

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, JULY 13, 2023**

JOURNAL OF THE SENATE

Thursday, July 13, 2023.

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

Pledge of allegiance.

Communications.

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

Communication from the Department of Public Health submitting its Arbovirus Weekly Report for the week of July 10, 2023 (received July 11, 2023); and

DPH,-- arbovirus report. SD2686  
DPH,-- plans of correction. SD2695

Communication from the Department of Public Health relative to its plans of correction for the Hampden County Jail and House of Correction inspection on May 24, 25 and 26, 2023, MCI Concord inspection on March 27 and 28, 2023 and Hampshire County Jail and House of Correction inspection on March 21, 2023 (received July 13, 2023).

Report.

Report of the Department of Public Utilities (pursuant to Section 1G(g) of Chapter 164 of the General Laws) submitting its 2022 annual report concerning self-generation (received July 12, 2023),-- was placed on file.

DPU,-- self-generation report. SD2694

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2420) of Julian Cyr and Sarah K. Peake (by vote of the town) for legislation to authorize the town of Wellfleet to acquire year-round housing occupancy restrictions [Local approval received];

Wellfleet,-- housing occupancy.

Under Senate Rule 20, to the committee on Housing.

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2418) of Julian Cyr and Sarah K. Peake (by vote of the town) for legislation relative to the prevailing wage in the town of Wellfleet [Local approval received];

Wellfleet,-- prevailing wage.

Under Senate Rule 20, to the committee on Labor and Workforce Development.

By Mr. Brady, a petition (accompanied by bill, Senate, No. 2422) of Michael D. Brady, Gerard J. Cassidy and Alyson M. Sullivan-Almeida (by vote of the town) for legislation to change the board of selectmen in the town of East Bridgewater to a select board [Local approval received];

East Bridgewater,-- select board.

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 2415) of Brendan P. Crighton and Jennifer Balinsky Armini (by vote of the town) for legislation to change the elected term for select board members from 1 year to 3 years in the town of Marblehead [Local approval received];

Marblehead,-- select board.

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2417) of Julian Cyr and Dylan A. Fernandes (by vote of the town) for legislation to authorize the town of Nantucket

Nantucket,-- land conveyance.

to convey for roadway and any other purposes certain parcels of land within the roadway known as Ames Avenue, and shown as lots 35-38 (inclusive) in block 31 on land court plan no. 2408-m filed with the Nantucket registry district of the land court situated in the town of Nantucket held for conservation or recreational purposes to be conveyed for roadway and/or any purposes [Local approval received]; and

Westfield,-- charter.

By Mr. Velis, a petition (accompanied by bill, Senate, No. 2423) of John C. Velis and Kelly W. Pease (with approval of the mayor and city council) for legislation to amend the charter of the city of Westfield [Local approval received];

**Severally, under Senate Rule 20, to the committee on Municipalities and Regional Government.**

Wellfleet,-- transfer fee.

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 2419) of Julian Cyr and Sarah K. Peake (by vote of the town) for legislation to authorize the town of Wellfleet to establish a real estate transfer fee [Local approval received]; and

Wellfleet,-- residential property.

By the same Senator, a petition (accompanied by bill, Senate, No. 2421) of Julian Cyr and Sarah K. Peake (by vote of the town) for legislation to expand the exemption for residential property in the town of Wellfleet [Local approval received];

**Severally, under Senate Rule 20, to the committee on Revenue.**

**Severally sent to the House for concurrence.**

*Reports of a Committee.*

By Mr. Brady, for the committee on Public Service, on petition, a Bill allowing Joseph Barbati, a retired member of the Massachusetts Trial Court, an accidental disability retirement option (Senate, No. 1711); and

Joseph Barbati,-- retirement.

By the same Senator, for the same committee, on petition, a Bill exempting Barbara Killeen from certain requirements of the retired municipal teacher program (Senate, No. 2379);

Barbara Killeen,-- health coverage.

**Severally 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 (accompanied by bill, Senate, No. 1653), a Bill authorizing the appointment of special police officers in the town of Charlton (Senate, No. 2416) [Local approval received on Senate, No. 1653];

Charlton,-- police officers.

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

PAPERS FROM THE HOUSE.

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

Representative González of Springfield has been re-appointed and Representative Barber of Somerville has been appointed (under Section 214 of Chapter 6 of the General Laws, as inserted by Chapter 69 of the Acts of 2003) to the Selection Committee for the Madeline Amy Sweeney Award for Civilian Bravery.

Selection Committee for the Madeline Amy Sweeney Award for Civilian Bravery.

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

Petition (accompanied by bill, House, No. 3973) of Danillo A. Sena and Simon Cataldo (by vote of the town) that the town of Acton be authorized to grant legal voting rights in municipal elections to town residents aged 16 and 17 years old; and

Acton,-- municipal election voting age.

Petition (accompanied by bill, House, No. 3974) of Danillo A. Sena and Simon Cataldo (by vote of the town) relative to ranked choice voting in the town of Acton;

Acton,-- ranked choice voting.

**Severally to the committee on Election Laws.**

Reports

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

Of the petition (accompanied by bill, House, No. 471) of William J. Driscoll, Jr., relative to requiring immunizations against preventable diseases for school admittance;

Immunizations,-- school admittance.

Of the petition (accompanied by bill, House, No. 582) of Michael J. Soter and others relative to the protection of medical exemptions for immunizations for school attendance;

Id.

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.**

*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Michael Grant, an employee of the department of correction (see House, No. 3821, amended), 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 2 to 0.

Michael Grant,-- sick leave.

**The bill was signed by the Acting President (Ms. Friedman) and sent to the House for enactment.**

*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 authorizing the town of Scituate to appoint retired police officers as special police officers (Senate, No. 1710),-- was read a second time.

Scituate,-- police officers.

Pending the question on ordering the bill to a third reading, Mr. O'Connor presented an amendment substituting a new draft with the same title (Senate, No. 2424).

**The amendment was adopted.**

**The bill (Senate, No. 2424), 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 town of Raynham to grant additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 283),-- **was read a second time and ordered to a third reading.**

Raynham,-- liquor licenses.

*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 Eliza Coady Perez, Susan Perkins and Ann Marie Faust for legislation to improve student and staff attendance and performance by ensuring CO2 monitoring in schools throughout the Commonwealth.

Schools,-- CO2 monitoring. SD2663

**Senate Rule 36 was suspended, on motion of Mr. Tarr and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education.**

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 Michael J. Rodrigues for legislation relative to the conveyance of a certain parcel of land in the city of Fall River.

Fall River,-- land conveyance. SD2637

**Senate Rule 36 was suspended, on motion of Mr. Tarr 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.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 3991) of Daniel J. Hunt relative to the assistant clerks of the Supreme Judicial Court for Suffolk County;

Suffolk County SJC,-  
- assistant clerks.

**Under suspension of Joint Rule 12, to the committee on the Judiciary.**

Petition (accompanied by bill, House, No. 3992) of Jeffrey N. Roy for legislation to expand customer access to a modern grid;

Electricity access,--  
modern grid.

**Under suspension of Joint Rule 12, to the committee on Telecommunications, Utilities and Energy.**

*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 Charles Killam.

Moment of silence.

PAPERS FROM THE HOUSE

*Engrossed Bills.*

The following engrossed bills (the first 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 (Ms. Friedman) and laid before the Governor for her approbation, to wit:

Changing the name of the board of selectmen of the town of Hanover to select board (see Senate, No. 1302);

Bills laid before the  
Governor.

Authorizing the town of Berlin to grant up to 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 345); and

Establishing a sick leave bank for Michael Grant, an employee of the department of correction (see House, No. 3821, amended).

*Order Adopted.*

On motion of Mr. Tarr,--

*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.

*Adjournment in Memory of Mr. Charles Everett Killam.*

The Senator from Essex and Middlesex, Mr. Tarr moved that when the Senate adjourns it does so in memory of Mr. Charles Everett Killam, 87, of Boxford, MA. Charlie died at home, on Thursday, June 22, 2023, after a long illness with his loving wife, Beverly at his side. Charlie was a lifelong resident of Boxford and deeply committed to both its history and its future. During his long life of civic engagement, Charlie served as the fire chief, Chair of the School Committee, and member of the select board, as well as a patron and contributor to the town's Boxford Historic Document Center and faithful member of the Second Congregational Church. He was also a member of the Grange and served in the

US Army.

Charlie was a person who was happiest working at digging in the dirt with one of his machines, baking a pie or making jam or having a cup of coffee at Boxford Community Kitchen. Charlie was renowned throughout the surrounding area for his famous tire sculptures, commemorating holidays throughout the year or just the change of seasons. Charlie's way was THE way to do or plan any activity, but he was generous with his time and knowledge to teach his grandkids or the many people who worked with and for him through the decades.

In addition to his wife, Charlie will be missed by his stepchildren Daryl McKay and his wife Julie, Heather Thomas and her husband Dwayne and Robin Beaulieu and her husband Tim, and Charlie's grandchildren Hunter, Ginny, Toby, Max, Kalista, Abby, Hannah and Fin. He was predeceased by his first wife, Helen.

Accordingly, as a mark of respect to the memory of Mr. Charles Everett Killam, at eight minutes before twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.