

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MARCH 10, 2022

[21]

JOURNAL OF THE SENATE

Thursday, March 10, 2022.

Met at twenty-four minutes past one o'clock P.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 His Excellency the Governor, Charles D. Baker, announcing the appointments of Julie A. Dahlstrom, Hema Sarang-Sieminski and Ayan A. Warfa (pursuant to Section 133(b) of Chapter 24 of the Acts of 2021) to the Interagency Crime Victim Certification Steering Committee (received February 24, 2022);

Interagency Crime Victim Certification Steering Committee.

Communication from the Executive Office of Health and Human Services (pursuant to item 4000-0007 of Section 2 of Chapter 24 of the Acts of 2021) submitting its fiscal year 2021 report on services for unaccompanied homeless youth (received March 7, 2022); and

EOHHS,-- UHY report. SD3036

Communication from the Executive Office of Health and Human Services (pursuant to item 4000-0005 of Section 2 of Chapter 24 of the Acts of 2021) submitting its fiscal year 2021 Safe and Successful Youth Initiative (SSYI) report (received March 10, 2022).

EOHHS,-- SSYI report. SD3043

Reports.

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

Report of the Department of Transitional Assistance (pursuant to Sections 2(B) and 5 of Chapter 18 and Section 3C(d) of Chapter 118 of the General Laws) submitting its 2021 consolidated report on the status of the Transitional Aid to Families with Dependent Children (TAFDC) program (received March 8, 2022);

DTA,-- TAFDC report. SD3037

Report of the Department of Public Health (pursuant to Section 2 of Chapter 111 of the General Laws) submitting its 2018 and 2019 reports on birth and mortality data and statistics (received March 8, 2022);

DPH,-- birth and death reports. SD3038

Report of the Secretary of the Commonwealth (pursuant to Section 6A(e) of Chapter 66 of the General Laws) submitting its 2021 report on public records requests received by agencies (received March 8, 2022); and

State Secretary,-- public records report. SD3040

Report of the Juvenile Justice Policy and Data Board (pursuant to Section 89(b) of Chapter 119 of the General Laws) submitting its 2021 annual report and an update of the June 2019 report on juvenile justice system data (received March 8, 2022).

JJPAD,-- annual report. SD3041

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2742) of Bruce E. Tarr and Lenny Mirra (by vote of the town) for legislation to eliminate the department of finance and budget in the town of Groveland [Local approval received];

Groveland,-- finance and budget department.

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

Government.

Sent to the House for concurrence.

By Ms. DiZoglio, a petition (accompanied by bill) (subject to Joint Rule 12) of Diana DiZoglio for legislation to create a Merrimack Valley Regional Transit Authority alert system;

MVRTA,-- alert system.
SD3034

By the same Senator (by request), a petition (accompanied by bill) (subject to Joint Rule 12) of Chris Kombouras and Andrew Firmin for legislation relative to no-call, no-show interviews; and

Interviews,-- no-call, no-show.
SD3039

By the same Senator (by request), a petition (accompanied by bill) (subject to Joint Rule 12) of Halley Kelly for legislation relative to accessible electronic voting;

Electronic voting.
SD3042

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Mr. Hinds, for the committee on Revenue, on Senate, Nos. 1817, 1836, 1844, 1865, 1871, 1888, 1894, 1895, 1906, 1909, 1923, 1926, 1932, 1943, 1944, 1945, 1956, 1957, 1958, 1959, 1961, 1963, 1974, 1975, 1976 and 1990, an 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) [Senator Collins dissents inasmuch as relates to Senate, No. 1817];

Revenue committee,-
- study.

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

By Ms. Gobi, for the committee on Higher Education, on petition, a Bill improving access to affordable higher education (Senate, No. 825); and

Higher education,--
affordability.

By Mr. Hinds, for the committee on Revenue, on petition, a Bill establishing a commission on the status of citizens of Haitian descent (Senate, No. 1819);

Haitian Americans,--
commission.

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

By Mr. Lewis, for the committee on Education, on petition (accompanied by bill, Senate, No. 367), a Bill relative to recovery high schools (Senate, No. 2745);

Recovery high schools.

By the same Senator, for the same committee, on Senate, Nos. 336, 389 and 392, a Bill relative to safety and violence education for students (the SAVE Students Act) (Senate, No. 2747);

SAVE Students Act.

By the same Senator, for the same committee, on Senate, Nos. 285, 304, 310, 338, 365, 366 and 382, a Bill relative to educator diversity (Senate, No. 2748);

Educator hirings,--
diversity.

By the same Senator, for the same committee, on Senate, Nos. 308, 348, 350, 351 and 357, a Bill to increase student access to career technical education schools and programs which are aligned with regional labor market needs (Senate, No. 2749);

Technical schools,--
student access.

By the same Senator, for the same committee, on Senate, Nos. 282 and 321, a Bill addressing the needs of students with disabilities turning 22 during the COVID-19 emergency (Senate, No. 2751);

Students with disabilities,--
COVID-19.

By Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, on petition, a Bill relative to recycling (Senate, No. 602) [Senator Fattman dissenting];

Municipalities,--
recycling.

By the same Senator, for the same committee, on petition, a Bill relative to the removal and disposal of waste oil (Senate, No. 619);

Waste oil,-- disposal.

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

Transfer stations,--
waste removal.

UNCORRECTED PROOF.

removal plans for transfer stations (Senate, No. 622);

By Ms. Gobi, for the committee on Higher Education, on petition (accompanied by bill, Senate, No. 841), a Bill investing in public higher education (Senate, No. 2744);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 821), a Bill ensuring students' access to academic transcripts (Senate, No. 2746);

By Mr. Hinds, for the committee on Revenue, on petition, a Bill relative to the Massachusetts fund for vulnerable countries most affected by climate change (Senate, No. 1796);

By the same Senator, for the same committee, on petition, a Bill authorizing a local affordable housing surcharge (Senate, No. 1804) [Senators Collins and Fattman dissenting];

By the same Senator, for the same committee, on petition, a Bill providing tax relief to seniors while creating affordable housing (Senate, No. 1808);

By the same Senator, for the same committee, on petition, a Bill supporting the commonwealth's farmers (Senate, No. 1822);

By the same Senator, for the same committee, on petition, a Bill relative to establishing a criminal justice and community support trust fund (Senate, No. 1868);

By the same Senator, for the same committee, on petition, a Bill establishing the Snowmobile Trail Maintenance Fund (Senate, No. 1870);

By the same Senator, for the same committee, on petition, a Bill to reform payments in lieu of taxes for state-owned land (Senate, No. 1875);

By the same Senator, for the same committee, on petition, a Bill promoting rural jobs (Senate, No. 1876);

By the same Senator, for the same committee, on petition, a Bill addressing challenges of rural zip codes and state revenue calculations (Senate, No. 1879);

By the same Senator, for the same committee, on petition, a Bill to create a forest carbon incentive program to enhance carbon storage on private timber lands (Senate, No. 1880);

By the same Senator, for the same committee, on petition, a Bill establishing a truth, racial healing, and transformation trust fund (Senate, No. 1882);

By the same Senator, for the same committee, on Senate, Nos. 1883 and 1910, a Bill establishing a universal basic income pilot program (Senate, No. 1883);

By the same Senator, for the same committee, on petition, a Bill relative to regional transportation ballot initiatives (Senate, No. 1899);

By the same Senator, for the same committee, on petition, a Bill relative to the curatorship program (Senate, No. 1994);

By Mr. Keenan, for the committee on Transportation, on petition (accompanied by bill, Senate, No. 2252), a Bill ensuring electric vehicle chargers in service plazas along the Mass Pike (Senate, No. 2752); and

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2267), a Bill relative to transportation network companies (Senate, No. 2753);

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

By Mr. Lewis, for the committee on Education, on petition (accompanied by bill, Senate, No. 305), a Bill establishing a study of school segregation (Senate, No. 2750) [Representative Pease of Westfield dissenting];

By Mr. Hinds, for the committee on Revenue, on petition, a Bill relative to taxes due upon the death of active duty personnel and the elderly (Senate, No. 1867);

By the same Senator, for the same committee, on petition, a Bill providing volunteer

Higher education,--
faculty.

Academic
transcripts,-- access.

Climate change,--
fund.

Affordable housing,--
surcharge.

Seniors,-- tax relief.

Farmers,-- support
and guidance.

Criminal justice trust
fund.

Snowmobile Trail
Maintenance Fund.

State-owned land,--
tax rate.

Rural jobs act.

City boundaries,-- tax
collections.

Forest Resilience
Program,-- establish.

Transformation trust
fund.

Basic income pilot
program.

Transportation ballot
initiatives.

Curatorship program.

Mass Pike,-- EV
chargers.

TNC,-- rider
assessments.

School segregation.

Active duty
personnel,-- taxes.

Firefighters,-- tax

firefighters and emergency medical technicians with a local option real estate tax exemption (Senate, No. 1869);

exemption.

By the same Senator, for the same committee, on petition, a Bill providing a local option to allow more solar energy generation on farmlands (Senate, No. 1896); and

Solar energy,--
farmland.

By Mr. Keenan, for the committee on Transportation, on petition (accompanied by bill, Senate, No. 2283), a Bill promoting safety by permitting municipalities to reduce speed limits (Senate, No. 2754);

Municipalities,--
speed limits.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4528) of Thomas P. Walsh, Joan B. Lovely and Sally P. Kerans (with the approval of the mayor and city council) relative to voting precinct 3 of ward 4 in the city of Peabody; and

Peabody,-- voting
precincts.

Petition (accompanied by bill, House, No. 4575) of David Paul Linsky and Rebecca L. Rausch (by vote of the town) that the town of Natick be authorized to hold hybrid town meetings at which participants attend both in person and remotely;

Natick,-- hybrid town
meetings.

Severally to the committee on Election Laws.

Petition (accompanied by bill, House, No. 4576) of David T. Vieira, Steven G. Xiarhos and Susan L. Moran (by vote of the town) that the town of Bourne be authorized to amend certain provisions of the charter of said town;

Bourne,-- charter.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4529) of Mark J. Cusack, Walter F. Timilty and John F. Keenan (with approval of the mayor and city council) that the city known as the town of Braintree be authorized to provide for the retirement of Richard Seibert, a police officer of said town; and

Richard Seibert,--
retirement.

Petition (accompanied by bill, House, No. 4577) of David T. Vieira, Susan L. Moran and Dylan A. Fernandes (by vote of the town) that the town of Falmouth be authorized to exempt officers in all positions of the Falmouth Police Department from the civil service law;

Falmouth police
officers.

Severally to the committee on Public Service.

Bills

Relative to regular compensation for certain retirees and active retirement system members (House, No. 4338,-- on Senate, No. 1719 and House, No. 2732); and

Retirees,--
compensation.

Making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4578,-- on House, No. 4479, in part);

Supplemental
appropriations.

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

Bills

Authorizing the town of Deerfield to continue the employment of police officer Gary Sibilila (House, No. 3988, amended,-- on petition) [Local approval received]; and

Gary Sibilila,--
employment.

Relative to polling places in the city known as the town of Braintree (House, No. 4353,-- on petition) [Local approval received];

Braintree,-- polling
places.

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

Report 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 Walter F. Timilty, Paul R. Feeney and William C. Galvin for legislation to establish a sick leave bank for Shana Hicks, an employee of the Department of Public Health;

Shana Hicks,--
sick leave.
SD3019

Senate Rule 36 was suspended, on motion of Ms. Gobi, 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 Bill.

An engrossed Bill creating select board-town manager form of government in the town of Wayland (see House, No. 4315) (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 enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the
Governor.

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

Petition (accompanied by bill, House, No. 4581) of Daniel J. Hunt for legislation to further regulate the duties of the Clerk and Assistant Clerk of the Supreme Judicial Court for Suffolk County;

Suffolk County SJC,-
- clerks.

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

Petition (accompanied by bill, House, No. 4582) of Kimberly N. Ferguson and Anne M. Gobi for legislation to establish a sick leave bank for Anastasios Milonopoulos, an employee of the Department of Correction;

Anastasios
Milonopoulos,-- sick
leave.

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

Petition (accompanied by bill, House, No. 4583) of Christine P. Barber, Mike Connolly and Erika Uyterhoeven (with the approval of the mayor and the city council) that the city of Somerville be authorized to employ automated enforcement of speed limit violations in designated safety zones within said city;

Somerville,-- speed
limit enforcement.

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

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Second reading bills.

Providing killed in the line duty benefits to Joanne Songy, surviving spouse of Detective John D. Songy, a police officer of the Town of Rutland (Senate, No. 1727);

Authorizing the town of Charlton to establish an additional excise on sales of gasoline and diesel fuel (Senate, No. 1872);

Authorizing the town of Raynham to suspend the collection of boat excise (Senate, No. 1971);

Establishing a real estate transfer fee upon the transfer of property in the town of Concord (Senate, No. 2437);

Authorizing the town of Wareham to assess certain solar or wind systems as personal property (Senate, No. 2505);

Authorizing the town of Andover to establish a means tested senior citizen property tax exemption (Senate, No. 2512);

Relative to an amendment to chapter 174 of the acts of 2020 for the town of Hamilton (Senate, No. 2581);

Authorizing the town of Mansfield to grant additional licenses for the sale of all

alcoholic beverages to be drunk on the premises (Senate, No. 2591);

Authorizing the establishment of a regional old colony communications center enterprise fund by the town of Duxbury (House, No. 3748);

Providing for the appointment and removal authority of the town administrator of the town of Wilbraham for officers and employees of the town other than those employees of the Wilbraham Police Department, Wilbraham Fire Department, and Wilbraham Department of Public Works (House, No. 3997);

Relative to the filling of vacancies in the offices of the city council in the city of Springfield (House, No. 4223);

Directing the city of Boston Police Department to waive the maximum age requirement for police officers for Daniel Flores (House, No. 4233); and

Relative to police detail work in the town of Hudson (House, No. 4296).

Were severally read a second time and ordered to a third reading.

The House Bill relative to the governance, structure and care of veterans at the Commonwealth’s veterans’ homes (House, No. 4441),-- was read a second time.

Veterans’ homes.

After remarks, pending the question on adoption of the amendment previously recommended by the committee on Ways and Means (striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2739) and pending the mian question on ordering the bill to a third reading, Messrs. Finegold and Timilty moved that the pending new text be amended in section 71, in proposed subsection (d) of proposed section 14 of chapter 115A, by striking out the fourth sentence and inserting in place thereof the following sentence:- “The medical director shall be responsible for: (i) the medical, surgical and outpatient facilities; (ii) establishing best practices for the treatment of health issues that disproportionately impact veterans including, but not limited to, post-traumatic stress disorder and suicide; and (iii) making recommendations to the superintendent regarding the appointments of the director of nursing and all physicians, nurses and other medical staff.”

1

After remarks, the amendment was adopted.

Mr. Timilty, Ms. Chang-Diaz and Messrs. Keenan and Feeney moved that the pending new text be amended in section 6, in line 22, by adding the following language after the word “home;”- “1 family member of a current resident of a state-operated veterans’ home; 1 current staff member involved in patient care at one of the state-operated veterans’ homes”.

2

After remarks, the amendment was *rejected*.

Mr. Crighton, Ms. Rausch and Messrs. Montigny, Pacheco and Feeney moved that the pending new text be amended in section 71, in proposed subsection (e) of section 14 of chapter 115A, by adding the following sentence:- “The standards and protocols shall include, but not be limited to, an infection control program for the specialist’s respective state-operated veterans’ home with a dedicated infection control managing nurse and a permanent staffing model determined in accordance with best clinical practices.”

3

After remarks, the amendment was adopted.

Messrs. Timilty and Montigny moved that the pending new text be amended in section 25, in line 231, by striking “30 days” and replacing it with the following language:- “7 days”.

4

After remarks, the amendment was *rejected*.

Ms. Moran moved that the pending new text be amended in section 71, by adding in the following section:-

5

“SECTION 18. Notwithstanding any general or special law to the contrary, superintendents of each state-operated veterans’ homes may accept donations from non-

profit organizations that enhance the well-being and care of residents of the home. The superintendent shall submit an annual report on donation activity including, but not limited to, an accounting of monetary donations, to the attorney general, the executive director of veterans' homes and housing, the secretary of veterans' services, the Massachusetts veterans' home advisory council and the regional council for the home."

After remarks, the amendment was adopted.

Ms. Rausch, Mr. Eldridge, Ms. Chang-Diaz and Mr. Feeney moved that the pending new text be amended in section 6, in proposed subsection (d) of section 222 of chapter 6, by striking out the fifth sentence and inserting in place thereof the following sentence :- "All personally identifiable information received from the homes shall be redacted from the report and remain confidential.";

7

In said section 6, in said proposed subsection (d) of said section 222 of said chapter 6, by adding the following sentence:- "The secretary of veterans' services shall ensure that the report is made available to the public on the website of the department of veterans' services."; and

In said section 6, in said proposed subsection (f) of said section 223 of said chapter 6, by adding the following sentences:- "The secretary of veterans' services shall ensure that all council reports are made available to the public on the website of the department of veterans' services. All personally identifiable information shall be redacted from the reports and remain confidential."

After remarks, the amendment was adopted.

Messrs. Velis and Gomez, Ms. Gobi, Mr. Lesser, Ms. Comerford and Messrs. Hinds, Collins and Pacheco moved that the pending new text be amended in section 6, in proposed subsection (a) of section 222 of chapter 6, by adding the following sentence:- "The council shall have regionally equitable membership from across the Commonwealth and at least 1 member residing in the county in which a state-operated veterans' home is located.";

8

In said section 6, in proposed section 223 of chapter 6, by striking out subsection (a) and inserting in place thereof the following subsection:-

"(a) There shall be a regional council for each state-operated veterans' home in the commonwealth to represent the local community, residents and family members of each home. Each council shall consist of 9 members. Seven members shall be appointed by the executive director of veterans' homes and housing, with the approval of the secretary of veterans' services, not less than 3 of whom shall be veterans, not less than 4 of whom shall reflect the geographic composition of the residents of the respective veterans' home, at least 1 of whom shall have a family member who is a resident of the respective home, at least 1 of whom shall have professional knowledge in long-term health care or geriatric health care and at least 1 of whom shall have experience in clinical services, preferably with veterans. Three of such members shall be chosen from a list of 7 persons nominated by the president of the area veterans' service office for the region in which the respective veterans' home is located. One member shall be appointed by the president of the veterans' advocate committee for the respective veterans' home and 1 member shall be the president of the family advocate committee for the respective veterans' home. Members shall serve for terms of 3 years. Upon the expiration of the term of office of a member, their successor shall be appointed in the same manner as the initial appointment. The secretary of veterans' services may remove a member for cause at any time. The members shall vote to select a chair. The members shall serve without compensation, but may receive reasonable reimbursement for travel and expenses incurred in the discharge of their duties.";

In said section 6, by striking out, in line 116, the words "and (iv)" and inserting in place thereof the following words:- "(iv) review and provide written comments to the executive director of veterans' homes and housing and the secretary of veterans' services regarding the system of governance and oversight for its respective home, which shall

include all rules, regulations and laws necessary for effective management of the homes and for preserving the health and welfare of the veterans admitted to such homes; (v) review and comment on rules and regulations promulgated by the department of veterans' services concerning its respective home; and (vi)";

In said section 6, by striking out, in line 126, the words "and (iv)" and inserting in place thereof the following words:- "(iv) with members of the public, in a matter that allows for public input and participation, to discuss the implementation of new rules and regulations not less than annually; provided, however, that each council shall invite the secretary of health and human services, the Massachusetts veterans' homes advisory council, the joint committee on veterans and federal affairs and the joint committee on public health to such public meeting; and (v)";

In said section 6, by striking out, in line 136, the words "and (v)" and inserting in place thereof the following words:- "(v) staffing levels and future staffing recommendations at its respective home; (vi) demographics at its respective home; (vii) any other concern that the council may have; and (viii)"; and

In said section 6, in proposed subsection (f) of section 223 of chapter 6, by inserting after the first sentence the following sentence:- "Each state-operated veterans' home shall provide the council with all information necessary to carry out these requirements."

After remarks, the amendment was adopted.

Messrs. Velis and Gomez, Ms. Gobi, Mr. Lesser, Ms. Comerford and Messrs. Hinds, Pacheco and Timilty moved that the pending new text be amended in section 71, by inserting after the word "for", in line 459, the first time it appears, the following words:- "the deputy superintendent position or";

9

In said section 71, by striking out, in lines 450 to 452, inclusive, the words "and emergency preparedness specialist who shall report to the superintendent and be tasked with ensuring the" and inserting in place thereof the following words:- "specialist and emergency preparedness specialist, both of whom shall report to the superintendent and shall ensure their respective";

In said section 71, by striking out, in lines 472 and 473, the words "and the infection control and" and inserting in place thereof the following words:- ", the infection control specialist and the";

In said section 71, by striking out, in lines 484 and 485, the words "and the infection control and" and inserting in place thereof the following words:- ", the infection control specialist and the"; and

In said section 71, by striking out, in line 495, the words "and the infection control and" and inserting in place thereof the following words:- ", the infection control specialist and the";

After remarks, the amendment was adopted.

Ms. Comerford, Mr. Gomez, Ms. Jehlen, Messrs. Lesser and Velis, Ms. Gobi, Mr. Hinds, Ms. Rausch, Mr. Eldridge, Ms. Chang-Diaz, and Messrs. Collins, Pacheco, Timilty, Feeney and Tarr moved that the pending new text be amended by inserting in section 25, in line 230, after the word "home" the following words:- "and the secretary of veterans' services"; and

11

In section 25, by inserting at the end of proposed section 73C of chapter 111, the following 2 subsections:-

"(d) Each state-operated veterans' homes shall be licensed pursuant to section 71 of this chapter. The superintendent of each state-operated veterans' home shall apply for and maintain such licensure.

(e) All state-operated veterans' homes shall be subject to the requirements and conditions of, and rules and regulations promulgated pursuant to, section 72. The superintendent, in coordination with the executive director of veterans' homes and

housing, shall ensure compliance and remedy any failures pursuant to the notice and remediation process of subsection (b).”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes past three o'clock P.M., on motion of Ms. Comerford, as follows, to wit (yeas 38 – nays 1) [**Yeas and Nays No. 133**]:

YEAS.

Barrett, Michael J.	Gobi, Anne M.
Brady, Michael D.	Gomez, Adam
Brownsberger, William N.	Hinds, Adam G.
Chandler, Harriette L.	Jehlen, Patricia D.
Chang-Diaz, Sonia	Keenan, John F.
Collins, Nick	Kennedy, Edward J.
Comerford, Joanne M.	Lesser, Eric P.
Creem, Cynthia Stone	Lewis, Jason M.
Crichton, Brendan P.	Lovely, Joan B.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	O'Connor, Patrick M.
DiZoglio, Diana	Pacheco, Marc R.
Edwards, Lydia	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Tarr, Bruce E.
Finegold, Barry R.	Timilty, Walter F.
Friedman, Cindy F.	Velis, John C. – 38.

NAYS.

Montigny, Mark C. – **1.**

The yeas and nays having been completed at ten minutes past three o'clock P.M., the amendment was adopted.

Messrs. Velis and Gomez, Ms. Gobi, Mr. Lesser, Ms. Comerford and Messrs. Hinds, Collins, Pacheco, Timilty, Feeney and Tarr moved that the pending new text be amended by inserting before section 1 the following section:- 12

“SECTION A1. Chapter 6 of the General Laws is hereby amended by inserting after section 15MMMMMM the following section:-

Section 15NNNNNN. The governor shall annually issue a proclamation setting apart March 21 as Veterans’ Homes Remembrance Day to honor the veterans who lost their lives due to the tragic COVID-19 outbreaks at veterans’ homes in the commonwealth and shall recommend that the day be observed in an appropriate manner by the people.”

After remarks, the amendment was adopted.

Messrs. Tarr and Timilty moved that the pending new text be amended by inserting after section 84 the following section:- 10

“SECTION 84A. Notwithstanding any general or special law to the contrary, the secretary of veterans’ services shall, not later than 60 days after the effective date of this act, establish and maintain an outreach program to educate veterans about state-operated veterans homes including, but not limited to, the benefits available at the homes and the application process.”

After remarks, the amendment was adopted.

Messrs. Velis and Gomez, Ms. Gobi, Mr. Lesser, Ms. Comerford and Messrs. Hinds, Collins and Pacheco moved that the pending new text be amended in section 6, by striking 13

out, in lines 120 and 121, the words “the executive director of veterans’ homes and housing” and inserting in place thereof the following words:- “the secretary of veterans’ services”;

In section 71, in proposed section 14 of chapter 115A, by striking out subsection (a) and inserting in place thereof the following subsection:-

“(a) Each state-operated veterans’ home shall have a: (i) superintendent, who shall serve as the administrative head of the veterans’ home and who shall report to the secretary of veterans’ services; and (ii) deputy superintendent, who shall report to the superintendent. The superintendent shall be appointed by the secretary of veterans’ services, with priority given to candidates who are veterans, and may be removed by the secretary of veterans’ services without cause. The deputy superintendent of a home shall be appointed by the superintendent of the home, with priority given to candidates who are veterans, and may be removed by the superintendent without cause.

The superintendent for each veterans’ home shall: (i) be licensed as a nursing home administrator pursuant to section 109 of chapter 112 of the General Laws; (ii) have an understanding of veterans’ issues; (iii) have experience with management of a nursing home or long-term care facility; and (iv) have knowledge of and experience with fiscal management practices and labor relations.

The secretary of veterans’ services shall provide notice of a vacancy in the position of superintendent at a veterans’ home within 10 days of the vacancy to the secretary of health and human services, the Massachusetts Veterans’ Homes Advisory Council and the regional council of the state-operated veterans’ home at which the vacancy exists. The secretary of health and human services, the Massachusetts Veterans’ Homes Advisory Council and the regional council of the state-operated veterans’ home at which the vacancy exists shall submit nominations to the secretary of veterans’ services for a candidate to fill the vacancy.

Recommendations for the removal of a superintendent may be submitted to the secretary of veterans’ services and recommendations for the removal of a deputy superintendent may be submitted to the respective superintendent by the executive director of veterans’ homes and housing, the secretary of health and human services, the Massachusetts Veterans’ Homes Advisory Council and the regional council of the state-operated veterans’ home at which the superintendent or deputy superintendent has been appointed.”; and

In said section 71, in proposed subsection (g) of section 14 of chapter 115A, by striking out the first sentence and inserting in place thereof the following sentence:- “Annual performance reviews of the superintendent shall be conducted by the secretary of veterans’ services and annual performance reviews of the deputy superintendent shall be conducted by the superintendent of the state-operated veterans’ home at which the deputy was appointed.”

After remarks, the amendment was adopted.

Messrs. Velis and Gomez, Ms. Gobi, Mr. Lesser, Ms. Comerford and Messrs. Hinds and Pacheco moved that the pending new text be amended by inserting after section 66, the following section:-

“SECTION 66A. Subsection (a) of said section 12 of said chapter 115A, as so appearing, is hereby amended by inserting after the seventh sentence the following 2 sentences:- ‘The executive director shall hire the staff necessary and appropriate to fulfill the duties of the office. The secretary shall notify the joint committee on veterans and federal affairs within 30 days of any vacancy in the position of executive director.’.”

The amendment was adopted.

Messrs. Timilty and Tarr moved that the pending new text be amended in section 71, in line 410, by inserting after the word "home" the following language:- “immediately to

16

17

the secretary of veterans’ services and”.

The amendment was *rejected*.

Mr. Tarr, Ms. Chang-Diaz and Mr. Timilty moved that the pending new text be amended by inserting after section _ the following section:- 18

“SECTION_ . Notwithstanding any general or special law to the contrary the secretary of veterans services shall develop and utilize a standardized application that shall be made available through any and all appropriate channels including but not limited to the Veterans Service Officers within the Commonwealth.”

After remarks, the amendment was *rejected*.

Messrs. Timilty and Keenan, Ms. Jehlen and Messrs. Feeney, Pacheco and Tarr moved that the pending new text be amended in section 6, in line 32 by striking the number “3” and replacing it with the number:- “5”; and 19

In said section 6, in line 33, by inserting after the word “services,” the following language:- “1 of whom shall be an employee of the state-operated veterans’ homes designated by SEIU Local 888, 1 of whom shall be an employee of the state-operated veterans’ homes designated by the Massachusetts Nurses Association”.

The amendment was *rejected*.

Mr. Tarr moved that the pending new text be amended by striking out “3” in line 96 and replacing it with “4”. 23

The amendment was *rejected*.

Mr. Tarr moved that the pending new text be amended in section 6, by striking out, in lines 136 and 137, the words “and (v)” and inserting in place thereof the following words:- “(v) any recommendations to promote the best quality of life for residents, including, but not limited to, their social-emotional well-being; and (vi).”. 26

After remarks, the amendment was adopted.

Messrs. Tarr and Pacheco moved that the pending new text be amended in section 9, by inserting, after the word “be”, in line 155, the following words:- “a veteran”. 27

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at eighteen minutes before four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 134]:**

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Gomez, Adam |
| Brady, Michael D. | Hinds, Adam G. |
| Brownsberger, William N. | Jehlen, Patricia D. |
| Chandler, Harriette L. | Keenan, John F. |
| Chang-Diaz, Sonia | Kennedy, Edward J. |
| Collins, Nick | Lesser, Eric P. |
| Comerford, Joanne M. | Lewis, Jason M. |
| Creem, Cynthia Stone | Lovely, Joan B. |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| DiZoglio, Diana | Pacheco, Marc R. |
| Edwards, Lydia | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. – 39. |

Gobi, Anne M.

NAYS – 0.

The yeas and nays having been completed at nine minutes before four o'clock P.M., the amendment was adopted.

Mr. Tarr moved that the pending new text be amended by inserting at the end thereof the following section:-

6

“SECTION. Notwithstanding any general or special law to the contrary, the Secretary of Veterans Services shall take any and all actions necessary to direct the office in charge of Massachusetts Veterans Homes achieve accreditation by the Commission on Accreditation of Rehabilitation Facilities.”

The amendment was *rejected*.

The President in the Chair, Mr. Rodrigues moved that the pending new text be amended in section 6, by striking out, in line 63, the words “veteran health care and long-term care facilities” and inserting in place thereof the following words:- “veterans’ homes”;

21

In said section 6, in proposed subsection (c) of section 222 of chapter 6, by striking out the last sentence;

In section 6, in proposed subsection (d) of said section 222 of said chapter 6, by striking out, in line 79, the first time it appears, the word “and”;

In section 7, by inserting after the word “transportation”, in line 144, the following words:- “and public works”;

In section 9, by striking out, in line 165, the words “the city of Washington” and inserting in place thereof the following words:- “Washington, D.C.”;

By striking out section 14 and inserting in place thereof the following 2 sections:-

“SECTION 14. Section 62 of chapter 22C of the General Laws, as so appearing, is hereby amended by striking out, in lines 1 to 3, inclusive, the words ‘the board of trustees of the Soldiers’ Home in Holyoke, or the Soldiers’ Home in Massachusetts located in the city of Chelsea, as the case may be’ and inserting in place thereof the following words:- the superintendent of a state-operated veterans’ home.

SECTION 14A. Said section 62 of said chapter 22C, as so appearing, is hereby amended by striking out, in line 7, the words ‘said boards of trustees’ and inserting in place thereof the following words:- the superintendents”;

By striking out section 51 and inserting in place thereof the following 3 sections:-

“SECTION 51. Said section 6 of said chapter 115A, as so appearing, is hereby further amended by striking out, in lines 11, 13 and 14 and 20, the words ‘said Home’ and inserting in place thereof, in each instance, the following words:- the home.

SECTION 51A. Said section 6 of said chapter 115A, as so appearing, is hereby further amended by striking out, in lines 16 and 17, the words “trustees of said Home” and inserting in place thereof the following words:- superintendent of the home.

SECTION 51B. Said section 6 of said chapter 115A, as so appearing, is hereby further amended by striking out, in lines 22 and 24, the words ‘trustees’ and inserting in place thereof, in each instance, the following words:- superintendent.”;

By striking out section 53 and inserting in place thereof the following 5 sections:-

“SECTION 53. Said section 7 of said chapter 115A, as so appearing, is hereby further amended by striking out, in lines 3, 4 and 11, the word ‘Home’ and inserting in place thereof, in each instance, the following word:- home.

SECTION 53A. Said section 7 of said chapter 115A, as so appearing, is hereby further amended by striking out, in lines 8 and 31, the words ‘chairman of the board of trustees of such Homes’ and inserting in place, thereof in each instance, the following words:- superintendent of the home.

UNCORRECTED PROOF.

SECTION 53B. Said section 7 of said chapter 115A, as so appearing, is hereby further amended by striking out, in lines 20 and 24, the words ‘trustees of such Home’ and inserting in place thereof, in each instance, the following word:- superintendent of the home.

SECTION 53C. Said section 7 of said chapter 115A, as so appearing, is hereby further amended by striking out, in line 23, the words ‘such chairman’ and inserting in place thereof the following word:- the superintendent.

SECTION 53D. Said section 7 of said chapter 115A, as so appearing, is hereby further amended by striking out, in line 26, the words ‘board of trustees of such Home’ and inserting in place thereof the following words:- the superintendent of such home.”;

By striking out section 55 and inserting in place thereof the following 2 sections:-

“SECTION 55. Said section 8 of said chapter 115A, as so appearing, is hereby further amended by striking out, in line 2, the words ‘trustees of the respective Homes’ and inserting in place thereof the following words:- respective superintendent.

SECTION 55A. Said section 8 of said chapter 115A, as so appearing, is hereby further amended by striking out, in lines 4, 9, 11 and 13, the word ‘trustees’ and inserting in place thereof, in each instance, the following words:- superintendent.”;

In section 60, by inserting after the figure “50,” the following words:- “the word “commandant”;

By striking out section 64 and inserting in place thereof the following section:-

“SECTION 64. Section 11 of said chapter 115A, as so appearing, is hereby amended by striking out, in line 1, the words ‘trustees of the Soldiers’ Home in Massachusetts’ and inserting in place thereof the following words:- superintendent of the state-operated veterans’ home in the city of Chelsea.”;

In section 71, by striking out, in line 425, the figure “115” and inserting in place thereof the following figure:- “115A”;

In said section 71, by inserting after the word “home”, in line 528, the following words:- “in private”;

In said section 71, by striking out, in line 557, the word “office” and inserting in place thereof the following word:- “department”;

In said section 71, by striking out, in line 573, the words “secretary of veterans’ services” and inserting in place thereof the following word:- “ombudsperson”;

In said section 71, by striking out, in line 576, the word “office” and inserting in place thereof the following word:- “department”;

In said section 71, in proposed subsection (f) of section 16 of chapter 115A, by striking out the third sentence and inserting in place thereof the following sentence:- “The ombudsperson shall hire staff necessary and appropriate to fulfill the duties of the emergency hotline and such staff shall report to the ombudsperson.”;

In said section 71, by striking out, in lines 582 and 600, the words “for each state-operated veterans’ home”.

In said section 71, by inserting after the word “certification”, in line 617, the following words:- “in the department of public health”;

In section 73, by striking out, in line 641, the word “home” and inserting in place thereof the following word:- “homes”;

By striking out section 85; and

By inserting before the enacting clause the following emergency preamble:-

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to forthwith modernize the governance of state-operated veterans’ homes and ensure the health, safety and welfare of veterans, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.”

The amendment was adopted.

UNCORRECTED PROOF.

The Ways and Means amendment, as amended, was then adopted.

The bill, as amended, was then ordered to a third reading and read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at seven minutes past four o'clock P.M., on motion of Mr. Rodrigues, as follows, to wit (yeas 40 – nays 0) [**Yeas and Nays No. 135**]:

YEAS.

- | | |
|--------------------------|-----------------------------|
| Barrett, Michael J. | Gomez, Adam |
| Brady, Michael D. | Hinds, Adam G. |
| Brownsberger, William N. | Jehlen, Patricia D. |
| Chandler, Harriette L. | Keenan, John F. |
| Chang-Diaz, Sonia | Kennedy, Edward J. |
| Collins, Nick | Lesser, Eric P. |
| Comerford, Joanne M. | Lewis, Jason M. |
| Creem, Cynthia Stone | Lovely, Joan B. |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| DiZoglio, Diana | Pacheco, Marc R. |
| Edwards, Lydia | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Spilka, Karen E. |
| Finegold, Barry R. | Tarr, Bruce E. |
| Friedman, Cindy F. | Timilty, Walter F. |
| Gobi, Anne M. | Velis, John C. – 40. |

NAYS – 0.

The yeas and nays having been completed at thirteen minutes past four o'clock P.M., the bill was passed to be engrossed [For text of Senate amendment, printed as amended, see Senate, No. 2761].

Sent to the House for concurrence.

Moment of Silence.

At the request of Mr. Velis, the members, guests and staff stood in a moment of silence and reflection to the memory of the veterans who lost their lives during the COVID-19 outbreak at the Chelsea and Holyoke Soldiers' Homes.

Moment of silence.

PAPERS FROM THE HOUSE

Orders.

Mr. Brownsberger in the Chair, 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 Environment, Natural Resources and Agriculture be granted until Thursday, March 31, 2022 within which time to make its final report on current Senate document numbered 548.

Environment, Natural Resources and Agriculture,-- extension order.

The rules were suspended, on motion of Ms. Rausch, and, after remarks, the order (House, No. 4509) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Thursday, March 31, 2022 within which time to make its final report on current Senate documents numbered 1657, 1660, 1668 and 1714, and House documents numbered 2561, 2571, 2575, 2590, 2591, 2614, 2632, 2661, 2684, 2698, 2701, 2713, 2725, 2744, 2745, 2761, 2788, 2797, 2806 and 3848.

Public Service,--
extension order.

The rules were suspended, on motion of Mr. Brady, and, after remarks, the order (House, No. 4403) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Friday, May 13, 2022 within which time to make its final report on current Senate documents numbered 1670, 1701, 1739, 1793 and 2601, and House documents numbered 2600, 2665, 2673, 2687, 2738, 2795, 3911, 3941 and 4294.

Id.

The rules were suspended, on motion of Mr. Brady, and, after remarks, the order (House, No. 4404) was considered forthwith; and adopted, in concurrence.

Moment of Silence.

At the request of the President, the members, guests and staff stood in a moment of silence and reflection to the memory of State Trooper Tamar Anoush Bucci.

Moment of silence.

PAPERS FROM THE HOUSE

Orders.

Mr. Brownsberger in the Chair, 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 Friday, April 29, 2022 within which time to make its final report on current House document numbered 3775.

Consumer Protection
and Professional
Licensure,--
extension order.

The rules were suspended, on motion of Mr. Rodrigues, and, after remarks, the order (House, No. 4386) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Wednesday, June 1, 2022 within which time to make its final report on current Senate documents numbered 174, 177 and 2535, and House documents numbered 442 and 448.

Id.

The rules were suspended, on motion of Mr. Rodrigues, and the order (House, No. 4387) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Friday, December 30, 2022 within which time to make its final report on current Senate documents numbered 2488, 2500, 2504, 2506, 2507, 2511 and 2556, and House documents numbered 418, 473, 3714, 3907, 3933, 4065, 4086, 4129, 4130, 4131, 4132, 4187, 4191, 4196, 4228, 4235, 4246, 4267, 4277, 4324, 4325 and 4342.

Id.

The rules were suspended, on motion of Mr. Rodrigues, and the order (House, No. 4388) was considered forthwith; and adopted, in concurrence.

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
Massachusetts State Trooper Tamar Anoush Bucci.*

The Senator from Middlesex and Norfolk, Ms. Spilka, the Senator from Suffolk, Mr. Collins, the Senator from Suffolk and Middlesex, Ms. Edwards, the Senator from Essex and Middlesex, Mr. Finegold, the Senator from Middlesex, Ms. Friedman, the Senator from Middlesex, Mr. Lewis, the Senator from Essex, Mr. Tarr and the Senator from Norfolk, Bristol and Plymouth, Mr. Timilty moved that when the Senate adjourns today it do so in memory of Massachusetts State Trooper Tamar Anoush Bucci.

Trooper Tamar Anoush Bucci lost her life in the line of duty while assisting a motorist in distress. She is the 22nd trooper in the department's history to be killed in the line of duty.

Tamar was born in Melrose on March 2, 1988 and raised in Andover. She was a graduate of Andover High School, Class of 2006, and Middlesex Community College.

Tamar graduated from the State Police Academy on May 6, 2020 as a member of the 85th Recruit Training Troop, beaming with pride as she celebrated surrounded by family and friends.

Trooper Bucci began her career at Leominster Barracks then transferred to Brookfield Barracks and most recently Medford Barracks. On March 4, 2022 Trooper Bucci was assisting a motorists on Interstate 93 in Stoneham when her cruiser was struck by a truck.

She is survived by her mother and stepfather, Maral and Jim Burditt; her father Anthony Bucci; her sister and brother-in-law, Talena and Andrew Lange; her sister and brother-in-law, Karissa and Brian Holmes and nephew and niece, Landon, and Lenna Holmes; her half-brother Dante Bucci and step-siblings Laney and Troy Burditt; her grandmothers Rosemarie Keefe and Aroussiak Dakessian. She is also survived by many close and loving aunts, uncles, cousins, friends.

Accordingly, as a mark of respect to the memory of Massachusetts State Trooper Tamar Anoush Bucci, at eighteen minutes before five o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.