

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, APRIL 4, 2022

JOURNAL OF THE SENATE

Monday, April 4, 2022.

Met at twenty minutes past eleven o'clock A.M. (Mr. Collins in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Chair (Mr. Collins), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communications.

The following communications were severally received and placed on file, to wit: Communication from the Executive Office of Health and Human Services (pursuant to item 1599-6903 of Section 2 of Chapter 24 of the Acts of 2021) submitting its fiscal year 2022 Chapter 257 salary report (received March 31, 2022); and

EOHHS,-- Chapter 257 report. SD3074

Communication from the Department of Public Health relative to its plan of correction for the Hampden County Jail and House of Correction inspection on February 23 and 24, 2022 (received March 31, 2022).

DPH,-- plan of correction. SD3075

Reports.

The following reports were severally received and placed on file, to wit: Report of the Bristol 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 April 4, 2022); and

Bristol DA,-- wiretap. SD3077

Report of the Rose Fitzgerald Kennedy Greenway Conservancy (pursuant to Section 7 of Chapter 306 of the Acts of 2008) submitting its 2021 Annual Report, audited financial statements and other supporting documents (received March 31, 2022).

RFKGC,-- 2021 reporting. SD3078

Petition.

Ms. Creem presented a petition (accompanied by bill, Senate, No. 2803) of Cynthia Stone Creem (by vote of the town) for legislation to authorize the town of Brookline to establish a means-tested senior citizen property tax exemption [Local approval received];

Brookline,-- property tax exemption.

Referred, under Senate Rule 20, to the committee on Revenue. Sent to the House for concurrence.

Reports of Committees.

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on petition (accompanied by bill, Senate, No. 591), an Order relative to authorizing the joint committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain current Senate document relative to the Farm Technology Review Commission (Senate, No. 2805);

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

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2741), an Order relative to authorizing the joint committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain current Senate document relative to the Salisbury Beach Preservation Trust Fund (Senate, No.

Id.

2806); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2667), an Order relative to authorizing the joint committee on Environment, Natural Resources and Agriculture to make an investigation and study of a certain current Senate document promoting drinking water quality for all (Senate, No. 2807) [Senator Eldridge dissenting];

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

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bills Relative to an agricultural healthy incentives program (Senate, No. 108, changed) (also based on House, No. 250) [Estimated cost: greater than \$100,000];

Relative to persons with developmental disabilities (Senate, No. 122) [Estimated cost: greater than \$100,000];

To provide increased access to hearing aids (Senate, No. 211) [Estimated cost: greater than \$100,000];

Increasing the personal needs allowance for residents of long term care facilities (Senate, No. 412) (also based on Senate, No. 133) [Estimated cost: greater than \$100,000];

Relative to preserving fertility (Senate, No. 640) [Estimated cost: greater than \$100,000];

Providing health insurance coverage for scalp and facial hair prostheses (Senate, No. 701) [Estimated cost: greater than \$100,000];

Providing protections to victims of domestic violence in connection with property insurance claims (Senate, No. 702) [Estimated cost: greater than \$100,000];

Relative to HIV routine screening and care (Senate, No. 1405) [Estimated cost: greater than \$100,000];

Enabling pharmacists to prescribe, dispense and administer PrEP (Senate, No. 1407) [Estimated cost: greater than \$100,000];

Relative to diabetes prevention (Senate, No. 1461) [Estimated cost: greater than \$100,000];

Improving Hepatitis C screening (Senate, No. 1485) [Estimated cost: greater than \$100,000];

Relative to acupuncture detoxification specialists (Senate, No. 1520) [Estimated cost: greater than \$100,000];

To provide diabetes prevention program benefits (Senate, No. 1718) [Estimated cost: greater than \$100,000];

Supporting individuals with intellectual and developmental disabilities including autism (Senate, No. 2615) [Estimated cost: greater than \$100,000];

Authorizing common sense health services in assisted living (Senate, No. 2656) [Estimated cost: greater than \$100,000];

To support children with neonatal abstinence syndrome (Senate, No. 2658) [Estimated cost: greater than \$100,000]; and

Regarding the pediatric palliative care program (Senate, No. 2590) (also based on House, No. 4272) [Estimated cost: greater than \$100,000];

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

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on petition (accompanied by bill, Senate, No. 548), a Bill addressing crumbling concrete foundations (Senate No. 2804); and

Id.

Healthy incentives program.

Developmental disabilities,-- define.

Hearing aids,-- access.

Personal needs allowance.

Fertility preservation.

Health insurance,-- hair prosthesis.

Domestic violence,-- victim protection.

HIV,-- screening.

Pharmacists,-- PrEP.

Diabetes,-- prevention.

Hepatitis C,-- screening.

Acupuncture,-- detox specialists.

Diabetes,-- prevention.

Persons with disabilities,-- train.

Assisted living,-- health services.

Neonatal abstinence syndrome.

Palliative care,-- pediatrics.

Concrete foundations,-- pyrrhotite.

UNCORRECTED PROOF.

By Mr. Crighton, for the committee on Transportation, on petition (accompanied by bill, Senate, No. 2309), a Bill relative to electric bicycles (Senate No. 2809);

Electric bicycles.

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

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 Health Care Financing to make an investigation and study of certain current Senate documents relative to health care financing (Senate, No. 2800),-- **and recommending that the same be referred to the committee on Rules.**

Health Care
Financing
committee,-- study.

Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4647) of Sarah K. Peake and Julian Cyr (by vote of the town) relative to the prevailing wage in the town of Wellfleet;

Wellfleet,--
prevailing wage.

To the committee on Labor and Workforce Development.

Petition (accompanied by bill, House, No. 4648) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Wellfleet be authorized to establish a real estate transfer fee in said town; and

Wellfleet,-- real
estate transfer fee.

Petition (accompanied by bill, House, No. 4649) of Sarah K. Peake and Julian Cyr (by vote of the town) relative to expanding the exemption for residential property in the town of Wellfleet;

Wellfleet,--
residential property
exemption.

Severally to the committee on Revenue.

A Bill authorizing senior water and sewer discounts in the town of Arlington (House, No. 3749, amended,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Arlington,-- water
and sewer discounts.

Resolutions.

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

Resolutions (filed by Mr. Brady) “congratulating Mark McPherson on his elevation to the rank of Eagle Scout”;

Mark McPherson.

Resolutions (filed by Ms. Chandler) “commending President Laurie A. Leshin on her contributions and dedicated service to Worcester Polytechnic Institute, higher education and to the Greater Worcester Community”;

President Laurie A.
Leshin.

Resolutions (filed by Ms. Lovely) “commending Walt Kosmowski for his dedicated and tireless service to the city of Beverly and to his community”; and

Walt Kosmowski.

Resolutions (filed by Ms. Moran) “congratulating Fire Chief Edward Bradley on his retirement from the Plymouth Fire Department.”

Fire Chief Edward
Bradley.

Reports of Committees.

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 Cynthia Stone Creem for legislation to promote the recovery and recycling of electric vehicle batteries.

EV batteries,--
recycling.
SD2941

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

Agriculture.

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 Cynthia Stone Creem for legislation to establish guidelines for the installation of electric vehicle charging stations by condominium owners.

EV charging stations.
SD2942

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

Jacquelyne Foley,--
sick leave.
SD3058

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 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.

Senate Rule 36 was suspended, on motion of Mr. Tarr, 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.

State projects,--
carbon concrete.
SD3010

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 Cynthia Stone Creem for legislation relative to the use of low embodied carbon concrete in state project.

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

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 Cynthia Stone Creem for legislation to promote access to zero-emission school buses.

School buses,-- zero-
emission.
SD2943

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

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 Cynthia Stone Creem for legislation to reduce the emissions of transportation network companies and private vehicle fleets.

TNCs,-- emissions.
SD2944

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

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 Cynthia Stone Creem for legislation to incentivize the adoption of zero-emission vehicles and the early retirement of high-emission vehicles.

Zero-emission
vehicles,-- adoption.
SD2945

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

Severally sent to the House for concurrence.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill establishing the behavioral health trust fund and the behavioral

Behavioral health

health advisory commission (see House, No. 4288, amended), 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.

trust fund.

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

Matter Taken Out of the Orders of the Day.

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

The House Bill amending the charter of the town of Blackstone by eliminating the town administrator residency requirement (House, No. 3998) (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.**

Blackstone,-- town administrator.

PAPERS FROM THE HOUSE

Engrossed Bills.

An engrossed Bill expanding access to adoption (see Senate, No. 2616, amended) (which originated in the Senate), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Collins) and laid before the Governor for his approbation.**

Bill laid before the Governor.

An engrossed Bill establishing the behavioral health trust fund and the behavioral health advisory commission (see House, No. 4288, amended) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted and signed by the Acting President (Mr. Collins) and again laid before the Governor for his approbation.**

Bill again laid before the Governor.

Moment of Silence.

At the request of the Chair (Mr. Collins), the members, guests and staff stood in a moment of silence and reflection in memory of Lawrence Healey.

Moment of silence.

Order Adopted.

On motion of Mr. Tarr,--

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 Lawrence Healey.

The Senator from Norfolk and Suffolk, Mr. Rush, moved that when the Senate adjourns today it do so in memory of Lawrence Healey of West Roxbury.

Lawrence "Larry" Healey passed away on February 27th, 2022, at the age of 88. Larry was a beloved member of the community and a good friend to many. He was a veteran of the Korean War, earning both the Army of Occupation Medal for time spent in Germany as well as the National Defense Medal. Following his return from the Army, Larry became a firefighter in the City of Boston, where he served the city honorably until his retirement in 1981. He was a beloved figure involved with the American Legion Post

#18 in Dedham and the USS Jacob Jones VFW Post 2017 for many years.

Larry Healey was a beloved and dedicated husband to his late wife Helen and father to his seven children.

He is survived by Thomas P. Healy of West Roxbury, Lawrence J. Healy and his wife Karen of West Roxbury, John M. Healy and his wife Julia of Dedham, Nora J. Dwyer of Pembroke, Mary E. Malinn and her husband James of Dedham, Kathleen M. Twyman of Dedham, and Laura M. Scace and her husband David of Dedham, as well as his many loving grandchildren.

Accordingly, as a mark of respect to the memory of Lawrence Healey, at twenty-nine minutes before twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.