

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MAY 19, 2022

JOURNAL OF THE SENATE

Thursday, May 19, 2022.

Met at eighteen 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.

Distinguished Guests.

There being no objection, the Chair (Mr. Collins) handed the gavel to Messrs. Timilty and Brady for the purpose of an introduction. Mr. Timilty then introduced the Oliver Ames High School Girls Basketball Team. The team was recognized for winning the Massachusetts Interscholastic Athletic Association Division 2 State Championship against the undefeated number 1 seed Norwood, with a score of 53-48 at the Tsongas Center. The Tigers have been led by Coach Laney Clement-Holbrook, who is retiring after more than 40 years of coaching and serving as a mentor to the student athletes. The team was applauded for their accomplishments and withdrew from the Chamber. They were also accompanied by Assistant Coaches Brittney Engle and Christine Hochstein and Principal Kelly Cavanaugh. They were also guests of Representative Cassidy of Brockton.

Oliver Ames High School Girls Basketball Team.

There being no objection, the Chair (Mr. Collins) introduced, in the rear of the Chamber, Tom Harrington who was visiting from Ireland. The Senate welcomed him with applause, he signed the guestbook and he withdrew from the Chamber.

Tom Harrington.

There being no objection, the Chair (Mr. Collins) handed the gavel to Mr. Velis for the purpose of an introduction. Mr. Velis then introduced, in the rear of the Chamber, a group of 11th grade students from Easthampton High School that were recognized for being the Massachusetts We the People State Champions and for placing 11th in the country in a national civics competition. They were led by teacher Kelley Brown. The Senate welcomed them with applause and they withdrew from the Chamber.

Easthampton High School.

Communication.

Communication from the Department of Public Health relative to its plans of correction for the Plymouth County Correctional Facility inspection on February 17 and 18, 2022, NCCI Gardner inspection on March 15, 16 and 17, 2022, Hampshire County Jail and House of Correction inspection on April 19, 2022, Bridgewater Complex Food Service inspection on May 5, 2022 and MCI Concord inspection on March 16 and 17, 2022 (received May 16, 2022),-- was placed on file.

DPH,-- plans of correction. SD3164

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 April 2022 (received May 16, 2022);

EOTC,-- summary process report. SD3165

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of Old Colony Correctional

DPH,-- facility inspections.

Center, Souza-Baranowski Correctional Center and Western MA Women’s Correctional Center (received May 17, 2022); and

SD3167

Report of the Special Commission on Racial Inequities in Maternal Health (pursuant to Chapter 348 of the Acts of 2020, as amended by Section 68 of Chapter 42 of the Acts of 2022) submitting its final report of findings and recommendations (copies having been forwarded as required to the Secretary of the Executive Office of Health and Human Services, the Chair of the Senate Committee on Ways and Means and the Senate Chairs of the joint committees on Health Care Financing and Public Health) (received May 18, 2022).

Maternal health commission,-- report. SD3168

Petition.

Ms. DiZoglio presented a petition (accompanied by bill) (subject to Joint Rule 12) of Diana DiZoglio for legislation relative to expanding equal opportunity in state contracting for LGBTQ+ businesses,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Contracting,-- equal opportunity. SD3166

Report of a Committee.

By Mr. Lewis, for the committee on Education, on Senate, Nos. 288, 312, 317, 319, 320, 339, 358, 362 and 393, a Bill to expand access to high-quality, affordable early education and care (Senate, No. 2883);

Early education and care,-- access.

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 Transportation to make an investigation and study of certain current Senate documents relative to miscellaneous transportation matters (Senate, No. 2861);

Transportation 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 public service matters (Senate, No. 2874);

Public Service committee,-- study.

Of the Senate 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 recreation on private tidelands (Senate, No. 2878);

Environment, Natural Resources and Agriculture,-- study.

Of the Senate 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 promote economic opportunities for cottage food entrepreneurs (Senate, No. 2879); and

Id.

Of the Senate Order relative to authorizing the joint committee on Labor and Workforce Development to make an investigation and study of a certain current Senate document establishing fairness for agricultural workers (Senate, No. 2881).

Labor and Workforce Development 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.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4788) of Daniel J. Ryan, Sal N. DiDomenico and Jessica Ann Giannino (with the approval of the city council) that the city

Chelsea,-- liquor licenses.

of Chelsea be authorized to grant five licenses for the sale of all alcoholic beverages to be drunk on the premises in said city;

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4789) of Daniel J. Ryan, Sal N. DiDomenico and Jessica Ann Giannino (with the approval of the city council) that the city of Chelsea be authorized to create a linkage fee for development in said city;

Chelsea,-- linkage fee.

To the committee on Municipalities and Regional Government.

Bills

To preserve special needs trusts for disabled seniors (House, No. 4792,-- on House, No. 1274);

Disabled seniors,-- trusts.

Relative to the preparation of certain bilingual ballots in the city of Malden (House, No. 4793,-- on House, No. 3828) [Local approval received on House, No. 3828]; and

Malden,-- bilingual ballots.

Authorizing the town of Pepperell to convey a certain parcel of land to the Commonwealth (House, No. 4794,-- on House, No. 4188) [Local approval received on House, No. 4188];

Pepperell,-- land conveyance.

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

Bills

Eliminating the requirement for the geriatric authority to make payment to the town of Milford in lieu of taxes (House, No. 3023,-- on petition) [Local approval received];

Milford,-- payments.

To make permanent a senior means tested property tax exemption in Concord (House, No. 3731,-- on petition) [Local approval received];

Concord,-- senior tax exemption.

Authorizing the city of Melrose to establish a means tested senior citizen property tax exemption (House, No. 3766,-- on petition) [Local approval received]; and

Melrose,-- senior tax exemption.

Authorizing the town of Swansea to enter into a lease agreement for Medeiros Farm (House, No. 4197,-- on petition) [Local approval received];

Swansea,-- Medeiros Farm.

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Resolutions.

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

Resolutions (filed by Messrs. Crighton and Brownsberger, Ms. Comerford, Messrs. Cronin and DiDomenico, Ms. Dizoglio, Ms. Edwards, Messrs. Eldridge, Fattman, Keenan, Kennedy and Lesser, Ms. Lovely, Messrs. Moore and O'Connor, Ms. Rausch and Messrs. Rush, Tarr and Velis) "commending the National Brain Tumor Society Inc. for its recognition of May 2022 as Brain Tumor Awareness Month."

The National Brain Tumor Society Inc.

PAPERS FROM THE HOUSE.

The House Bill regulating sports wagering (House, No. 3993),-- 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 2682), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Parisella of Beverly, Michlewitz of Boston and Muradian of Grafton had been appointed the committee on the part of the House.

Sports wagering.

On motion of Mr. Tarr, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Rodrigues, Lesser and

O'Connor were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

The House Bill relative to work and family mobility (House, No. 4470),-- 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 2872), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Straus of Mattapoisett, Devers of Lawrence and Xiarhos of Barnstable had been appointed the committee on the part of the House.

Driver's licenses.

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

The bill was returned to the House endorsed accordingly.

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

Raising the income threshold for senior real property tax deferments in the town of Milton (see Senate, No. 2526);

Bills laid before the Governor.

Relative to the design, development, construction and operation of a senior low-income and affordable housing project located at 144 Greenmont Avenue in the town of Dracut (see House, No. 3722, amended);

Establishing a select board in the town of Bolton (see House, No. 4198); and

Further regulating the membership of the historic district commission in the town of Sudbury (see House, No. 4313).

Matter Taken Out of the Orders of the Day.

The following matter was taken out of the Orders of the Day and considered as follows:

The House Bill changing the board of selectmen in the town of Westborough to the select board (House, No. 4302) (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.**

Westborough,-- select board.

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 Anne M. Gobi, Joanne M. Comerford, Jonathan D. Zlotnik and Susannah M. Whipps for legislation to authorize the transfer of land in Templeton, Phillipston and Royalston.

Templeton,-- land transfer. SD3135

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.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill eliminating a sub-precinct in the town of Medway (printed in House, No.

Medway,-- sub-

4708,-- on petition) [Local approval received],-- was read.

precinct.

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.

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

Petition (accompanied by bill, House, No. 4803) of Patrick Joseph Kearney for legislation to establish a sick leave bank for Susanne Cleveland, an employee of the Department of Transitional Assistance;

Susanne Cleveland,-- sick leave.

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

Petition (accompanied by bill, House, No. 4804) of David Paul Linsky that the commissioner of the Division of Capital Asset Management and Maintenance be authorized to grant easements to the town of Natick for the reconstruction of North Main Street (Route 27);

Natick,-- easements.

Under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order granting the committee on Public Safety and Homeland Security until May 18, 2022 within which time to make its final report on current Senate documents numbered 1540, 1541, 1542, 1550, 1552, 1560, 1571, 1578, 1591, 1594, 1595, 1599, 1601, 1625, 1631, 1633, 1638, 1641, 2125, 2457 and 2619 relative to public safety and homeland security matters (Senate, No. 2865),-- ought to be adopted.

Public Safety and Homeland Security,-- extension order.

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

Pending the question on adoption of the order, Mr. Timilty offered an amendment in line 2 by striking out the words "May 18, 2022" and inserting in place thereof the following words:- "May 30, 2022".

After remarks, the amendment was adopted.

The order (Senate, No. 2865, amended) was then adopted.

Sent to the House for concurrence.

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 Katarina Boskovic.

Moment of silence.

Order Adopted.

On motion of Mr. Tarr,--

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

Time of meeting.

Adjournment in Memory of Katarina "Kat" Boskovic.

The Senator from Hampden and Hampshire, Mr. Lesser, presented a request that when the Senate adjourns today, it do so in memory of Katarina "Kat" Boskovic of Longmeadow.

The community of Longmeadow is shaken by the tragedy of Katarina "Kat" Boskovic's death at age 18, in a fatal car accident, on May 7, 2022. Kat was born in Boston

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on September 16, 2003. She was a daughter to Svjetlan and Ognjenka Boskovic and sister to Max. Katarina attended Longmeadow High School and was accepted to McGill University in Montreal, Canada where she planned to work towards her dream of becoming a physician. Kat was a superb all honors student with high academic achievements throughout her career. She was President of the National Honor Society. She had a passion for running and was a decorated track and field athlete with numerous medals and awards. Kat had a captivating personality and always extended a helping hand.

She volunteered countless hours as a track coach and academic tutor. She loved downhill skiing, swimming, and traveling. Kat will truly be missed by all those fortunate enough to have known her. In addition to her parents Svjetlan and Ognjenka, she will be dearly missed by her brother Max, cousins Luka and Lola, uncle Vladimir, aunts Karen, Natasha and Mira, grandparents Nada, Milivoje and Mira, along with other loving relatives and numerous dear friends that are impacted by this tragic loss. Our most heartfelt sympathies are with them.

We take this moment to honor a bright light and joyous life, ended all too soon. We extend our care and solemn prayers to the family and friends of Katarina Boskovic.

Accordingly, as a mark of respect to the memory of Katarina "Kat" Boskovic, at fourteen minutes past twelve o'clock noon, on motion of Mr. Timilty, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.