

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, APRIL 25, 2022

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JOURNAL OF THE SENATE

Monday, April 25, 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.

Communications.

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

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Lena Joseph (pursuant to Section 26 of Chapter 260 of the Acts of 2020) to the Rare Disease Advisory Council (received April 21, 2022);

Rare Disease Advisory Council,-- appt.

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Sonia Shah (pursuant to Section 66 of Chapter 3 of the General Laws) to the Massachusetts Commission on the Status of Women (received April 21, 2022); and

Commission on the Status of Women,-- appt.

Communication from the Department of Public Health relative to its plan of correction for the Essex County Correctional Facility inspection on March 9 and 10, 2022 (received April 22, 2022).

DPH,-- plan of correction. SD3121

Reports.

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

Report of the Plymouth County Registry of Deeds (pursuant to Section 2KKK(a) of Chapter 29 of the General Laws) submitting its plan for expenditure from the County Registers Technological Fund (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received April 21, 2022); and

Plymouth ROD,-- tech fund report. SD3118

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 Worcester County Jail and House of Correction (received April 22, 2022).

DPH,-- facility inspection. SD3120

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2843) of Bruce E. Tarr and Jamie Zahlaway Belsito (by vote of the town) for legislation relative to the select board of the town of Wenham [Local approval received];

Wenham,-- select board.

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

Sent to the House for concurrence.

By Mr. Hinds, a petition (accompanied by bill) (subject to Joint Rule 12) of Adam G. Hinds for legislation to reduce packaging waste,-- **under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Packaging waste. SD3119

Reports of Committees.

By Mr. Gomez, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill allowing spouses to serve as caregivers (Senate, No. 89);
Referred, under Joint Rule 1E, to the committee on Health Care Financing.

Spouses,-- paid caregivers.

By Mr. Gomez, for the committee on Children, Families and Persons with Disabilities, on Senate, Nos. 117 and 144, a Bill updating terminology and investigative practices related to the protection of persons with disabilities (Senate, No. 117);

Persons with disabilities,-- terminology.

By Mr. Brady, for the committee on Public Service, on Senate, No. 1657 and House, No. 2575, a Bill relative to Brockton school police (Senate, No. 1657);

Brockton,-- school police.

By the same Senator, for the same committee, on Senate, No. 1660 and House, No. 3848, a Bill further regulating the retirement rights of certain employees of Plymouth County (Senate, No. 1660);

Plymouth County,-- retirement.

By the same Senator, for the same committee, on Senate, No. 1668 and House, No. 2571, a Bill relative to non-clerical workers of the Massachusetts Water Resources Authority (Senate, No. 1668); and

MWRA,-- non-clerical workers.

By the same Senator, for the same committee, on petition, a Bill relative to further defining employees classified in Group 4 (Senate, No. 1714);

Group 4 employees,-- classification.

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

PAPERS FROM THE HOUSE.

Bills

Supporting safe excavation practices (House, No. 3297,-- on petition); and

Excavation practices. Millville,-- Margaret M. Carroll memorial greenway.

Designating a certain node of the Blackstone River Greenway in the town of Millville as the Margaret M. Carroll memorial greenway access area (House, No. 4213,-- on petition);

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

Resolutions.

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

Resolutions (filed by Ms. Lovely) “congratulating Karen Dow on the occasion of her retirement after 28 years of distinguished service to the town of Topsfield”;

Karen Dow.

Resolutions (filed by Ms. Lovely) “congratulating Dick Gandt on the occasion of his retirement after 21 years of distinguished service to the town of Topsfield”;

Dick Gandt.

Resolutions (filed by Ms. Lovely) “congratulating the Salem Witch Museum on the occasion of the fiftieth anniversary of its establishment”;

Salem Witch Museum.

Resolutions (filed by Mr. Rush and Ms. Rausch) “congratulating Daniel Matthews on his retirement from the Select Board in the Town of Needham.”

Daniel Matthews.

Recess.

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

Recess.

Moment of Silence.

Mr. Collins in the Chair, the members, staff and guests stood in a moment of silence and reflection to the memory of Catherine “Kay” White.

Moment of silence.

PAPERS FROM THE HOUSE

Engrossed Bills.

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

Renaming the Board of Selectmen in the town of Cohasset to the Select Board and making certain other related gender-neutral changes (see Senate, No. 2706, amended);

Bills laid before the Governor.

Designating the Podokesaurus holyokensis as the official dinosaur of the Commonwealth (see House, No. 3190); and

Authorizing the town of Lancaster to continue the employment of Maurice Bateman (see House, No. 3760).

Matters Taken Out of the Orders of the Day.

The following matters were taken out of the Orders of the Day and considered as follows:

The House Bill authorizing the investment of certain trust funds in the town of Weston (House, No. 3894) (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.**

Weston,-- trust funds.

The House Bill changing the name of the board of selectmen in the town of Norwell (House, No. 3916) (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.**

Norwell,-- board of selectmen.

The House Bill authorizing the town of Amherst to continue the employment of Walter (Tim) Nelson (House, No. 4593),-- **was read a third time and passed to be engrossed, in concurrence.**

Amherst,-- fire chief.

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Josalyn Gibson, an employee of the Department of Developmental Services (House, No. 4653,-- on petition),-- was read.

Josalyn Gibson,-- sick leave.

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

A petition (accompanied by bill, House, No. 4722) of Steven S. Howitt and others relative to the theft of vehicle catalytic converters,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

Vehicle catalytic converters,-- theft.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill regulating sports wagering (House, No. 3993) (also based on Senate, No. 269),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2844.

Sports wagering.

Order Adopted.

Mr. Rodrigues presented the following order, to wit:

Procedural order.

Ordered, that notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill regulating sports wagering (House, No. 3993) (the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2844) shall be placed in the Orders of the Day for a second reading on Thursday, April 28, 2022.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M, on Tuesday, April 26, 2022. All such amendments shall be second reading-amendments to the Senate Ways and Means new text (Senate, No. 2844), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill, as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

The rules were suspended, on motion of Mr. Timilty, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, April 28, 2022, for a second reading with the amendment pending.

PAPER FROM THE HOUSE.

A Bill relative to work and family mobility (House, No. 4470,-- on Senate, No. 2289 and House, No. 3456),-- was read.

Driver's licenses.

There being no objection, on motion of Mr. Crighton, the bill was referred to the committee on Rules.

Order Adopted.

On motion of Mr. Timilty,--

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 Catherine "Kay" White.

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it do so in memory of Catherine "Kay" White.

Mrs. White was laid to rest on Tuesday, April 5th at the New Calvary Cemetery in Roslindale. Hundreds of people gathered to bid farewell to Mrs. White. Family and friends alike were sad, but it wasn't just a time for sadness; it was a time to rejoice, a day of remembrance for a great lady who lived a long and wholesome life.

Mrs. White, who was commonly known as "Nana White", was of Savin Hill and was regularly referenced to as The First Lady of Savin Hill. Mrs. White died on March 30, 2022, at the age of 98 years. Born in 1923, Kay married in 1943, and was a traditional, old fashioned, dedicated wife to Robert L. "Bob" White. She was an awe-inspiring mother of Catherine Keddie-Coyne, and her late husband John Coyne, Barbara and her husband Roger Croke, and Margaret and her late husband Richard Higgins, all of Dorchester, Robert and his wife Patricia White of Franklin, Walter and his wife Monica White of

Florida, Edward and his wife Patricia White of Yarmouth, and Reverend Joseph White of St. Joseph Parish, Boston. She was a proud and grateful nana to 20 grandchildren; and her late 18-month-old granddaughter Kaitlyn Marie; and 24 great-grandchildren. Daughter of Irish immigrants, Cornelius and Margaret (Buttimer) Glavin of Youghal, County Cork, Ireland. Daughter-in-law of Robert L. and Mary E. (Schulz) White. She was the beloved eldest sister of 9. Sister and sister-in-law to Jackie Glavin, Sue McAleney, Mary and Larry Costello, Michael and Penny Glavin, and Lou White. Predeceased by Cornelius and Mal Glavin, Peggy and Fred Murray, Billy Glavin, Walter and Virginia Glavin, Imelda and Cliff Meiggs, Walter and Rita, Arthur, Betty, Ralph and Eddie White, Mary and Pat McKenna, and the good folks of Midland Street and friend Agnes Croke. Survived by dozens of nieces, nephews, and cousins, including Reverend. Father Bernard Cotter SMA of Cork.

Mrs. White was a devout Catholic, nurtured in faith by family, parish, and the Sisters of St. Joseph, Kay graduated from St. William's Grammar School in 1936, "the very first class completing all eight years." She then attended the Jeremiah E. Burke High School, Class of 1940. She was a proud union representative of Local 54 and employee of Boston University. After retirement, she took the position of St. William's Rectory cook, where she worked until the age of 84 in 2004. When the church closed in 2005, Kay was heartbroken, so she decided to expand her crocheting to include making American flag blankets for those who served in the armed forces. These flags are now scattered throughout the world with those who were fortunate to have known and loved one of God's best. From the words of her son, Father Joe she passed her faith on from one generation to the next. She nourished us in so many ways leaving us with shared experiences, faith, and hope.

Accordingly, as a mark of respect to the memory of Catherine "Kay" White, at nineteen minutes before two o'clock P.M., on motion of Mr. Timilty, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.