

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, JANUARY 29, 2024**

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JOURNAL OF THE SENATE

Monday, January 29, 2024.

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

Pledge of allegiance.

Communication.

Communication from the Executive Office for Administration and Finance (under the provisions of item 1599-0514 of Chapter 77 of the Acts of 2023) submitting a copy of its bi-weekly report on the status of the Emergency Housing Assistance Program dated January 25, 2024 (received January 29, 2024),-- was placed on file.

Emergency Housing Assistance Program,- bi-weekly report. SD2979

Reports.

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

Report of the Executive Office of the Trial Court (pursuant to Section 15(c) of Chapter 239 of the General Laws) submitting its report summary statistics on eviction filings, actions, and dispositions from January 2023 through December 2023 (received January 16, 2024);

EOTC,-- rental protections report. SD2972

Report of the Worcester District Attorney's Office (pursuant to Section 99R of Chapter 272 of the General Laws) submitting its annual report of wiretap interceptions for the 2023 calendar year (received January 5, 2024); and

Worcester District Attorney,-- wiretap. SD2973

Report of the Executive Office of the Trial Court (pursuant to Section 131Y of Chapter 140 of the General Laws) submitting its statutory report on Extreme Risk Protective Orders for calendar year 2023 (received January 5, 2024).

EOTC,-- 2023 ERPO report. SD2974

Petition

By Mr. Oliveira, a petition (accompanied by bill) (subject to Joint Rule 12) of Jacob R. Oliveira for legislation to protect survivors of spousal abuse from alimony liability,-- and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Spousal abuse,-- survivors. SD 2971

Reports of Committees.

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, No. 1206 and House, No. 1909, a Bill to reinvest justice and opportunity in communities affected by incarceration (Senate, No. 1206); and

Communities,-- incarceration.

By the same Senator, for the same committee, on petition, a Resolve establishing a special commission to study the impact of telecommuting on employees of the Commonwealth (Senate, No. 1229);

Telecommuting,-- study.

Severally read and, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.

By Ms. Jehlen, for the committee on Labor and Workforce Development, on petition, a Bill relative to continuation of health insurance in the case of plant closings (Senate, No. 1212);

**Referred, under Joint Rule 1E, to the committee on Health Care Financing.**

By Ms. Comerford, for the committee on Agriculture, on petition (accompanied by bill, Senate, No. 42), a Bill strengthening local food systems (Senate, No. 2570);

By Mr. Cronin, for the committee on Consumer Protection and Professional Licensure, on petition, a Bill relative to horse riding instructors (Senate, No. 216);

By the same Senator, for the same committee, on petition, a Bill ensuring transparent ticket pricing (Senate, No. 2442);

By the same Senator, for the same committee, on Senate, No. 175 and House, No. 318, a Bill relative to toxic-free kids (Senate, No. 2564);

By the same Senator, for the same committee, on Senate, No. 180 and House, No. 359, a Bill to end housing discrimination in the Commonwealth (Senate, No. 2566);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 206), a Bill relative to the citizenship requirement to be appointed manager on a license for the sale of alcoholic beverages (Senate, No. 2567);

By the same Senator, for the same committee, on Senate, Nos. 213 and 214 and House, No. 262, a Bill relative to the licensure of appraisers (Senate, No. 2568);

By Ms. Comerford, for the committee on Higher Education, on petition (accompanied by bill, Senate, No. 841), a Bill relative to public higher education credit transfers (Senate, No. 2563);

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, No. 1175 and House, No. 1926, a Bill to increase unemployment insurance benefits for low wage workers (Senate, No. 1175);

By the same Senator, for the same committee, on petition, a Bill relative to transparency in employee benefits reporting in private construction (Senate, No. 1194);

By the same Senator, for the same committee, on Senate, No. 1202 and House, No. 1910, a Bill relative to workers' compensation funeral benefits (Senate, No. 1202);

By the same Senator, for the same committee, on petition, a Bill relative to fair hiring practices (Senate, No. 1207);

By the same Senator, for the same committee, on Senate, No. 1221 and House, No. 1874, a Bill relative to snow removal service liability limitation (Senate, No. 1221);

By the same Senator, for the same committee, on petition, a Bill requiring the construction of certain parking facilities to be capable of supporting electric vehicle charging stations (Senate, No. 1230);

By the same Senator, for the same committee, on Senate, No. 1231 and House, No. 1936, a Bill relative to employee leave of absence to appear in probate and family court (Senate, No. 1231);

By Mr. Brady, for the committee on Public Service, on petition, a Bill relative to restoration to service (Senate, No. 1617);

By the same Senator, for the same committee, on petition, a Bill relative to surviving family members of public emergency medical technicians (Senate, No. 1726);

By the same Senator, for the same committee, on petition, a Bill relative to disability retirees and restoration to service (Senate, No. 1728);

By the same Senator, for the same committee, on petition, a Bill providing the next of kin of a police officer or firefighter killed in the line of duty with the flags of the

Plant closings,--  
health care.

Food systems,--  
emergency  
preparedness.  
Horse riding,--  
instructors.

Ticket pricing,--  
transparency.

Children's products,-  
- chemicals.

Housing  
discrimination.

License manger,--  
sale of alcoholic  
beverages.

Appraisers,--  
licensure.

MassTransfer  
program.

Low wage workers,--  
UI benefits.

Private construction,-  
- benefits.

Workers'  
compensation,--  
funeral benefits.  
Fair hiring practices.

Snow removal  
service,-- liability.

Parking facilities,--  
EV charging.

Family court,-- leave.

Retirees,-- restoration  
to service.

Emergency medical  
technicians,--  
benefits.

Disabled retirees,--  
restoration to service.

Flags,-- line of duty  
death.

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Commonwealth and the United States (Senate, No. 1734);

By the same Senator, for the same committee, on petition, a Bill providing fair and equitable line of duty death benefits for public employees (Senate, No. 1748);

Public employees,--  
death benefits.

By the same Senator, for the same committee, on petition, a Bill relative to the creditable service of former employees of the Massachusetts Development Finance Agency (Senate, No. 2522); and

MDFA,-- former  
employees.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1685), a Bill allowing Wayne Estes, a retired member of the Massachusetts DDS, an accidental disability retirement option (Senate, No. 2574);

Wayne Estes,--  
retirement.

**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 (accompanied by bill, Senate, No. 491), a Bill relative to creating an animal advisory board to the Massachusetts Department of Agriculture (Senate, No. 2569);

MDAR,-- animal  
advisory board.

By Mr. Cronin, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 178 and House, Nos. 260 and 306, a Bill relative to transparency in credit card fees (Senate, No. 2565); and

Credit card fees.

By Mr. Brady, for the committee on Public Service, on petition, a Bill relative to death benefits to surviving spouses of call and volunteer firefighters (Senate, No. 1652);

Firefighters,--  
surviving spouses

**Severally read and, under Senate Rule 26, referred to the committee on Rules.**

PAPERS FROM THE HOUSE.

A message from Her Excellency the Governor recommending legislation relative to financing improvements to municipal roads and bridges (House, No. 4283),-- **was referred, in concurrence, to the committee on Transportation.**

Roads and bridges.

A petition (accompanied by bill, House, No. 4285) of Jonathan D. Zlotnik (with the approval of the mayor and city council) relative to the charter of the city of Gardner,-- **was referred, in concurrence, to the committee on Public Service.**

Gardner,-- charter.

A Bill designating a certain bridge in the town of Falmouth as the Deputy John Robert Kotfila Jr. memorial bridge (House, No. 3466,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Falmouth,-- Deputy  
John Robert Kotfila,  
Jr. bridge.

Bills

Relative to the maximum age requirement for police officers for the city of Methuen (House, No. 2548,-- on petition) [Local approval received];

Methuen,-- police  
officers.

Exempting the police chief of the town of Wrentham from the civil service law (House, No. 2678,-- on petition) [Local approval received];

Wrentham,-- police  
chief.

Exempting the deputy police chief of the town of Wrentham from the civil service law (House, No. 2679,-- on petition) [Local approval received];

Wrentham,-- deputy  
police chief.

To amend the Needham charter (House, No. 3997,-- on petition) [Local approval received];

Needham,-- charter.

Exempting William McGrath from the age restrictions for police officers in the town of Wrentham (House, No. 4041,-- on petition) [Local approval received];

Police officers,-- age  
restrictions.

Authorizing Brian Dacey to take the civil service examination for the position of police officer in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4148,-- on petition) [Local approval received]; and

Haverhill,-- Brian  
Dacey.

Authorizing Derek Clark to take the civil service examination for the position of

Haverhill,-- Derek  
Clark.

firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4149,-- on petition) [Local approval received];

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

*Message from Her Excellency the Governor.*

Message from Her Excellency the Governor recommending legislation to empower municipalities and local governments (Senate, No. 2571) (received in the office of the Clerk of the Senate on Monday, January 22, 2024, at eleven minutes before four o'clock P.M.);

Municipalities and local governments.

**The message was read; and, under Senate Rule 20, with the accompanying bill, was referred to the committee on Municipalities and Regional Government.**

**Sent to the House for concurrence.**

*Matter Taken Out of the Orders of the Day.*

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

The House Bill validating the results of the annual town election held in the town of Lancaster (House, No. 3578),-- **was read a third time and passed to be engrossed, in concurrence.**

Lancaster,-- elections.

PAPERS FROM THE HOUSE

*Engrossed Bills.*

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

Authorizing the town of Wales to establish a department of public works (see Senate, No. 1297, amended);

Bills laid before the Governor.

Amending the charter of the city of Westfield (see Senate, No. 2547); and

Authorizing the town of Holliston to continue the employment of Mark Dellicker as deputy fire chief (see House, No. 3998).

*Recess.*

There being no objection, at twenty-six minutes before twelve o'clock noon, the Chair (Mr. Brownsberger) declared a recess subject to the call of the Chair; and at a quarter past one o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

PAPER FROM THE HOUSE

*Order.*

The following House Order was considered forthwith as follows:

*Ordered,* That a special joint committee be established for the purpose of considering the initiative petitions transmitted to the Clerk of the House of Representatives by the Secretary of the Commonwealth in accordance with the requirements of Article XLVIII of the Amendments to the Constitution. The initiative petitions so transmitted are:

Initiative petitions,-- joint committee.

An Act expressly authorizing the Auditor to audit the Legislature (House, No. 4251);

An Act requiring that districts certify that students have mastered the skills, competencies and knowledge of the state standards as a replacement for the MCAS

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graduation requirement (House, No. 4252);

An Act giving transportation network drivers the option to form a union and bargain collectively (House, No. 4253);

An Act to require the full minimum wage for tipped workers with tips on top (House, No. 4254);

An Act relative to the regulation and taxation of natural psychedelic substances (House, No. 4255);

An Act defining and regulating the relationship between network companies and app-based drivers for purposes of the general and special laws (House, No. 4256);

An Act establishing that app-based drivers are not employees, and network companies are not employers, for certain purposes of the general laws (House, No. 4257);

An Act defining and regulating the relationship between network companies and app-based drivers for certain purposes of the general laws (House, No. 4258);

An Act establishing that app-based drivers are not employees, and network companies are not employers, for certain purposes of the general laws (House, No. 4259); and

An Act establishing that app-based drivers are not employees, and network companies are not employers, for certain purposes of the general laws (House, No. 4260);

And be it further

*Ordered*, That the special joint committee shall consist of 8 members as follows: 4 members of the senate, 3 of whom shall be appointed by the president of the senate and 1 of whom shall be appointed by the minority leader of the senate; and 4 members of the house of representatives, 3 of whom shall be appointed by the speaker of the house and 1 of whom shall be appointed by the minority leader of the house.

**The rules were suspended, on motion of Mr. Durant, and, the order (House, No. 4294) was considered forthwith; and, was adopted, in concurrence.**

*Order Adopted.*

On motion of Mr. Durant,--

*Ordered*, That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M., in a full formal session with a calendar.

Time of meeting.

On motion of the same Senator, at sixteen minutes past one o'clock P.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.