
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, OCTOBER 31, 2022

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JOURNAL OF THE SENATE

Monday, October 31, 2022.

Met at nine minutes past eleven o'clock A.M. (Mr. Pacheco 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. Pacheco), 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. Pacheco) introduced, in the rear of the Chamber, Francisco Duarte Lopes, the Ambassador of Portugal to the United States. Ambassador Lopes assumed his position on June 7, 2022. He was visiting the State House in recognition of the 200th anniversary of the Portuguese Consulate General in Boston that took place on October 31, 1822. The Senate welcomed him with applause, he addressed the Senate from the Rostrum, signed the guestbook and withdrew from the Chamber. He was accompanied by Tiago Araujo, Consul General of Portugal in Boston, João Caixinha, Coordinator for the Teaching of Portuguese in the U.S. and Paulo Martins, Counselor for the Portuguese Communities in New England. He was also guests of Senators Rodrigues and Lovely and Representatives Cabral of New Bedford, Hendricks of New Bedford, Oliveira of Ludlow, Uyterhoeven of Somerville and Vitolo of Brookline and Thomas Pelky from Representative Digg's Office.

Ambassador Francisco Duarte Lopes.

Communication.

Communication from the Department of Public Health relative to its plans of correction for the Barnstable County Correctional Facility inspection on September 22, 2022 and Bridgewater State Hospital inspection on October 4 and 5, 2022 (received October 31, 2022),-- was placed on file.

DPH,-- plans of correction. SD3369

Reports.

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

Report of the Department of Youth Services (pursuant to Section 16 of Chapter 123A of the General Laws) submitting its 2022 annual report regarding the treatment offered to sexually dangerous persons (copies having been forwarded as required to the Chair of the Senate Committee on Ways and Means and the Senate Chair of the joint committee on the Judiciary) (received October 27, 2022); and

DYS,-- SDP report. SD3367

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 Essex County Correctional Facility (received October 28, 2022).

DPH,-- facility inspection. SD3368

PAPERS FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Speaker:

James B. Lampert, Esq. of Duxbury (under Section 14 of Chapter 188 of the Acts of

Nuclear Decommissioning

2016) to the Nuclear Decommissioning Citizens Advisory Panel.

Citizens Advisory Panel.

Bills

Establishing a task force on sexual assault counsellors (House, No. 5363,-- on Senate, No. 1448 and House, No. 2317); and

Sexual assault counsellors,-- task force.

Relative to a commission to study the intentional misrepresentation of a service animal (House, No. 5364,-- on House, Nos. 1563 and 1565);

Service animal,-- commission.

Were severally read and, under Joint Rule 29, referred to the committee on Rules of the two branches, acting concurrently.

A Bill recognizing Sikh Appreciation Month (House, No. 4569,-- on House, No. 3139),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Sikh Appreciation Month.

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 Walter F. Timilty, Michael D. Brady, Gerard J. Cassidy and Alyson M. Sullivan for legislation to establish a sick leave bank for Lisa Balentine, an employee of the Department of Transitional Assistance;

Lisa Balentine,-- sick leave. SD3365

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 Public Service.

Sent to the House for concurrence.

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 House bill designating United States highway route 20 in Massachusetts the Medal of Honor Highway (House, No. 4436) (also based on Senate, No. 3061) (the committee on Rules recommending that the bill be amended by inserting after the word “department”, in line 5, the following words:- “and at locations that do not conflict with existing designations”).

Medal of Honor Highway.

There being no objection, the rules were suspended, on motion of Mr. Fattman, 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 passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act designating the portion of United States highway route 20 in Massachusetts the Medal of Honor Highway”.

Sent to the House for concurrence in the amendment.

PAPER FROM THE HOUSE

Engrossed Bill.

Mr. Rodrigues in the Chair, an engrossed Bill authorizing the city of Fall River Housing Authority to convey a certain parcel of land to Southcoast Hospitals Group, Inc (see Senate, No. 2503, amended) (which originated in the Senate), **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. Rodrigues) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Matters Taken Out of the Orders of the Day.

Mr. Pacheco in the Chair, there being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The Senate Bill authorizing the select board of Easton to lease certain parcels of land (Senate, No. 2972),-- was read a second time.

Easton,-- land lease.

Pending the question on ordering the bill to a third reading, Mr. Timilty presented an amendment substituting a new draft entitled "An Act authorizing the select board of Easton to lease a certain parcel of land" (Senate, No. 3131).

The amendment was adopted.

The bill (Senate, No. 3131) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

The House Bill authorizing the city of Newburyport to continue the employment of police officer Charles Vorderis (House, No. 4871),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Newburyport,--
Charles Vorderis.

The Senate Bill amending the charter of the city of Amesbury (Senate, No. 2448),-- was read a third time.

Amesbury,-- charter.

Pending the question on ordering the bill to a third reading, Ms. DiZoglio presented an amendment substituting a new draft with the same title (Senate, No. 3133).

The amendment was adopted.

The bill (Senate, No. 3133) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill amending the charter of the city of Methuen (House, No. 4690) (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.**

Methuen,-- charter.

The House Bill authorizing the town of Middlefield to continue the employment of Ronald Radwich (House, No. 4717) (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.**

Middlefield,--
Ronald Radwich.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (the first three of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the Acting President (Mr. Pacheco) and laid before the Governor for his approbation, to wit:

Bills laid before the
Governor.

Establishing a special fund for recaptured funds from demolition liens or related grants in the town of Templeton (see Senate, No. 2575, amended);

Authorizing the town of Avon to grant 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 3112, amended);

Authorizing the town of Northfield to establish the Grandin water district (see Senate, No. 3116);

Providing for the appointment and removal authority of the town administrator of the town of Wilbraham (see House, No. 3997);

Authorizing the town of Shutesbury to establish a means-tested senior citizen

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property tax exemption (see House, No. 4559); and

Exempting certain affordable housing in the city of Worcester from public procurement laws (see House, No. 4850).

Order Adopted.

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.

Time of meeting.

On motion of the same Senator, at a quarter before twelve o'clock noon, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.