

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, JULY 11, 2022

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Monday, July 11, 2022.

Met at fourteen minutes past eleven o'clock A.M. (Mr. DiDomenico 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. DiDomenico), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Petition.

Mr. Velis presented a petition (accompanied by bill) (subject to Joint Rule 12) of John C. Velis for legislation to establish a sick leave bank for Deborah Grimm, an employee of the Department of Children and Families,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Deborah Grimm,-- sick leave. SD3249

Reports of Committees.

By Ms. Friedman, for the committee on Health Care Financing, on Senate, Nos. 678, 1257, 1259, 1260, 1394, 1469 and 2894, an 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 matters (Senate, No. 2995);

Health Care Financing committee,-- study.

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

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bill to provide more timely treatment of inpatient mental health care (Senate, No. 1284) (also based on House, No. 2106),-- ought to pass [Estimated cost: greater than \$100,000];

Mental health,-- treatment.

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

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the recommitted Senate Bills

Establishing a special commission to study women and homelessness (Senate, No. 82);

Homeless women,-- commission.

To establish an acquired brain injury advisory board (Senate, No. 83);

Brain injury board.

Establishing a commission on the status of children and youth (Senate, No. 130, changed);

Children and youth,-- commission.

Establishing a commission to study childhood hunger in Norfolk County as a result of the COVID-19 pandemic (Senate, No. 145);

Norfolk County,-- hunger commission.

Relative to the Rural Policy Advisory Commission (Senate, No. 265);

Rural policy.

To establish a special commission on innovative technology-enabled teaching and learning (Senate, No. 364);

Technology-enabled teaching.

Further regulating the Assisted Living Advisory Council (Senate, No. 408);

ALAC,-- regulate.

Establishing a special commission to study the noise effects of hunting migratory game birds in neighborhoods and communities within established coastal zones (Senate, No. 508);

Hunting noise,-- commission.

Improving access to affordable higher education (Senate, No. 825);

Higher education,--

Establishing a special commission to study racial segregation in housing and public schools (Senate, No. 870);

Relative to attainable housing in seasonal communities (Senate, No. 873);

To establish a November holiday honoring President John F. Kennedy, to promote increased voter participation and civic engagement (Senate, No. 1030);

To establish a commission to study the distribution of unrestricted local aid (Senate, No. 1344);

Establishing a commission on the status of citizens of Haitian descent (Senate, No. 1819);

Establishing a special commission to identify opportunities to improve the efficiency and effectiveness of state agencies, programs, and services (Senate, No. 2076);

Relative to a special commission to study MBTA assets in the City of Boston (Senate, No. 2281);

Funding a study of passenger service on the housatonic rail line (Senate, No. 2336);

To modernize property tax abatements for veterans (Senate, No. 2393);

Establishing a committee to study an appropriate location for a memorial to LGBT service members and veterans (Senate, No. 2394);

Establishing a commission on Post Traumatic Stress Disorder (Senate, No. 2403);

To end housing discrimination in the Commonwealth (Senate, No. 2675);

Establishing a commission on automated decision-making by government in the commonwealth (Senate, No. 2688);

Creating a special legislative commission to study barriers to job retention for low-income workers (Senate, No. 2724);

Establishing a special commission to study the effectiveness of the Massachusetts School Building Authority (Senate, No. 2727);

Relative to MassHealth provider reimbursement (Senate, No. 2787);

To establish a Higher Education Review Commission (Senate, No. 2812); and

Creating a special commission to study the current refugee resettlement infrastructure and ensure the successful integration of refugees in Massachusetts (Senate, No. 2847);

The recommitted Senate Resolves

Relative to improving access to treatment for individuals with perinatal substance use disorder (Senate, No. 128);

Establishing a special commission on the treatment of intellectually and developmentally disabled offenders in the criminal justice system (Senate, No. 131);

Establishing a task force to study racial disparities in home ownership and reducing the wealth gap (Senate, No. 887);

Establishing a special commission to study the impact of telecommuting on employees of the Commonwealth (Senate, No. 1255);

Establishing a special commission on the Dover amendment (Senate, No. 1347); and

To diversify farmland opportunities to combat climate change (Senate, No. 2737); and

The Senate Bills

Establishing an oral health special commission and needs assessment (Senate, No. 1378); and

Relative to the practice of acupuncture (Senate, No. 2886);

Severally ought to pass;

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

affordability.

Housing and public schools segregation.

Seasonal communities.

John F. Kennedy,-- holiday.

Unrestricted local aid,-- distribution.

Haitian Americans,-- commission.

State government,-- efficiency.

MBTA assets,-- commission.

Housatonic rail line.

Veterans,-- property tax.

LGBT veterans,-- memorial.

PTSD,-- commission.

Housing discrimination.

Automated decision-making.

Job retention,-- commission.

SBA,-- commission.

Provider

reimbursement.

Higher Education Review Commission.

Refugee integration,-- commission.

Perinatal substance use,-- commission.

Disabled offenders,-- commission.

Home ownership,-- disparities.

Telecommuting,-- study.

Educational zoning.

Farmlands,-- climate.

Oral health,-- commission.

Acupuncture.

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 a certain current Senate document relative to the registration and insurance of motorized scooters in the Commonwealth (Senate, No. 2964);

Transportation 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 a certain current Senate document relative to media access and transparency in correctional facilities (Senate, No. 2967);

Public Safety and Homeland Security 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 a certain current Senate document to remove barriers to medical parole (Senate, No. 2968);

Id.

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. 2969);

Id.

Of the Senate Order relative to authorizing the joint committee on Financial Services to make an investigation and study of a certain current Senate document relative to growth opportunities for state financial institutions (Senate, No. 2974);

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 a certain current Senate document to promote American manufacturing (Senate, No. 2975);

State Administration and Regulatory Oversight committee,- study.

Of the Senate Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents relative to judiciary matters (Senate, No. 2976);

Judiciary 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 relative to establishing a model school policy on suicide prevention (Senate, No. 2977); and

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

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 transportation issues (Senate, No. 2981).

Transportation 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.

A message from His Excellency the Governor recommending legislation providing for the terms of certain bonds for transportation improvements to be issued by the Commonwealth (House, No. 4981),-- **was referred, in concurrence, to the committee on Bonding, Capital Expenditures and State Assets.**

Bonds and notes,-- terms.

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

Petition (accompanied by bill, House, No. 4992) of John Barrett, III (by vote of the town) that the town of Williamstown be authorized to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises; and

Williamstown,-- liquor license.

Petition (accompanied by bill, House, No. 4993) of John Barrett, III (by vote of the town) that the town of Williamstown be authorized to grant two additional licenses for the

Id.

sale of wine and malt beverages not to be drunk on the premises;

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4994) of John Barrett, III (by vote of the town) for legislation to amend the charter of the town of Williamstown by making all gender references therein gender neutral; and

Williamstown,--
charter.

Petition (accompanied by bill, House, No. 4995) of John Barrett, III (by vote of the town) for legislation to amend the charter of the town of Williamstown;

Id.

Severally to the committee on Municipalities and Regional Government.

A Bill authorizing Jeremiah Z. Valli to purchase creditable service from the Barnstable county retirement board (House, No. 4435,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Jeremiah Z. Valli,--
creditable service.

Bills

Authorizing certain members of the Webster Fire Department to buy-back eligible retirement service time (House, No. 3967,-- on petition) [Local approval received];

Webster Fire Dept,--
retirement.

Relative to the reserve time of public safety personnel in the city of Revere (House, No. 4572,-- on House, No. 4278) [Local approval received on House, No. 4278];

Revere,-- public
safety.

Authorizing the city of Salem to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises of Peter's Bella Pizza at 84 Highland Avenue (House, No. 4665,-- on House, No. 4131) [Local approval received on House, No. 4131];

Salem,-- liquor
license.

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

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 Senate Bill further regulating sewer privilege fees in the town of Millbury (Senate, No. 1350) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Millbury,-- sewer fee.

Sent to the House for concurrence.

The Senate Bill authorizing the investment of trust funds benefiting the town of Sherborn library (Senate, No. 1355),-- **was read a third time and passed to be engrossed.**

Sherborn library,--
trust funds.

Sent to the House for concurrence.

The House Bill authorizing the town of Whately to continue the employment of Edwin Zaniewski (House, No. 4206),-- **was read a third time and passed to be engrossed, in concurrence.**

Whately,--Edwin
Zaniewski.

The Senate Bill establishing a special fund for recaptured funds from demolition liens or related grants in the town of Templeton (Senate, No. 2575),-- was read a third time.

Templeton,-- special
fund.

Pending the question on passing the bill to be engrossed, Ms. Gobi presented an amendment in section 1, in proposed subsection (b), by striking out the last paragraph.

The amendment was adopted.

The bill (Senate, No. 2575, amended) was then passed to be engrossed.

Sent to the House for concurrence.

Report of a Committee.

Ms. Lovely, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill protecting research animals (House, No. 901) (the committee on Rules having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2992).

Research animals,--
protecting.

There being no objection, the rules were suspended, on motion of Mr. Moore, and the bill was read a second time and was amended, as recommended by the committee on Rules.

The bill, as amended, was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4932), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0.

Supplemental
appropriations.

The bill was signed by the Acting President (Mr. DiDomenico) and sent to the House for enactment.

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill protecting the health and safety of puppies and kittens in cities and towns (Senate, No. 1322),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2994).

Puppies and kittens,--
safety.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

After remarks, the bill (Senate, No. 2994) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill further regulating the enforcement of illegal hunting practices (House, No. 4442),-- ought to pass, with an amendment inserting in place thereof the text of Senate document numbered 2993.

Illegal hunting
practices.

There being no objection, the rules were suspended, on motion of Mr. Moore, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

After remarks, the bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE

Engrossed Bill.

UNCORRECTED PROOF.

An engrossed Bill making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4932) (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. DiDomenico) and laid before the Governor for his approbation.**

Bill laid before the Governor.

A Bill expanding protections for reproductive rights (House, No. 4594,-- on Senate, No. 1372 and House, No. 2264),-- was read.

Reproductive rights.

Ms. Friedman moved that when the Senate considers the bill that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2996.

Order Adopted.

Ms. Friedman presented the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill expanding protections for reproductive rights (House, No. 4954) (Ms. Friedman having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2996) shall be placed in the Orders of the Day for a second reading on Wednesday, July 13, 2022.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Tuesday, July 12, 2022. All such amendments shall be second-reading amendments to the proposed new text (Friedman) (Senate, No. 2996), 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 Ms. Chandler, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Wednesday, July 13, 2022, for a second reading with the amendment pending.

Recess.

There being no objection, at twelve minutes before twelve o'clock noon, the Chair (Mr. DiDomenico) declared a recess subject to the call of the Chair; and, at twenty-five minutes before three o'clock P.M., the Senate reassembled, Mr. Rodrigues in the Chair.

Recess.

PAPERS FROM THE HOUSE.

A Bill dedicating the grove at Heritage State Park in the city of Fall River as the David Almond Grove, in honor of the late David Almond (House, No. 4832,-- on petition),-- was read.

Fall River,-- David Almond Grove.

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.

The House Bill preserving open space in the Commonwealth (House, No. 851),-- 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

Open space.

the text contained in Senate document numbered 2831), and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Balser of Newton, O'Day of West Boylston and Gifford of Wareham had been appointed the committee on the part of the House.

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

The bill was returned to the House endorsed accordingly.

Order Adopted.

On motion of Mr. Tarr,--

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

Time of meeting.

On motion of the same Senator, at twenty-three minutes before three o'clock P.M, the Senate adjourned to meet again on Wednesday next at one o'clock P.M.