

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, APRIL 13, 2023

JOURNAL OF THE SENATE

Thursday, April 13, 2023.

Met at three minutes past eleven o'clock A.M. (Mr. Brownsberger in the Chair).

The Chair (Mr. Brownsberger), 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. Brownsberger) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, in the rear of the Chamber, staff and clients from House of Possibilities' Career and Community Access Program. This program provides both children and adults who experience intellectual and developmental challenges with a life-changing path to greater independence. The Senate welcomed them with applause, and they withdrew from the Chamber.

House of Possibilities' Career and Community Access Program.

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, a group of Greek dignitaries that were visiting the State House in recognition of George Demeter Day and Parliamentary Law Month. George Demeter was recognized for his contributions to the parliamentary process and his dedication to the protection of the rights of individuals by insuring an orderly process. Among the group were: Boston Consul General of Greece, Symeon Tegos, President of the Alpha-Omega Council, Paul Tsitsopoulos, President of the George Demeter Unit of the National Association of Parliamentarians, Peter Klapes and President of the Maids of Athena, Tina Papadopoulos. They were welcomed with applause, were presented with a Governor's Proclamation, signed the guest book and withdrew from the Chamber. The group was accompanied by George Demeter's family members: niece Connie Prescott, grandnephew Les Christos and grandnephew and past President of the Boston AHEPA, HBA and NAP's George Demeter Unit Peter Senopoulos and Boston City Clerk Alex Geourntas.

Greek dignitaries.

Reports.

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

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of Worcester County Jail and House of Correction and Boston Pre-Release Center (received April 10, 2023); and

DPH,-- facility inspections. SD2561

Report of the Massachusetts Gaming Commission (pursuant to Section 70 of Chapter 23K of the General Laws) submitting its fiscal year 2022 annual report (received April 11, 2023).

MGC,-- annual report. SD2562

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Miranda, a petition (accompanied by bill, Senate, No. 2380) of Liz Miranda (with approval of the mayor and city council) for legislation to authorize additional licenses for the sale of alcoholic beverages to be drunk on the premises in Boston [Local approval received];

Boston,-- liquor licenses.

Under Senate Rule 20, to the committee on Consumer Protection and Professional Licensure.

Sent to the House for concurrence.

By Mr. Crighton, a petition (accompanied by bill) (subject to Joint Rule 12) of Brendan P. Crighton and Jennifer Balinsky Armini for legislation to establish a sick leave bank for Amelia Alex, an employee of the Department of Social Services;

Amelia Alex,--
sick leave.
SD2560

By Mr. Eldridge, a petition (accompanied by bill) (subject to Joint Rule 12) of James B. Eldridge for legislation to establish a designation of a state protection and advocacy system;

Protection and
advocacy system.
SD2563

By Mr. Fattman, a petition (accompanied by bill) (subject to Joint Rule 12) of Ryan C. Fattman for legislation to establish a sick leave bank for Matt Blazes, an employee of the Worcester County Sheriff's Office; and

Matt Blazes,--
sick leave.
SD2564

By Ms. Moran, a petition (accompanied by bill) (subject to Joint Rule 12) of Susan L. Moran for legislation to facilitate restitution against unfinished development to be known as the FRAUD Act;

FRAUD Act.
SD2565

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

Committees Discharged.

Ms. Jehlen, for the committee on Elder Affairs, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 371) of Patricia D. Jehlen, Susannah M. Whipps, Brian W. Murray, Sal N. DiDomenico and other members of the General Court for legislation to provide emergency aid to certain elderly and disabled residents;--
and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities.

Closed captioning,--
public areas.

Ms. Rausch, for the committee on Environment and Natural Resources, reported, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 466) of Julian Cyr for legislation to promote conservation through oyster shell recycling;

Oyster shell,--
recycling.

Of the petition (accompanied by bill, Senate, No. 478) of James B. Eldridge, Adam Scanlon, Michael J. Barrett, Paul W. Mark and other members of the General Court for legislation to expand the sale of products by farmer breweries;

Farmer breweries,--
sales.

Of the petition (accompanied by bill, Senate, No. 484) of Ryan C. Fattman for legislation to promote economic opportunities for cottage food entrepreneurs;

Cottage foods,--
regulations.

Of the petition (accompanied by bill, Senate, No. 490) of Anne M. Gobi for legislation relative to agricultural disaster relief;

Agricultural disaster
relief,-- fund.

Of the petition (accompanied by bill, Senate, No. 491) of Anne M. Gobi and Kimberly N. Ferguson for legislation relative to creating an animal advisory board to the Massachusetts Department of Agriculture;

MDAR,-- animal
advisory board.

Of the petition (accompanied by bill, Senate, No. 496) of Anne M. Gobi for legislation to define farming;

Farming,-- definition.

Of the petition (accompanied by bill, Senate, No. 502) of Anne M. Gobi and Jason M. Lewis for legislation relative to reducing food insecurity;

Food insecurity.

Of the petition (accompanied by bill, Senate, No. 507) of Patricia D. Jehlen, Rebecca L. Rausch, Vanna Howard and Patrick M. O'Connor for legislation to establish a food justice frontline;

Food Justice
Frontline Program.

Of the petition (accompanied by bill, Senate, No. 539) of Susan L. Moran, William M. Straus, Michael D. Brady, Mathew J. Muratore and other members of the General Court

Cranberry wetlands,--
mitigation bank.

for legislation relative to a cranberry wetland mitigation bank; and

Of the petition (accompanied by bill, Senate, No. 553) of Jacob R. Oliveira, Lydia Edwards, Brian W. Murray, Patrick M. O'Connor and other members of the General Court for legislation to promote economic opportunities for cottage food entrepreneurs;

Cottage food law,--
license exemption.

And recommending that the same severally be referred to the committee on Agriculture.

Of the petition (accompanied by bill, Senate, No. 538) of Susan L. Moran, Thomas M. Stanley and Michael O. Moore for legislation relative to clean lighting,-- **and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy.**

Florescent lighting,--
discontinue.

Severally, under Senate Rule 36, the reports were considered forthwith and accepted.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Representative Norman Orrall has been removed from the Joint Committee on Elder Affairs and Representative F. Jay Barrows has been appointed to the vacancy for the remainder of the 2023-2024 legislative session.

Elder Affairs,--
committee
appointment.

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

Petition (accompanied by bill, House, No. 3740) of David Paul Linsky (by vote of the town) that the town of Natick be authorized to establish minimum seating capacity for granting licenses for the sale of all alcoholic beverages or wine and malt beverages to be drunk on the premises in said town; and

Natick,-- liquor
licenses.

Petition (accompanied by bill, House, No. 3741) of Christopher J. Worrell (with the approval of the mayor and city council) that the city of Boston be authorized to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises in said city;

Boston,-- liquor
licenses.

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3742) of Christine P. Barber, Patricia D. Jehlen and Erika Uytterhoeven (with the approval of the mayor and city council) that the city of Somerville be authorized to provide voting rights in municipal elections for certain residents aged 16 and 17 years old;

Somerville,--
municipal elections.

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 3743) of Christine P. Barber, Patricia D. Jehlen and Erika Uytterhoeven (with approval of the mayor and city council) for legislation to further regulate the affordable housing trust in the city of Somerville; and

Somerville,--
affordable housing.

Petition (accompanied by bill, House, No. 3744) of Samantha Montaño (with the approval of the mayor and city council) that the city of Boston be authorized to implement rent stabilization and tenant eviction protections;

Boston,-- tenant
protections.

Severally to the committee on Housing.

Petition (accompanied by bill, House, No. 3745) of Christine P. Barber, Patricia D. Jehlen and Erika Uytterhoeven (with the approval of the mayor and board of aldermen) that the city of Somerville be authorized to impose municipal reviews on institutional master plans of certain institutional facilities;

Somerville,--
municipal plans.

Petition (accompanied by bill, House, No. 3746) of William C. Galvin and Michael D. Brady (by vote of the town) that the town of Avon be authorized to amend the by-laws of said town to change the name of the board of selectmen to select board in said town;

Avon,-- board of
selectmen.

and

Petition (accompanied by bill, House, No. 3747) of Jerald A. Parisella (with the approval of the mayor and city council) relative to the home rule charter of the city of Beverly;

Beverly,-- charter.

Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3748) of Michael J. Soter (by vote of the town) that the town of Bellingham be authorized to exempt all positions in the police department of said town from certain provisions of the civil service law; and

Bellingham,-- police department.

Petition (accompanied by bill, House, No. 3749) of David T. Vieira and Susan L. Moran (by vote of the town) that all positions of the fire department of the town of Falmouth be exempt from certain provisions of the civil service law;

Falmouth,-- fire department.

Severally to the committee on Public Service.

Reports

Of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 248) of Ruth B. Balsler relative to establishing senior psychologist licensure;

Senior psychologist, - licensure.

Of the petition (accompanied by bill, House, No. 303) of Colleen M. Garry relative to sonographers and vascular technologists;

Sonographers and vascular techs,-- certification.

And recommending that the same severally be referred to the committee on Public Health.

Of the petition (accompanied by bill, House, No. 314) of Danielle W. Gregoire and others relative to licensing of dog day care businesses,-- and recommending that the same be referred to the committee on Municipalities and Regional Government;

Dog daycare,-- licensure.

Of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2262) of John H. Rogers relative to the board of registration in podiatry within the board of registration in medicine,-- and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure;

Podiatry,-- board of registration.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Resolutions.

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

Resolutions (filed by Mr. Eldridge) “commending the Commission on Disability of the town of Sudbury on its thirtieth anniversary”;

Sudbury Commission on Disability.

Resolutions (filed by Mr. Eldridge, Ms. Comerford, Messrs. Brownsberger, Crighton and Gomez, Ms. Kennedy, Messrs. Keenan, DiDomenico, Tarr, Timilty and Cronin, Ms. Jehlen, Mr. Kennedy, Ms. Miranda, Mr. Lewis, Ms. Lovely, Messrs. Moore, Montigny, Finegold, Mark, O'Connor, Oliveira and Payano) “commending Islamic religious groups throughout the commonwealth for celebrating the month of Ramadan”;

Ramadan.

Resolutions (filed by Ms. Miranda) “commending The Black Mamas Matter Alliance for recognizing the week of April 11 to April 17, 2023 as Black Maternal Health Week”;

Black Mamas Matter Alliance.

Resolutions (filed by Ms. Miranda) “commending the Cape Verdean Association of Boston, Inc. for recognizing March 27, 2023 as Kriola’s International Day”;

Cape Verdean Association of Boston, Inc.

Resolutions (filed by Mr. Moore, Ms. Gobi, Ms. Lovely, Messrs. O'Connor, Oliveira, Pacheco, and Payano, Ms. Rausch and Messrs. Rodrigues and Timilty) “commending the

Department of Fish and Game.

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Department of Fish and Game for its efforts in preserving biodiversity throughout the Commonwealth”;

Resolutions (filed by Mr. Pacheco) “congratulating Kenneth Pacheco on the occasion of his retirement”; and

Kenneth Pacheco.

Resolutions (filed by Mr. Timilty) “congratulating the Ousamequin Club in the town of Bridgewater on its one hundred and twenty-fifth anniversary.”

Ousamequin Club.

Matter Taken Out of the Notice Section.

There being no objection, the follow matter was taken out of the Notice Section of the Calendar and considered as follows:

The House Bill further regulating the appointment of special police officers in the city of Watertown (House, No. 2622),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Watertown,-- police officers.

Moment of Silence.

At the request of the Chair (Mr. Tarr), the members, guests and staff stood in a moment of silence and reflection to the memory of Carol Jean Risch Mori.

Moment of silence.

Orders of the Day.

The Orders of the Day were considered, as follows:

Reorganization Plan No. 1 of 2023, to create the executive office of housing and livable communities and to rename the Executive Office of Economic Development (House, No. 43),-- was considered, the question being “Shall this reorganization plan be approved?”

Executive Office of Housing and Livable Communities.

After remarks, the question on approving the reorganization plan was determined by a call of the yeas and nays, at five minutes past twelve o’clock noon, on motion of Mr. Tarr, as follows to wit (yeas 39– nays 0) [**Yeas and Nays No. 17**]:

YEAS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Edwards, Lydia
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Gomez, Adam
Jehlen, Patricia D.
Kennedy, Edward J.

Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
Mark, Paul W.
Miranda, Liz
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Oliveira, Jacob R.
Pacheco, Marc R.
Payano, Pavel M.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **39.**

NAYS – 0.

ABSENT OR NOT VOTING.

Keenan, John F. – 1.

The yeas and nays having been completed at eleven minutes past twelve o'clock noon, Reorganization Plan No. 1 of 2023 (House, No. 43) was approved.

PAPER FROM THE HOUSE.

A Bill establishing a sick leave bank for Hollie Barter, an employee of the Department of Children and Families (House, No. 3713,-- on petition),-- was read.

Hollie Barter,-- sick leave.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Order Adopted.

On motion of Mr. Timilty,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Tuesday next at eleven o'clock A.M.

Time of meeting.

Adjournment in Memory of Carol Jean Risch Mori.

The Senator from Essex, Ms. Lovely and the Senator for Essex and Middlesex, Mr. Tarr moved that when the Senate adjourns today, it does so in memory of Carol Jean Risch Mori.

Carol Jean Risch Mori, 67, wife, mother, and archivist at the Wenham Museum's Patton Family Archives, passed away peacefully at Kaplan House in Danvers on January 25, 2023, surrounded by her loving family after a courageous 25-year battle with breast cancer. She was the wife of longtime district court judge Honorable Richard A. Mori, with whom she shared 42 years of marriage. Carol was born in New York City to Martha C. Risch of Warminster, Pennsylvania and the late Robert R. Risch.

Carol graduated from Ridgewood, New Jersey High School in 1973 and continued her education at the University of New Hampshire, where she earned a BS in Administration in 1977. Carol met her future husband at UNH, and while it wasn't love at first sight, they became good friends which began a lifelong partnership.

After graduation, Carol began her career as a budget analyst with Continental Insurance Company on Wall Street. She had a sunny and well decorated apartment in Stuyvesant Town on Manhattan's East Side and enjoyed the city life. Carol had earned the girl scout gold star award and was the co-leader of a girl scout troop in New York City's Gramercy Park. She enrolled in New York University's MBA program and was on the fast track to success. She and Rich developed a long-distance relationship, often traveling on Amtrak between New York City and Boston, where he was attending law school. She completed her MBA at Suffolk University in 1983.

Carol and Rich married in 1980 and purchased their first home in Beverly in 1981. The home was a diamond in the rough, an 1890's Victorian nestled near Beverly Harbor. Carol was the driving force in restoring the home to its original beauty and charm.

Once settled in Beverly, Carol joined the Beverly Women's Club where she made friendships that would last a lifetime. She was an entrepreneur and with a friend, established her first business, "Wallpaper on Wheels". Her most notable business was "CRM Creations", where she used her exquisite sewing talents to create items such as velvet Christmas stockings, teddy bears, wreaths, and ornaments. Carol was a creator of anything and everything. She restored her grandmothers 1941 Singer sewing machine, and

if you were unsure of where Carol was, you could listen for the muffled humming of the sewing machine.

Carol's favorite time of year was spring. She would spend countless hours in the garden getting her hands in the dirt to clean up the remnants of winter, planting bulbs, or simply admiring the colorful flowers. As the tulips bloom this year, may we all think of Carol's infectious smile, caring nature, and friendship.

Carol worked tirelessly using her management and organizational skills to advance her husband's law practice, which helped him become one of Massachusetts' youngest judges in 1993. Her real passion was her family and raising three wonderful children. She was active in all aspects of her children's lives, often being a room mother, assisting in school programs and eventually becoming a substitute teacher in the Beverly Public Schools.

In 2008, she found her calling as the Archivist for the Patton Family Archives in Hamilton. The Patton's, having saved everything, entrusted Carol to catalogue and archive tens of thousands of items and papers. She was enthusiastic about her work and especially enjoyed working with Joanne Patton, widow of the late General George S. Patton. Over the next 14 years she worked on the project with numerous veterans, volunteers and interns from Gordon College and instilled in them the importance of preserving history. Carol had also been working on her own family genealogy and created a family tree as far back as the 1600's.

She was an active member of the Colonel Timothy Pickering Chapter, Daughters of the American Revolution and in 2021 received the DAR National Community Service award for her countless hours devoted to sewing masks during the pandemic. All money from the masks was donated to the North Shore Cancer Walk. In 2022, she was named as a Commonwealth Heroine of Massachusetts. Carol encapsulated the true spirit of being a heroine and her legacy will continue on in the community.

In 2015, Carol gained one of her most cherished roles as "Grammy," where she radiated so much love, time, and energy, creating lifelong memories for Maddie, and more recently Theo. She also had a profound love for her grandpuppy Blu, to which she was referred to as "Sammy Grammy" because she fed him a salmon filet whenever he visited.

In addition to her husband and mother, she is survived by her children, Theodore R. Mori and his wife, Christal M. Mori of Gloucester, Hannah E. Mori and her boyfriend, Andrew W. Hosking of Beverly, and Victoria Mori Daigle and her husband, Lucas K. Daigle of Nashua, New Hampshire, a sister, Deborah R. Bernard and her husband, Anthony J. Bernard of San Carlos, California, a brother, James C. Risch and his wife, Marci C. Risch, of Fayetteville, Arkansas, two grandchildren, Madelyn E. Mori and Theodore R. Mori, Jr., and many nieces, nephews and cousins.

Accordingly, as a mark of respect to the memory of Carol Jean Risch Mori, at thirteen minutes past twelve o'clock noon, on motion of Ms. Lovely, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.