

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MARCH 21, 2022

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JOURNAL OF THE SENATE

Monday, March 21, 2022.

Met at a quarter 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.

Communication.

Communication from the Office of the Comptroller (pursuant to Section 35T(b) of Chapter 10 of the General Laws) submitting the April 2022 certification of MBTA dedicated sales tax revenues for the fiscal year ending June 30, 2022 (received March 21, 2022),-- was placed on file.

Comptroller,-- MBTA sales tax. SD3061

Reports.

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

Report of the Executive Office of the Trial Court (pursuant to Section 2(c) of Chapter 257 of the Acts of 2020) submitting its report on filings, actions, and dispositions of summary process (eviction) cases for February 2022 (received March 15, 2022); and

EOTC,-- summary process report. SD3059

Report of the Office of the Child Advocate (pursuant to Section 10 of Chapter 18C of the General Laws) submitting its fiscal year 2021 annual report (received March 17, 2022).

OCA,-- FY21 annual report. SD3060

Petition.

Ms. Edwards presented a petition (accompanied by bill) (subject to Joint Rule 12) of Lydia Edwards and Adrian C. Madaro for legislation to establish a sick leave bank for Jacquelyne Foley, an employee of the department of early education and care,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Jacquelyne Foley,-- sick leave. SD3058

Reports of Committees.

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill to provide automated external defibrillators in all public safety vehicles (Senate, No. 1582);

Public safety vehicles,-- AED.

By the same Senator, for the same committee on petition, a Bill relative to medical services (Senate, No. 1586);

Medical services.

By the same Senator, for the same committee on petition, a Bill to ensure pay parity for county sheriffs' correction officers and jail officers (Senate, No. 1587);

Correction officers,-- pay parity.

By the same Senator, for the same committee on petition, a Bill to ensure the safety of students, faculty and staff on the campuses of state colleges, community colleges and state universities (Senate, No. 1588);

Campuses,-- safety.

By the same Senator, for the same committee on petition, a Bill relative to safe building materials (Senate, No. 1589);

Building materials,-- fire safety.

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

Hoisting regulations.

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safety in hoisting regulations (Senate, No. 1590);

By the same Senator, for the same committee on petition, a Bill establishing a commission to review substance use in correctional facilities (Senate, No. 1598);

By the same Senator, for the same committee on petition, a Bill requiring healthcare employers to develop and implement programs to prevent workplace violence (Senate, No. 1605);

By the same Senator, for the same committee on petition, a Bill relative to window guards in residential rental properties (Senate, No. 1607);

By the same Senator, for the same committee on petition, a Bill providing mental wellness training for police officers (Senate, No. 1610);

By the same Senator, for the same committee on petition, a Bill establishing local emergency management agencies (Senate, No. 1611);

By the same Senator, for the same committee on petition, a Bill establishing a standing commission on operating under the influence and impaired driving (Senate, No. 1612);

By the same Senator, for the same committee on petition, a Bill establishing a board of hoisting machinery regulations (Senate, No. 1613);

By the same Senator, for the same committee on petition, a Bill relative to elevator certification fees (Senate, No. 1617);

By the same Senator, for the same committee on petition, a Bill relative to public safety on private college and university campuses (Senate, No. 1618);

By the same Senator, for the same committee on petition, a Bill relative to the use of unmanned aerial systems (Senate, No. 1619);

By the same Senator, for the same committee on petition, a Bill expanding professional development for state university and community college campus police officers (Senate, No. 1620);

By the same Senator, for the same committee on petition, a Bill relative to emergency hazard health duty (Senate, No. 1621);

By the same Senator, for the same committee on petition, a Bill relative to sheriffs (Senate, No. 1622);

By the same Senator, for the same committee on petition, a Bill relative to oversight of the sex offender registry board (Senate, No. 1623);

By the same Senator, for the same committee on petition, a Bill establishing a commission on live-fire training (Senate, No. 1624);

By the same Senator, for the same committee on petition, a Bill relative to enhanced fire protection in new one- and two-family dwellings (Senate, No. 1627);

By the same Senator, for the same committee on petition, a Bill relative to police training in appropriate interactions with persons on the autism spectrum and other intellectual and developmental disabilities (Senate, No. 1628);

By the same Senator, for the same committee on petition, a Bill relative to emergency response in an active shooter or hostile event situation (Senate, No. 1630);

By the same Senator, for the same committee on petition, a Bill relative to the safety of children in school buses (Senate, No. 1632);

By the same Senator, for the same committee on petition, a Bill relative to disclosures and the prevention of domestic violence (Senate, No. 1634);

By the same Senator, for the same committee on petition, a Bill to ensure compliance with the anti-shackling law for pregnant incarcerated women (Senate, No. 1635);

By the same Senator, for the same committee on petition, a Bill relative to health education in women's correctional institutions (Senate, No. 1636);

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

CF substance use,--
commission.

Workplace violence,-
- prevention.

Window guards,--
residential properties.

Police officers,--
wellness training.

Disasters,-- local
services.

Impaired driving,--
commission.

Hoisting machinery
board,-- regulations.

Elevator
certification,-- fees.

Campuses,-- public
safety.

Unmanned aerial
systems.

Campus police,--
professional
development.

COVID-19,-- public
safety personnel.

Sheriffs,--
administration.

Sex Offender
Registry,-- oversight.

Live-fire training,--
commission.

Fire protection,--
family dwellings.

Police training,--
persons with autism.

Active shooter,--
emergency response.

School buses,-- child
safety.

Domestic violence,--
prevention.

Anti-shackling law.

Correctional
institutions,--
women's health.
Sprinklers,-- fire
safety.

(Senate, No. 1640);

By the same Senator, for the same committee on petition, a Bill relative to arson investigators (Senate, No. 1642);

By the same Senator, for the same committee on petition, a Bill relative to safety of officers by requiring interior lights in automobiles to be on during stops (Senate, No. 1644);

By the same Senator, for the same committee on petition, a Bill relative to drug recognition experts (Senate, No. 1645);

By the same Senator, for the same committee on petition, a Bill relative to the use of green lights for municipal emergency management vehicles (Senate, No. 1646);

By the same Senator, for the same committee on petition, a Bill relative to state reserve of personal protective equipment (Senate, No. 1647);

By the same Senator, for the same committee on petition, a Bill relative to furthering the success of opiate intervention programs (Senate, No. 1648);

By the same Senator, for the same committee on petition, a Bill relative to COVID-19 complications for public safety employees (Senate, No. 1649);

By the same Senator, for the same committee on petition, a Bill relative to hazardous material teams (Senate, No. 1651);

By the same Senator, for the same committee on petition, a Bill relative to the health of correctional employees (Senate, No. 1653); and

By the same Senator, for the same committee on petition, a Bill related to public safety and police evidence review (Senate, No. 1654);

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

By Mr. Keenan, for the committee on Housing, on petition (accompanied by bill, Senate, No. 863), a Bill relative to the disclosure of smoking within a multi-residence building by lessor (Senate, No. 2779);

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill concerning the Massachusetts Probation Service (Senate, No. 1597); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1650), a Bill relative to the Technical Rescue Services Fund (Senate, No. 2773);

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

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 Environment, Natural Resources and Agriculture to make an investigation and study of certain current Senate documents relative to environment, natural resources and agriculture matters (Senate, No. 2734);

Of the Senate Order relative to authorizing the joint committee on Revenue to make an investigation and study of certain current Senate documents relative to revenue issues (Senate, No. 2743);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to education matters (Senate, No. 2755);

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of certain current Senate documents relative to education issues

Arson investigators.

Police officers,-- safety.

Drug recognition experts.

Emergency vehicles, - green lights.

PPE,-- state reserve.

Opiate overdose,-- intervention.

Employees,-- COVID complications.

Hazardous material team.

Health,-- correctional employees.

Police,-- evidence review.

Multi-residence,-- smoking.

Massachusetts Probation Service.

Technical Rescue Services Fund.

Environment, Natural Resources and Agriculture committee,-- study.

Revenue committee, - study.

Education committee,-- study.

Id.

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(Senate, No. 2756);

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 miscellaneous transportation issues (Senate, No. 2758);

Transportation committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Housing to make an investigation and study of a certain current Senate document and House document relative to facilitating site plan review (Senate, No. 2760);

Housing committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to firearms (Senate, No. 2762);

Public Safety and Homeland Security committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to corrections (Senate, No. 2763);

Id.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to law enforcement and training (Senate, No. 2764);

Id.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of a certain current Senate document to establish a committee on fire safety inspection standards (Senate, No. 2765);

Id.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain a current Senate document requiring health care facilities to develop and implement programs to prevent workplace violence (Senate, No. 2766);

Id.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of a certain current Senate document relative to the existential threat posed by nuclear weapons to the Commonwealth of Massachusetts (Senate, No. 2767);

Id.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to transportation (Senate, No. 2768);

Id.

Of the Senate Order relative to authorizing the joint committee on Education to make an investigation and study of a certain current Senate document relative to safer schools (Senate, No. 2769);

Education committee,-- study.

Of the Senate 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 issues (Senate, No. 2770);

Public Health committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to pensions (Senate, No. 2771); and

Public Service committee,-- study.

Of the Senate 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. 2772).

Public Health 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.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4559) of Natalie M. Blais and Joanne M.

Shutesbury,-- property tax

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Comerford (by vote of the town) that the town of Shutesbury be authorized to establish a means-tested senior citizen property tax exemption in said town,-- **was referred, in concurrence, to the committee on Revenue.**

exemption.

Resolutions.

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

Resolutions (filed by Mr. Fattman) “commending Robert Dubois on the occasion of his retirement from the Board of Selectmen in the Town of Blackstone and for his decades of faithful and dedicated service to the Town.”

Robert Dubois.

Reports of Committees.

By Mr. Brady, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Elizabeth Benard, an employee of the Massachusetts Department of Mental Health (House, No. 2790);

Elizabeth Benard,--
sick leave.

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time and ordered to a third reading.

By Ms. Lovely, for the committee on Rules, on the message from His Excellency the Governor, a Bill making certain provisions for the municipal election in the town of Hingham (printed in Senate, No. 2775);

Hingham,--
municipal election.

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill authorizing the conservation commission of the town of Westford to transfer certain easements to the select board of the town of Westford (House, No. 4432),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2777; and by striking out before the enacting clause the emergency preamble.

Westford,--
conservation
commission.

There being no objection, the rules were suspended, on motion of Mr. Fattman and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Sent to the House for concurrence in the amendments.

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 Bruce E. Tarr and Ann-Margaret Ferrante for legislation to establish a sick leave bank for Dr. Heidi Tarr Henson, an employee of the Executive Office of Labor and Workforce Development.

Heidi Tarr Henson,--
sick leave.
SD3051

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

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:

Abolishing the board of police in the city of Fall River (see House, No. 2645); and

Bills laid before the Governor.

Abolishing the board of fire commissioners in the city of Fall River (see House, No. 2646).

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 House Bill changing the board of selectmen of the town of Clinton to the select board (House, No. 2183) (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.**

Clinton,-- board of selectmen.

The House Bill authorizing the town of Lancaster to continue the employment of Kevin Lamb (House, No. 3761),-- **read a third time and passed to be engrossed, in concurrence.**

Lancaster,-- Kevin Lamb.

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 Higher Education be granted until Monday, April 4, 2022 within which time to make its final report on current Senate documents numbered 822, 824, 829, 832, 839, 842, 843, 846, 847, 848, 851, 852 and 1220, and House documents numbered 41, 1320, 1322, 1325, 1329, 1330, 1331, 1333, 1335, 1336, 1337, 1339, 1340, 1346, 1350, 1352, 1357, 1364, 1368 and 1968.

Higher Education,-- extension order.

The rules were suspended, on motion of Ms. Gobi, and, after remarks, the order (House, No. 4399) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Wednesday, May 4, 2022 within which time to make its final report on current Senate documents numbered 1801, 1812, 1823, 1824, 1827, 1835, 1839, 1847, 1853, 1858, 1861, 1874, 1884, 1889, 1891, 1898, 1901, 1911, 1924, 1929, 1938, 1942, 1962 and 1972, and House documents numbered 2811, 2812, 2834, 2843, 2846, 2853, 2854, 2860, 2878, 2881, 2883, 2887, 2890, 2893, 2894, 2895, 2928, 2964, 2965, 2969, 2972, 2973, 2974, 2976, 2985, 2990, 2998, 2999, 3030, 3035, 3038, 3052, 3057, 3062, 3080, 3081, 3085, 3801, 4042, 4074, 4173, 4179 and 4306.

Revenue,-- extension order.

The rules were suspended, on motion of Mr. Hinds, and, after remarks, the order (House, No. 4429) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Wednesday, May 4, 2022 within which time to make its final report on current House documents numbered 4361 and 4362.

Id.

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

4518) was considered forthwith; and adopted, in concurrence.

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

Petition (accompanied by bill, House, No. 4568) of Brian M. Ashe and others for legislation to establish an elected and appointed board for the Hampden County Regional Retirement System;

Hampden County
Regional Retirement
System.

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

Petition (accompanied by bill, House, No. 4567) of Tommy Vitolo, Cynthia Stone Creem and Nika C. Elugardo (by vote of the town) relative to authorizing the town of Brookline to impose a real estate transfer fee;

Brookline,-- real
estate transfer fee.

Under suspension of Joint Rule 7B, to the committee on Revenue.

The House Bill relative to the governance, structure and care of veterans at the Commonwealth's veterans' homes (House, No. 4441),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2761, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Wagner of Chicopee, McMurtry of Dedham and DeCoste of Norwell had been appointed the committee on the part of the House.

Veterans' homes.

On motion of Mr. Fattman, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Rush, Velis and Tarr were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Moment of Silence.

At the request of the Chair (Mr. Brownsberger), the members, guests and staff stood in a moment of silence and reflection in memory of Paula Green.

Moment of silence.

Order Adopted.

On motion of Mr. Fattman,--

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

Time of meeting.

Adjournment in Memory of Paula Green.

The Senator from Hampshire, Franklin and Worcester, Ms. Comerford, moved that when the Senate adjourns today it do so in memory of Paula Green.

Paula Green, an internationally renowned peacebuilder from Leverett, passed from this life on February 21. Paula's death is mourned and her life celebrated by people around the world.

A trained psychotherapist, Paula championed a groundbreaking approach to conflict resolution across political divides focused on helping people see our common humanity. Some called it a "head to heart" approach which allowed for deeper relationships and healing.

Her beloved husband, Jim Perkins noted that Paula was "a brave, passionate, and highly skilled practitioner – a master of finding the commonalities among people beyond intellect."

Paula founded the Karuna Center for Peacebuilding where much of her work led her

to intense conflict zones, including Bosnia, Rwanda, Nigeria, Sri Lanka and the Middle East.

She said of her work, “I found myself no longer willing to be a passive witness to the suffering caused by armed conflict and the unbridled misuse of power and privilege.”

Paula was also a founding director of the Conflict Transformation Across Cultures program at the School for International Training in Brattleboro, Vermont – a program that has taught aspiring peacebuilders from around the world.

Most recently, Paula launched an effort called Hands Across the Hills in response to the 2016 U.S. election cycle. It aimed to spark dialogue among liberals and conservatives from western Massachusetts and Kentucky.

In a 2019 story about Hands Across the Hills, The New York Times wrote, “Dr. Green applied a basic rule of psychology: Once people feel heard, their dignity had been acknowledged and the facts of their lives taken seriously, it is easier to take on harder topics like politics.”

In a tribute posted to its website, the Karuna Center notes that Paula was “a powerful force for change” who “will remain a catalyst for peace, having inspired generations of peacebuilders to build bridges across seemingly intractable divides with compassion, bravery and a profound sense of justice.”

School for International Training President Dr. Sophia Howlett noted, “Paula leaves a rich legacy of teaching and writing that will continue to inspire social change for years to come.”

In a Caring Bridge entry two days before her death, Paula noted that cancer had re-entered her body like a “freight train.” She continued, “I have had a full measure of a wonderful full life. Eighty-four is a ripe number and of course we only want more.”

Paula closed with love noting that she and Jim “have been cradled in [their] community for 40 years in Leverett.”

The loss of Paula is felt ever more deeply amid the ongoing and anguishing attack on Ukraine.

Those who have loved and learned from Paula must now take up her life’s work of peacebuilding and for what Jim noted must be “powerful work for a more kind and just society” for all.

Accordingly, as a mark of respect to the memory of Paula Green, at nineteen minutes before twelve o’clock noon, on motion of Mr. Brownsberger, the Senate adjourned to meet again on Thursday next at eleven o’clock A.M.