

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, JUNE 21, 2022

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JOURNAL OF THE SENATE

Tuesday, June 21, 2022.

Met at sixteen 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 received from the Minority Leader, Bruce E. Tarr, announcing the appointment of John Feehan, Executive Director of the YWCA of Greater Newburyport (pursuant to item 1599-2027 of Section 2 of Chapter 102 of the Acts of 2021) to the board consisting of representatives from the human services sector to make recommendations on the criteria for the loan repayment assistance program for human service workers and home health workers (received June 16, 2022); and

Loan repayment program board.

Communication from the Department of Public Health relative to its plans of correction for the MCI Norfolk inspection on April 20, 21, 26, 28 and 29, 2022, Norfolk County House of Correction and Alternative Center inspection on May 13, 2022, Middlesex County Jail and House of Correction inspection on March 21, 22 and 23, 2022 and Bristol County Jail, Ash Street Facility inspection on April 21, 2022 (received June 15, 2022).

DPH,-- plans of correction. SD3216

Reports.

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

Report of the Barnstable 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 June 17, 2022);

Barnstable ROD,-- tech fund report. SD3214

Report of the Bristol 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 June 17, 2022);

Bristol ROD,-- tech fund report. SD3215

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 MCI Framingham (received June 15, 2022); and

DPH,-- facility inspection. SD3217

Report of the Pension Reserves Investment Management Board (pursuant to Section 64(f) of Chapter 42 of the Acts 2022) submitting a list of scrutinized companies sanctioned by the United States government as a result of the Russian Federation's invasion of Ukraine (received June 2, 2022).

PRIM Board,-- scrutinized companies. SD3218

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2946) of Marc R.

Bridgewater,-- town

Pacheco and Angelo L. D'Emilia (by vote of the town) for legislation to amend the town of Bridgewater's town charter relative to the makeup of the town council [Local approval received];

council.

By the same Senator, a petition (accompanied by bill, Senate, No. 2947) of Marc R. Pacheco and Angelo L. D'Emilia (by vote of the town) for legislation to amend the Bridgewater town charter relative to precincts and districts [Local approval received];

Bridgewater,--
precincts and
districts.

By the same Senator, a petition (accompanied by bill, Senate, No. 2948) of Marc R. Pacheco and Angelo L. D'Emilia (by vote of the town) for legislation to amend the Bridgewater town charter relative to definitions of districts and precincts [Local approval received];

Bridgewater,--
definitions.

By the same Senator, a petition (accompanied by bill, Senate, No. 2949) of Marc R. Pacheco and Angelo L. D'Emilia (by vote of the town) for legislation to amend the Bridgewater town charter relative to signature requirements [Local approval received];

Bridgewater,--
signatures.

By the same Senator, a petition (accompanied by bill, Senate, No. 2950) of Marc R. Pacheco and Angelo L. D'Emilia (by vote of the town) for legislation to amend the Bridgewater town charter relative to time of precinct and district charter amendments taking effect [Local approval received]; and

Bridgewater,--
charter amendments.

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 2945) of Rebecca L. Rausch (by vote of the town) for legislation relative to a town center wastewater service area for the town of Norfolk [Local approval received];

Norfolk,--
wastewater.

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

Severally sent to the House for concurrence.

By Ms. Gobi, a petition (accompanied by bill) (subject to Joint Rule 12) of Anne M. Gobi and Donald R. Berthiaume, Jr. for legislation to establish a sick leave bank for Michael Zaniewski, an employee of the Massachusetts Department of Transportation,--
under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Michael Zaniewski,--
sick leave.
SD3206

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill updating bail procedures for justice-involved youth (Senate, No. 923),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2943).

Bail procedures,--
youth.

Pursuant to an order previously adopted, the bill was placed in the Orders of the Day for Thursday, June 23, 2022 for a second reading with the amendment pending.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to forfeiture reform (Senate, No. 2671),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2944).

Criminal forfeiture,--
reform.

Pursuant to an order previously adopted, the bill was placed in the Orders of the Day for Thursday, June 23, 2022 for a second reading with the amendment pending.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to judicial supervision to promote child well-being (Senate, No. 2836),-- ought to pass, with an amendment substituting a new draft entitled "An Act promoting diversion of juveniles to community supervision and services" (Senate, No. 2942).

Judicial supervision,--
- child well-being.

Pursuant to an order previously adopted, the bill was placed in the Orders of the Day for Thursday, June 23, 2022 for a second reading with the amendment pending.

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 Public Health to make an investigation and study of certain current Senate documents relative to public health matters (Senate, No. 2887);

Public Health committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to public safety and homeland security matters (Senate, No. 2889);

Public Safety and Homeland Security committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to banking (Senate, No. 2890);

Financial Services committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current Senate documents relative to public health issues (Senate, No. 2891);

Public Health committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Tourism, Arts and Cultural Development to make an investigation and study of certain current Senate documents relative to tourism, arts and cultural development (Senate, No. 2908);

Tourism, Arts and Cultural Development committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to public safety and homeland security matters (Senate, No. 2911);

Public Safety and Homeland Security committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Children, Families and Persons with Disabilities to make an investigation and study of a certain current Senate document creating an electronic backpack for foster children (Senate, No. 2912);

Children, Families and Persons with Disabilities committee,- study.

Of the Senate Order relative to authorizing the joint committee on Children, Families and Persons with Disabilities to make an investigation and study of certain current Senate documents relative to children, families and persons with disabilities matters (Senate, No. 2914);

Id.

Of the Senate Order relative to authorizing the joint committee on Consumer Protection and Professional Licensure to make an investigation and study of a certain current Senate document to enhance diversity in the awarding of liquor licenses (Senate, No. 2916);

Consumer Protection and Professional Licensure committee,-- study.

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. 2917);

Health Care Financing committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Labor and Workforce Development to make an investigation and study of certain current Senate documents relative to application based workers (Senate, No. 2918);

Labor and Workforce Development committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Mental Health, Substance Use and Recovery to make an investigation and study of certain current Senate documents relative to mental health, substance use and recovery matters (Senate, No. 2919);

Mental Health, Substance Use and Recovery committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Mental Health, Substance Use and Recovery to make an investigation and study of a certain current Senate document to remove administrative barriers to behavioral health services (Senate, No. 2920);

Id.

Of the Senate Order relative to authorizing the joint committee on Financial Services to make an investigation and study of certain current Senate documents relative to auto matters (Senate, No. 2930);

Financial Services committee,-- study.

Of the Senate Order relative to authorizing the joint committee on State Administration and Regulatory Oversight to make an investigation and study of certain current Senate documents relative to state administration and regulatory oversight matters (Senate, No. 2931); and

State Administration and Regulatory Oversight committee,-- study.

Of the Senate Order relative to authorizing the joint committee on Municipalities and Regional Government to make an investigation and study of a certain current Senate document relative to local opt-in for permanent outdoor dining (Senate, No. 2932).

Municipalities and Regional Government 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. 4883) of Brian W. Murray (by vote of the town) that the town of Milford be authorized to grant an additional license for the sale of all alcoholic beverages not to be consumed on the premises in said town; and

Milford,-- liquor license.

Petition (accompanied by bill, House, No. 4884) of Brian W. Murray (by vote of the town) that the town of Milford be authorized to grant an additional license for the sale of wine and malt beverages not to be consumed on the premises in said town;

Id.

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4885) of Lindsay N. Sabadosa (with the approval of the mayor and city council) relative to ranked choice voting in the city of Northampton;

Northampton,-- ranked choice voting.

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 4886) of Lindsay N. Sabadosa (with the approval of the mayor and city council) that the city of Northampton be authorized to prohibit landlords and brokers from requiring broker's commissions to be paid by tenants or prospective tenants;

Northampton,-- tenant protections.

To the committee on Housing.

Petition (accompanied by bill, House, No. 4887) of Brian W. Murray (by vote of the town) that the town of Milford be authorized to establish employment contracts for the positions of building commissioner and facilities director in said town;

Milford,-- municipal positions.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4888) of John Barrett, III (by vote of the town) that the town of Hancock be authorized to allow firefighters and police officers to continue serving, notwithstanding the maximum age requirement;

Hancock,-- public service positions.

To the committee on Public Service.

A Bill removing the residency requirement for the city of Lynn's water and sewer commission (House, No. 4626,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Lynn,-- water and sewer commission.

Resolutions.

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

Resolutions (filed by Mr. Eldridge) "congratulating Thomas E. Tidman on his retirement as the director of natural resources for the town of Acton";

Thomas E. Tidman.

Resolutions (filed by Ms. Lovely) "congratulating Thomas Beasley on his elevation to the rank of Eagle Scout";

Thomas Beasley.

Resolutions (filed by Ms. Lovely) "congratulating Collin Wentworth on his elevation

Collin Wentworth.

to the rank of Eagle Scout”;

Resolutions (filed by Mr. O’Connor) “congratulating Thomas Shetzline on his elevation to the rank of Eagle Scout”; and

Thomas Shetzline.

Resolutions (filed by Mr. O’Connor) “congratulating Jack Libby on his elevation to the rank of Eagle Scout.”

Jack Libby.

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 Susan L. Moran for legislation relative to Barnstable County;

Barnstable County.
SD3130

Senate Rule 36 was suspended, on motion of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the House for concurrence.

Matters Taken Out of the Orders of the Day.

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

The House Bill transferring custody and control of Fuller Field in the town of Clinton (House, No. 2182),-- **was read a third time and passed to be engrossed, in concurrence.**

Clinton,-- Fuller
Field.

The House Bill relative to voting precinct 3 of ward 4 in the city of Peabody (House, No. 4528),-- **was read a third time and passed to be engrossed, in concurrence.**

Peabody,-- voting
precincts.

The House Bill providing for alcoholic beverage licenses in the town of Dunstable (House, No. 3812),-- was read a third time.

Dunstable,-- liquor
licenses.

Pending the question on passing the bill to be engrossed, Mr. Kennedy presented an amendment striking out, in lines 3 and 4, the words “to be drunk on the premises pursuant to section 12 of said chapter 138, and for off-premises consumption pursuant to section 15 of” and inserting in place thereof the following words:--“pursuant to”.

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE

Engrossed Bill.

An engrossed further regulating the audit committee of the town of Nantucket (see House, No. 4123) (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. Collins) and laid before the Governor for his approbation.**

Bill laid before the
Governor.

A Bill establishing a sick leave bank for Rhonda Brewster, an employee of the Department of Mental Health (House, No. 4831,-- on petition),-- was read.

Rhonda Brewster,--
sick leave.

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

Order Adopted.

UNCORRECTED PROOF.

On motion of Mr. Fattman,--

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

Time of meeting.

On motion of the same Senator, at twenty-four minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.