

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MAY 22, 2023

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Monday, May 22, 2023.

Met at seventeen minutes past eleven o'clock A.M. (Ms. Friedman in the Chair).

The Chair (Ms. Friedman), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communication.

Communication from the Department of Public Health relative to its plan of correction for the Plymouth County Correctional Facility inspection on February 15 and 17, 2023 (received May 19, 2023),-- was placed on file.

DPH,-- plan of correction. SD2620

Reports.

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

Report of the Behavioral Health Advisory Commission (pursuant to Section 1(b)(3) of Chapter 77 of the Acts of 2022, as amended by Section 52 of Chapter 2 of the Acts of 2023) submitting its final report of findings and recommendations (received May 19, 2023); and

Behavioral Health Advisory Commission,-- report. SD2619

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 Western Massachusetts Women's Correctional Center (received May 22, 2023).

DPH,-- facility inspection. SD2621

Reports of a Committee.

By Mr. Brady, for the committee on Public Service, on Senate, No. 1717 and House, No. 2653, a Bill authorizing the state retirement board to retire Jamie J. Magarian, a uniformed member of the Department of State Police at the regular rate of compensation (Senate, No. 1717);

Jamie J. Magarian,-- retirement.

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

By Mr. Brady, for the committee on Public Service, on petition, a Bill authorizing the town of Provincetown to continue the employment of Michael Trovato (Senate, No. 1642) [Local approval received];

Provincetown,-- Michael Trovato.

By the same Senator, for the same committee, on petition, a Bill providing killed in the line of duty benefits to Joanne Songy, surviving spouse of Detective John D. Songy, a police officer of the town of Rutland (Senate, No. 1687) [Local approval received];

Rutland,-- Songy benefits.

By the same Senator, for the same committee, on Senate, No. 1710 and House, No. 2565, a Bill relative to the appointment of retired police officers in the town of Scituate (Senate, No. 1710) [Local approval received];

Scituate,-- police officers.

By the same Senator, for the same committee, on petition, a Bill relative to the retirement of Greg Heath, a former firefighter of the city of Westfield (Senate, No. 2369) [Local approval received]; and

Westfield,-- Heath retirement.

By the same Senator, for the same committee, on petition, a Bill authorizing the city of Somerville to continue the employment of Charles J. Femino as acting Chief of Police (Senate, No. 2370) [Local approval received];

Somerville,-- chief of police.

UNCORRECTED PROOF.

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

PAPERS FROM THE HOUSE.

The following petitions, having been timely filed by 5 o'clock P.M. on January 20, 2023, were referred in concurrence as follows:

Petition (accompanied by bill, House, No. 3866) of Christopher Richard Flanagan relative to the representation of the Board of Registration of Cosmetology and Barbering;

Board of Registration of Cosmetology and Barbering.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3867) of Rita A. Mendes, Michelle M. DuBois and Samantha Montañó relative to community college tuition for graduates of Brockton public schools;

Brockton,-- public school graduates.

To the committee on Higher Education.

Petition (accompanied by bill, House, No. 3868) of Sally P. Kerans, Joan B. Lovely and others relative to establishing the office of the tenant advocate in the Office of the Attorney General;

Office of the tenant advocate.

To the committee on the Judiciary.

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

Petition (accompanied by bill, House, No. 3864) of Michael P. Kushmerek (with the approval of the mayor and city council) relative to the regular compensation of certain active and retired employees of the city of Fitchburg; and

Fitchburg,-- employee compensation.

Petition (accompanied by bill, House, No. 3865) of Smitty Pignatelli and Paul W. Mark (by vote of the town) that the town of West Stockbridge be authorized to continue the employment of Steven Traver as fire chief;

West Stockbridge,-- Fire Chief Stephen Traver.

Severally to the committee on Public Service.

Reports

Of the committee on Education, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 534) of Jay D. Livingstone, Christine P. Barber and others for legislation to increase access to disposable menstrual products; and

Menstrual products,-- schools.

Of the petition (accompanied by bill, House, No. 604) of Andres X. Vargas and Jack Patrick Lewis relative to routine childhood immunization reports made by schools;

Childhood immunization,-- school reports.

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

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

Resolutions.

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

Resolutions (filed by Mr. Velis) "commending the Massachusetts Association for Mental Health, Inc. on its recognition of May 24, 2023 as Schizophrenia Awareness Day."

Massachusetts Association for Mental Health, Inc.

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 Patrick M. O'Connor for legislation relative to dental hygienist reciprocal licensure.

Dental hygienist,-- licensure. SD2552

The rules were suspended, on motion of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Consumer Protection and Professional Licensure.

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 Patrick M. O'Connor for legislation to establish permanent standard time within the Commonwealth to promote sleep and health.

Permanent standard time.
SD2553

The rules were suspended, on motion of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.

Severally sent to the House for concurrence.

PAPER FROM THE HOUSE.

A petition of Susan L. Moran and Tackey Chan for legislation to facilitate restitution against unfinished development to be known as the FRAUD Act,-- came from the House with endorsement that the House concurred in the suspension of Joint Rule 12; and had NON-concurred in the reference to the committee on the Judiciary. The petition bore the further endorsement that the matter had been referred to the committee on Consumer Protection and Professional Licensure.

FRAUD Act.
SD2565

On motion of Mr. O'Connor, the Senate receded from its reference to the committee on the Judiciary and concurred in the reference to the committee on Consumer Protection and Professional Licensure.

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

Petition (accompanied by bill, House, No. 3871) of Alyson M. Sullivan-Almeida that the town of East Bridgewater be authorized to exempt uniformed positions within the police department of said town from the civil service law;

East Bridgewater,--
police department.

Under suspension of Joint Rule 7B, to the committee on Children, Families and Persons with Disabilities.

Petition (accompanied by bill, House, No. 3870) of Christine P. Barber and Samantha Montañó for legislation to establish a protection and advocacy system for investigating abuse, neglect, and financial exploitation of persons with disabilities occurring and advocating for the civil and human rights of such persons;

State protection and
advocacy system.

Under suspension of Joint Rule 12, to the committee on Public Service.

Recess.

There being no objection, at twenty minutes past eleven o'clock A.M., the Chair (Ms. Friedman) declared a recess subject to the call of the Chair; and at twenty-seven minutes before four o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

Remarks on the General Appropriations Bill.

There being no objection, several members offered remarks relative to the pending House bill making appropriations for the fiscal year 2024 for the maintenance of the departments, boards, commissions, institutions, and certain activities of the Commonwealth, for interest, sinking fund, and serial bond requirements, and for certain permanent improvements (House, No. 3901) (the committee on Ways and Means 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 3).

General
Appropriations bill.

UNCORRECTED PROOF.

Order Adopted.

Mr. Brownsberger in the Chair, on motion of Ms. Miranda,--

Ordered, That, pursuant to an order previously adopted, and, under the provisions of Senate Rule 38B, when the Senate adjourns today, it adjourn to meet again tomorrow at ten o'clock A.M., in a full formal session and that the only matter to be placed on the calendar will be the general appropriation bill.

Time of meeting.

On motion of the same Senator, at seventeen minutes past five o'clock P.M., the Senate adjourned to meet again tomorrow at ten o'clock A.M.