

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JUNE 23, 2022

JOURNAL OF THE SENATE

Thursday, June 23, 2022.

Met at twenty-six minutes past eleven o'clock A.M. (Mr. Cyr 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. Cyr), 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. Cyr) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, in the rear of the Chamber, members of the Town of Milton's Shade Tree Advisory Committee and local participants from the town of Milton who were involved in the Milton 360 Tree Initiative Campaign. The goal of this campaign is to plant 360 new trees along local streets in honor of the town's 360th anniversary. Among the group were: John David Corey, Miguel Rosales, Meera Patel, Carol Stocker, Christine Paxhia, Branch Lane and Peggy Chad. The Senate applauded their accomplishments and they withdrew from the Chamber.

Milton's Shade Tree Advisory Committee.

There being no objection, the Chair (Ms. Creem) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, in the rear of the Chamber, the Milton High School Wildcats Baseball Team. The team was recognized for winning the MIAA Division 2 State Championship, defeating King Philip High School 4-2. This win was the Wildcats first ever state championship title, and their first trip to a final since 1974. The team was accompanied by: Head Coach Brendan Morrissey, Varsity Assistant Coaches Ryan Stoller, Nick Petchell, Derek Curley, Dan Sweeney and Norm Walsh, Jr. Varsity Coach Greg Lannon and Freshman Coach Mike Davis. The Senate applauded their accomplishments and they withdrew from the Chamber.

Milton High School Wildcats Baseball Team.

There being no objection, the Chair (Ms. Creem) handed the gavel to Mr. Brady for the purpose of an introduction. Mr. Brady then introduced, on the Rostrum, April Keyes of Hanson. April was recognized for giving the commencement speech at Whitman-Hanson High School and for attending Harvard University in the fall. The Senate applauded her accomplishments, she was presented Senate Citations and she withdrew from the Chamber. She was also a guest of Representatives Cutler of Pembroke and Sullivan of Abington.

April Keyes.

Communication.

Communication from the Department of Public Health relative to its plan of correction for the Suffolk County Jail inspection on April 13 and 14, 2022 (received June 21, 2022),-- was placed on file.

DPH,-- plan of correction. SD3220

Petition.

Mr. Moore presented a petition (accompanied by bill, Senate, No. 2952) of Michael O. Moore and Paul K. Frost (by vote of the town) for legislation to exempt officers in the town of Millbury police department from the civil service law [Local approval received]; Referred, under Senate Rule 20, to the committee on Public Service.

Millbury,-- police department.

Sent to the House for concurrence.

Reports of a Committee.

By Mr. Cyr, for the committee on Mental Health, Substance Use and Recovery, on petition, a Bill relative to medication assisted recovery and care (MARC) (Senate, No. 1259);

Recovery and care,-- medication assisted.

By the same Senator, for the same committee, on petition, a Bill relative to benzodiazepines and non-benzodiazepine hypnotics (Senate, No. 1260); and

Hypnotics,-- benzodiazepines.

By the same Senator, for the same committee, on Senate, Nos. 1258 and 1272, a Bill relative to preventing overdose deaths and increasing access to treatment (Senate, No. 1272) [Senator Collins and Representative Tucker of Salem dissenting];

Injection sites,-- pilot program.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Cyr, for the committee on Mental Health, Substance Use and Recovery, on petition, a Bill to transfer Bridgewater State Hospital from the Department of Corrections to the Department of Mental Health (Senate, No. 1267); and

Bridgewater State Hospital,-- jurisdiction.

By the same Senator, for the same committee, on petition, a Bill establishing an Office of Behavioral Health Promotion (Senate, No. 1275);

Behavioral health promotion.

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

PAPERS FROM THE HOUSE.

A Bill relative to liability for release of hazardous materials (House, No. 4898,-- on House, No. 3837),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Hazardous materials,-- liability.

A Bill authorizing Gregory S. Shopshire to purchase creditable service from the Barnstable county retirement board (House, No. 4657,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Gregory S. Shopshire,-- creditable service.

Bills

Amending the charter of the city of Lynn (House, No. 4623,-- on petition) [Local approval received]; and

Lynn,-- charter.

Removing the residency requirement for members of the traffic commission in the city of Lynn (House, No. 4625,-- on petition) [Local approval received];

Lynn,-- traffic commission.

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

A report of the committee on Housing, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1377) of Mike Connolly and others for legislation to authorize cities and towns to impose a fee up to 2 per cent of the purchase price upon the transfer of certain real property,-- and recommending that the same be referred to the committee on Revenue,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Property transfer,-- fee.

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Relative to the maximum age requirement for police officers for the city of Taunton

Second reading bills.

(Senate, No. 2870);

Authorizing the town of Mendon to establish a means-tested senior citizen property tax exemption (House, No. 3901);

Concerning the appointment of retired Salem firefighters as special firefighters within the city of Salem (House, No. 4265); and

Changing the number of members of the Insurance Advisory Committee for the town of Milford (House, No. 4275);

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

The House Bill further regulating the appointment of retired police officers in the town of Canton (House, No. 4838) (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.**

Third reading bill.

The Senate Bill relative to forfeiture reform (Senate, No. 2671),-- was read a second time.

Criminal forfeiture,-- reform.

After remarks, pending the question on the Ways and Means new draft (Senate, No. 2944), and pending the main question on ordering the bill to a third reading, Mr. Tarr moved that the matter be laid upon the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed, without question, until the next session.

The Senate Bill relative to judicial supervision to promote child well-being (Senate, No. 2836),-- was read a second time.

Judicial supervision,-- child well-being.

After remarks, pending the question on the Ways and Means new draft (Senate, No. 2942), and pending the main question on ordering the bill to a third reading, Mr. Tarr moved that the matter be laid upon the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed, without question, until the next session.

Resolutions.

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

Resolutions (filed by Ms. Comerford) “congratulating the Eric Carle Museum of Picture Book Art, Inc. on the twentieth anniversary of its establishment.”

Eric Carle Museum of Picture Book Art, Inc.

PAPERS FROM THE HOUSE

Engrossed Bill.

An engrossed Bill relative to voting precinct 3 of ward 4 in the city of Peabody (see House, No. 4528) (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. Cyr) 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. 4913) of Sally P. Kerans and Joan B. Lovely relative to the inspection and certification of modular homes;

Modular homes,-- inspection.

Under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4912) of Tackey Chan for legislation to provide collective bargaining rights to employees of the mosquito control projects and mosquito control districts;

Mosquito control employees,-- collective bargaining.

Under suspension of Joint Rule 12, to the committee on Labor and Workforce Development.

Orders.

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 Housing be granted until Sunday, July 31, 2022 within which time to make its final report on current Senate documents numbered 866, 867, 889, 894 and 2864, and House documents numbered 1373, 1378, 1404, 1415, 1429, 1440, 1442, 3721, 4148, 4229 and 4354.

Housing,-- extension order.

The rules were suspended, on motion of Mr. Keenan, and, after remarks, the order (House, No. 4771) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Sunday, July 31, 2022 within which time to make its final report on current Senate document numbered 886.

Id.

The rules were suspended, on motion of Mr. Keenan, and, after remarks, the order (House, No. 4775) was considered forthwith; and adopted, in concurrence.

The Senate Bill addressing barriers to care for mental health (Senate, No. 2584),— came from the House passed to be engrossed, in concurrence, *with an amendment* striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4891.

Mental health,-- barriers.

Ms. Moran moved that the Senate NON-concur in the House amendments and asked for a committee of conference on the disagreeing votes of the two branches; and Senators Cyr, Friedman and Tarr were appointed to the committee on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Orders.

Ms. Creem 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 Financial Services be granted until Thursday, June 30, 2022 within which time to make its final report on current House document numbered 1234.

Financial Services,-- extension order.

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

Pending the question on adoption of the order, Mr. Feeney offered an amendment in line 2 by striking out the words “Thursday, June 30, 2022” and inserting in place thereof the following words:- “Sunday, July 31, 2022”.

After remarks, the amendment was adopted.

The order (House, No. 4731), as amended, was then adopted.

Sent to the House for concurrence in the amendment.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Thursday, June 30, 2022 within which time to make its final report on current Senate document numbered 656, and House document numbered 1052.

Id.

The rules were suspended, on motion of Mr. Feeney, and, after remarks, the order (House, No. 4824) was considered forthwith; and adopted, in concurrence.

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 June 24, 2022 within which time to make its final report on current Senate documents numbered 1540, 1541, 1542, 1550, 1552, 1578, 1594, 1599, 1601, 1631, 1633, 1638, 2125 and 2457 relative to public safety and homeland security (Senate, No. 2888),-- ought to be adopted.

Public Safety and Homeland Security,-- extension order.

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

Sent to the House for concurrence.

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 June 24, 2022 within which time to make its final report on current Senate documents numbered 1573, 1579 and 1580 relative to public safety and homeland security (Senate, No. 2909),-- ought to be adopted.

Id.

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

Sent to the House for concurrence.

Orders Adopted.

Mr. Rodrigues offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill relative to accountability for vulnerable children and families (Senate, No. 32), to be reported by the committee on Ways and Means with a recommended new draft with the same title (Senate, No. 2953), on Friday, June 24, 2022, and read into the Senate Journal on Monday, June 27, 2022, shall be placed in the Orders of the Day for a second reading on Thursday, June 30, 2022.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, June 27, 2022. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2953), 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. Eldridge, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, June 30, 2022, for a second reading with the amendment pending.

Mr. Rodrigues offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill establishing a Foster Parents' Bill of Rights (Senate, No. 87), to be reported by the committee on Ways and Means with a recommended new draft with the same title (Senate, No. 2954), on Friday, June 24, 2022, and read into the Senate Journal on Monday, June 27, 2022, shall be placed in the Orders of the Day for a second reading on Thursday, June 30, 2022.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, June 27, 2022. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2954), 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. Eldridge, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, June 30, 2022, for a second reading with the amendment pending.

Mr. Rodrigues offered the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the Senate Bill enabling pharmacists to prescribe, dispense and administer PrEP (Senate, No. 1407), to be reported by the committee on Ways and Means with a recommended new draft with the same title (Senate, No. 2955), on Friday, June 24, 2022, and read into the Senate Journal on Monday, June 27, 2022, shall be placed in the Orders of the Day for a second reading on Thursday, June 30, 2022.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, June 27, 2022. All such amendments shall be second reading-amendments to the Senate Ways and Means new draft (Senate, No. 2955), 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. Eldridge, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, June 30, 2022, for a second reading with the amendment pending.

Order Adopted.

On motion of Mr. Eldridge,--

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.

UNCORRECTED PROOF.

Without further action on matters in the Orders of the Day, on motion of the same Senator, at twenty-nine minutes before one o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.