

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, FEBRUARY 22, 2024

[17]

JOURNAL OF THE SENATE

Thursday, February 22, 2024.

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

Pledge of allegiance.

Report.

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

Report of the Executive Office of Health and Human Services, Office of Medicaid Division (pursuant to Chapter 28 of the Acts of 2023, line item 4000-0500) submitting its MassHealth Delivery System Restructuring: 2021 Update Report 2023 (received February 9, 2024);

MassHealth,-- DSR
2021 update report.
SD3027

Report of the Northwestern 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 February 22, 2024).

Northwestern DA,--
wiretaps.
SD3031

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Rodrigues, a petition (accompanied by bill, Senate, No. 2689) of Michael J. Rodrigues and William M. Straus (by vote of the town) for legislation to amend the Cranberry Highway Smart Growth Overlay District [Local approval received];

Rochester, -- alcohol
license.

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

By Mr. Rodrigues, a petition (accompanied by bill, Senate, No. 2690) of Michael J. Rodrigues and William M. Straus for legislation to authorize the town of Rochester to continue the employment of Scott Weigel [Local approval received];

Rochester,-- Scott
Weigel employment.

Under Senate Rule 20, to the committee on Public Service.

Severally sent to the House for concurrence.

Reports of Committees.

By Mr. Moore, for the committee on Advanced Information Technology, the Internet and Cybersecurity, on petition, a Bill establishing a special commission on blockchain and cryptocurrency (Senate, No. 29); and

Cryptocurrency,--
commission.

By Mr. Collins, for the committee on State Administration and Regulatory Oversight, on petition, a Bill providing for the creation of a Massachusetts COVID-19 Memorial (Senate, No. 2021);

COVID-19
memorial,-- creation.

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

By Mr. Collins, for the committee on State Administration and Regulatory Oversight, on petition, a Bill relating to public access to historical records (Senate, No. 1965);

Public records,--
access.

UNCORRECTED PROOF.

By the same Senator, for the same committee, on petition, a Bill to promote public payroll transparency (Senate, No. 1968);

Native American land,-- easements.

By the same Senator, for the same committee, on petition, a Bill relative to the timely and consistent payment of law enforcement personnel (Senate, No. 1972);

Police details,-- payment.

By the same Senator, for the same committee, on petition, a Resolve providing for the creation of a commemorative memorial portrait in the Massachusetts State House in honor of State Representative Doris Bunte (Senate, No. 2031);

Doris Bunte,-- portrait.

By the same Senator, for the same committee, on petition, a Bill improving government accountability (Senate, No. 2055);

Government accountability.

By the same Senator, for the same committee, on petition, a Bill to ensure transportation sector cost savings through joint procurement (Senate, No. 2056);

Transportation procurement.

By the same Senator, for the same committee, on petition, a Bill regarding information governance (Senate, No. 2060);

Governance,-- information.

By the same Senator, for the same committee, on petition, a Bill promoting governmental efficiency (Senate, No. 2065);

Governmental efficiency.

By the same Senator, for the same committee, on petition, a Bill establishing the Executive Office of Food Resources and Security (Senate, No. 2073); and

Exec. Office of Food Resources & Security,-- establish. DCR roadways,-- equal access.

By the same Senator, for the same committee, on petition, a Bill relative to equal access on DCR roadways (Senate, No. 2557);

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

By Mr. Keenan, for the committee on Election Laws, on petition, a Bill clarifying the role of governor's councillor on the ballot (Senate, No. 406);

Governor's councillor,-- ballot.

By the same Senator, for the same committee, on petition, a Bill relative to youth voter engagement (Senate, No. 431);

Youth voter engagement.

By Mr. Collins, for the committee on State Administration and Regulatory Oversight, on petition, a Bill relative to the founding of the merchant marines (Senate, No. 2074);

Merchant marines,-- founding.

By the same Senator, for the same committee, on petition, a Bill relative to the flying of the flag of the Commonwealth at half staff on state buildings and installations (Senate, No. 2075); and

State buildings,-- flying of the flag.

By the same Senator, for the same committee, on petition, a Bill establishing 413 Day (Senate, No. 2077);

413 Day,-- tourism.

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

By Mr. Oliveira, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the town charter for the town of Southbridge (Senate, No. 2523) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Southbridge,-- charter.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4430) of Colleen M. Garry and Edward J. Kennedy (by vote of the town) that the town of Dracut be authorized to adopt alternative methods for notice of public hearings;

Dracut,-- public hearings.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4431) of Christopher J. Worrell (with the approval of the mayor and city council) that the city of Boston be authorized to appoint Nuias Daveiga a police officer in said city notwithstanding the maximum age requirement;

Boston Police,-- Nuias Daveiga.

To the committee on Public Service.

UNCORRECTED PROOF.

Petition (accompanied by bill, House, No. 4432) of Christopher J. Worrell (with the approval of the mayor and city council) relative to the procurement and award of contracts for construction of a certain subsidized affordable housing project, including space for a branch library to be procured by the Boston Public Library, in the city of Boston.

Boston Public Library,-- construction.

To the committee on State Administration and Regulatory Oversight.

A Bill authorizing the administrative assistant to the board of assessors of the city of New Bedford to be a non-resident (House, No. 4201,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

New Bedford,-- non-resident employee.

Resolutions.

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

Resolutions (filed by Messrs. Pacheco and Timilty) “congratulating Judith Barstow on the occasion of her one hundredth birthday”;

Judith Barstow.

Resolutions (filed by Mr. Rush) “congratulating Alexander Miselis on his elevation to the rank of Eagle Scout”; and

Alexander Miselis.

Resolutions (filed by Mr. Timilty) “congratulating Thomas J. Fisher on the joyous occasion of his ninetieth birthday.”

Thomas J. Fisher.

Report of a Committee.

Ms. Lovely, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session.

The House Bill designating a certain bridge in the town of Stoneham as the State Trooper Tamar A. Bucci Memorial Bridge (House, No. 4123).

Stoneham,-- State Trooper Bucci memorial bridge.

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, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act designating a certain bridge in the town of Stoneham as the State Trooper Tamar A. Bucci Memorial Bridge”.

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 House Bill relative to civil service positions in the Department of Public Works of the city of Northampton (House, No. 3719),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act exempting certain positions in the city of Northampton from the civil service law”.**

Northampton,-- DPW.

The House Bill authorizing the town of Bernardston to continue the employment of fire chief Peter Shedd (House, No. 4064),-- was read a second time.

Pending the question on ordering the bill to a third reading, Ms. Comerford presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2671.

Bernardston,-- Fire Chief Peter Shedd.

The amendment was adopted

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence with the amendment.

Sent to the House for concurrence in the amendment.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to healthy youth (Senate, No. 268),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2686).

Sex education,-- students.

Order Adopted.

Mr. Rodrigues presented the following order, to wit:

Ordered, That, notwithstanding the provisions of any rule to the contrary, immediate consideration shall be allowed by the Senate, on Thursday, February 29, 2024, with reference to the report of the committee on Ways and Means on Senate, No. 268, "An Act relative to healthy youth" (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2686).

Procedural order. SD3028

The rules were suspended, on motion of Mr. Mark, and the order was considered forthwith and adopted.

The bill will be considered on Thursday, February 29, 2024, for a second reading with the amendment pending.

PAPERS FROM THE HOUSE.

Emergency Preamble Adopted.

An engrossed Bill designating a certain bridge in the towns of Belchertown and Ware as the Kenneth J. Iwasinski memorial bridge (see House No. 4008, 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 3 to 0.

Belchertown/Ware,-- Kenneth J. Iwasinski Memorial Bridge.

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

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 (Ms. Edwards) and laid before the Governor for her approbation, to wit:

Bills laid before the Governor.

Relative to the Auburn Water District clerk and treasurer (see House, No. 2048);

Dissolving the Hampshire County Regional Housing Authority and incorporating its functions into the Northampton Housing Authority (see House, No. 3810, amended);

Authorizing the city of Greenfield to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4191); and

Further regulating the systems of sewers in the town of Deerfield (see House, No. 4220).

A petition (accompanied by bill, House, No. 4436) of Kenneth I. Gordon and Michael D. Brady for legislation to modernize civil service laws to assist in the recruiting and hiring of municipal public safety employees,-- **was referred in concurrence, under suspension**

Civil service laws.

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

Moment of Silence.

At the request of the Chair (Ms. Edwards), the members, guests and staff stood in a moment of silence and reflection to the memory of Deputy Fire Chief Robert Manners.

Moment of silence.

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 Deputy Fire Chief Robert Manners.

The Senator from Berkshire, Hampden, Franklin and Hampshire, Mr. Mark, moved that when the Senate adjourns today it do so in memory Deputy Fire Chief Robert Manners of Shelburne.

Deputy Fire Chief Robert Manners of Shelburne, Massachusetts, passed away on Friday, January 19, 2024, after a courageous battle against cancer.

Bob first joined the Shelburne Fire District as a junior firefighter and worked his way up through the organization. He was named Deputy Fire Chief in 2021. Bob completed paramedic training in 1993 and served the Franklin County area for more than 30 years, most recently serving as a Supervisor for American Medical Response. Bob's father referred to him as a "triple threat" since he not only was an active firefighter and EMT, but he also served as a law enforcement officer for the towns of Shelburne and Charlemont. Wanting to serve his community in an even broader way, he was elected to the Shelburne Selectboard in 2004 and was active in that role until the time of his passing. In recognition of his many accomplishments, he was the recipient of the 2018 Greenfield Community College Distinguished Alumni Award.

Bob leaves his wife Laura, two children Ashley Boyd and Jacob Manners, stepson Keith Irish, son-in-law Ian Boyd, grandson Otto Boyd, and three sisters Penny Manners, Linda Tyler, and Wendy Manners Seaman. He will be deeply missed.

Accordingly, as a mark of respect to the memory of Deputy Fire Chief Robert Manners, at twenty-nine minutes before twelve o'clock noon, on motion of Mr. Mark, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.