

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, DECEMBER 26, 2023

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JOURNAL OF THE SENATE

Tuesday, December 26, 2023.

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

Pledge of allegiance.

Communication.

Communication from the Department of Environmental Protection (see Section 6J½(g) of Chapter 21H of the General Laws) submitting a copy of its 2022 Mercury Thermostat Report (received December 21, 2023),-- **was placed on file.**

MassDEP,-- mercury thermostat report. SD2907

Petition.

By Mr. DiDomenico, a petition (accompanied by bill) (subject to Joint Rules 9 and 12) of Sal N. DiDomenico for legislation relative to the development of a professional soccer stadium and a waterfront park on part of the Mystic River designated port area,-- **and the same was transmitted, under the provisions of Section 5 of Chapter 3 of the General Laws, to the Secretary of State.**

Mystic river,-- development. SD2908

Reports of Committees.

By Ms. Comerford, for the committee on Agriculture, on petition, a Bill relative to the regulation of nutrient management and fertilizer in the town of Nantucket (Senate, No. 2437);

Nantucket,-- nutrient management.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 466), a Bill to promote conservation through oyster shell recycling (Senate, No. 2533); and

Oyster shell,-- recycling.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 552), a Bill relative to lobstering closure mitigation (Senate, No. 2534);

Lobstering,-- closure mitigation.

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

By Ms. Comerford, for the committee on Agriculture, on petition, a Bill relative to a municipality's right of first refusal of agricultural and recreational land (Senate, No. 45);

Municipal land,-- first refusal.

Read and, under Senate Rule 26, referred to the committee on Rules.

By Mr. Oliveira, for the committee on Municipalities and Regional Government, on petition, a Bill amending the charter of the city of Westfield (Senate, No. 2423) [Local approval received];

Westfield,-- charter.

By the same Senator, for the same committee, on petition, a Bill authorizing the city known as the town of Barnstable to change the use of a portion of land within Mother's Park (Senate, No. 2435) [Local approval received];

Barnstable,-- Mother's Park.

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By the same Senator, for the same committee, on petition, a Bill amending the Nantucket Sewer Act (Senate, No. 2436) [Local approval received];

Nantucket,-- sewer commission.

By the same Senator, for the same committee, on petition, a Bill amending the charter for the town of Nantucket (Senate, No. 2438) [Local approval received];

Nantucket,-- charter.

By the same Senator, for the same committee, on petition, a Bill establishing a special purpose revolving fund in the town of North Andover (Senate, No. 2454) [Local approval received];

North Andover,-- revolving fund.

By the same Senator, for the same committee, on petition, a Bill relative to changing the terms board of selectmen and selectmen to the term select board in the town of Rockport (Senate, No. 2459) [Local approval received];

Rockport,-- select board.

By the same Senator, for the same committee, on petition, a Bill authorizing the town of Tewksbury to lease the Trahan Elementary School for a term of years not exceeding 99 years (Senate, No. 2485) [Local approval received];

Tewksbury,-- Trahan Elementary School.

By the same Senator, for the same committee, on petition, a Bill authorizing changing the name of board of selectmen to select board and the title of selectmen to select board member in the town of Charlton (Senate, No. 2487) [Local approval received];

Charlton,-- select board.

By the same Senator, for the same committee, on petition, a Bill relative to the date set by the charter of the town of Walpole for the annual town election (Senate, No. 2501) [Local approval received]; and

Walpole,-- town election.

By the same Senator, for the same committee, on petition, a Bill relative to the Wareham town charter (Senate, No. 2519) [Local approval received];

Wareham,-- charter.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4223) of Michelle L. Ciccolo and Cindy F. Friedman (by vote of the town) that the town of Lexington be authorized to establish ranked choice voting for certain offices in said town;

Lexington,-- ranked choice voting.

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 4224) of James C. Arena-DeRosa (by vote of the town) that the town of Sherborn be authorized to establish the position of the treasurer-collector in said town;

Sherborn,-- treasurer-collector.

To the committee on Municipalities and Regional Government.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Anthony D. Fannoh, Jr., an employee of the department of mental health (see House, No. 4165), 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.

Anthony Fannoh, Jr.,-- sick leave.

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

Matter Taken Out of the Orders of the Day.

There being no objection, the follow matter was taken out of the Orders of the Day and considered as follows:

The House Bill relative to establishing a trust to administer a length of service award program for the Swansea Fire Department (House, No. 4047),-- **was read a second time,**

Swansea Fire Department,-- award

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ordered to a third reading, read a third time and passed to be engrossed, in concurrence, it's title having been changed by the committee on Bills in the Third Reading to read as follows:- "An Act establishing a trust to administer a length of service award program for the Swansea fire department".

program.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Holliston to establish a means-tested senior citizen property tax exemption (House, No. 3826,-- on petition) [Local approval received],-- was read.

Holliston,-- senior property tax exemption.

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.

A Bill authorizing the town of Lunenburg to establish a means tested senior citizen property tax exemption (House, No. 3911,-- on petition) [Local approval received],-- was read.

Lunenburg,-- senior property tax exemption.

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.

A Bill amending the charter of the city of Easthampton (House, No. 3959,-- on petition) [Local approval received],-- was read.

Easthampton,-- charter.

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.

A Bill establishing the appointed office of town clerk in the town of Bolton (House, No. 4056,-- on petition) [Local approval received],-- was read.

Bolton,-- town clerk.

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.

A Bill authorizing the continued employment of Glenn Davis, the fire chief of the town of Lynnfield (House, No. 4146,-- on petition) [Local approval received],-- was read.

Lynnfield,-- Fire Chief Glenn Davis.

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.

A petition (accompanied by bill, House, No. 4233) of Natalie M. Blais and Paul W. Mark for legislation to establish a sick leave bank for Cheryl Thouin, an employee of the Hampshire County Sheriff's Office,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Cheryl Thouin-- sick leave.

Engrossed Bills.

The following engrossed bills (all of which originated in the House), 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. Timilty) and laid before the Governor for her approbation, to wit:

Amending the charter of the town of Williamstown to make all gender references neutral (see House, No. 2030);

Bills laid before the Governor.

Authorizing Cynthia Falzone to purchase creditable service from the Norfolk county retirement board (see House, No. 3979); and

Establishing a sick leave bank for Anthony D. Fannoh, Jr., an employee of the department of mental health (see House, No. 4165).

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Order Adopted.

On motion of Mr. Tarr,--

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 twenty-nine minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.