Car seats,-- recycling.

Upper Cape water supply reserve.

Tisbury,-- town meeting.

Agriculture,-- composting programs.

Pesticide board.

Hazardous waste release,-- notice.

Ware River,-- advisory committee.

Petroleum Cleanup Review Board.

Farming,-- definition.

MDAR,-- animal advisory board.

Hunting,-- dwelling.

Higher education,-- records.

Clean energy.

Resolutions.

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

Resolutions (filed by Mr. Lesser) “congratulating Bay Path University in the town of Longmeadow on its one hundred and twenty fifth anniversary.”

Bay Path University.

Matters Taken Out of the Orders of the Day.

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

The Senate Bill relative to raising the income threshold for senior real property tax deferments in the town of Milton (Senate, No. 2526),-- **was read a second time, ordered to t 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 raising the income threshold for senior real property tax deferments in the town of Milton.”**

Milton,-- property tax.

Sent to the House for concurrence.

The House Bill creating select board-town manager form of government in the town of Wayland (House, No. 4315) (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.**

Wayland,-- select board.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4526) of Sheila C. Harrington relative to restricting flight training maneuvers close to hospitals and helipads; and

Hospitals,-- flight training restrictions.

Petition (accompanied by bill, House, No. 4527) of Dylan A. Fernandes and Julian Cyr relative to the Steamship Authority audit reports;

Steamship Authority audit reports.

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

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 Consumer Protection and Professional Licensure be granted until Tuesday, May 10, 2022 within which time to make its final report on current Senate document numbered 247, and House documents numbered 414, 440 and 441.

Consumer Protection and Professional Licensure,-- extension order.

The rules were suspended, on motion of Mr. Rodrigues, and the order (House, No. 4385) was considered forthwith; and adopted, in concurrence.

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Monday, April 11, 2022 within which time to make its final report on current House documents numbered 4372, 4373 and 4374.

Public Service,-- extension order.

The rules were suspended, on motion of Mr. Fattman, and the order (House, No. 4525) was considered forthwith; and adopted, in concurrence.

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were

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severally passed to be enacted and were signed by the Acting President (Mr. Collins) and laid before the Governor for his approbation, to wit:

Authorizing the town of Wareham to grant an additional license for the sale of malt beverages not to be drunk on the premises (see Senate, No. 2587, amended); and

Amending the residency requirement for the executive assistant in the town of Hudson (see House, No. 3919).

Bills laid before the Governor.

Order Adopted.

On motion of Mr. Fattman,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday next at one o'clock P.M. in a full formal session with a calendar.

Time of meeting.

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