

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, MARCH 4, 2024**

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JOURNAL OF THE SENATE

Monday, March 4, 2024.

Met at thirteen minutes past eleven o'clock A.M. (Mr. Brownsberger 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.

Reports.

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

Report of the Office of Medicaid (pursuant to Section 80 of Chapter 118E of the General Laws) submitting its 2023 annual report on mental health parity (received February 29, 2024);

Office of Medicaid,-- 2023 mental health parity report. SD3044

Report of the Multi-Agency Illegal Tobacco Task Force (pursuant to Section 40(d) of Chapter 64C of the General Laws) submitting its 2023 annual report on the results of its findings, activities and recommendations (received February 29, 2024);

Illegal Tobacco Task Force,-- 2023 report. SD3045

Report of the Department of Public Health (pursuant to 105 CMR 451) summarizing the complaint allegations and results of inspection of the Souza Baranowski Correctional Center on February 13, 2024 (received February 28, 2024);

DPH,-- correctional inspection. SD3046

Report of the Secretary of the Commonwealth (pursuant to Section 6A(e) of Chapter 66 of the General Laws) submitting its 2023 report on public records requests received by agencies (received March 1, 2024); and

State Secretary,-- public records report. SD2048

Report of the Office of the Inspector General (pursuant to Chapter 12A of the General Laws and Section 96 of Chapter 28 of the Acts of 2023) submitting its report entitled "MassHealth and Health Safety Net: 2024 Annual Report" (received March 1, 2024).

OIG,-- health safety net report. SD3050

Report of the Massachusetts Capital Resource Company (under the provisions of Section 20 of Chapter 816 of the Acts of 1977) submitting its forty-seventh annual report (Senate, No. 2695) (received March 1, 2024),-- **was referred to the committee on Revenue.**

MCRC,-- 47th annual report.

**Sent to the House for concurrence.**

Petition.

By Mr. Brady, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael D. Brady for legislation to establish a sick leave bank for Eddie Simpkins, an employee of the Suffolk County Sheriff's Department,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Eddie Simpkins,-- sick leave bank. SD3049

Reports of Committees.

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, No. 1209 and House, No. 1838, a Bill to prohibit mandatory overtime (Senate, No. 1209); and

Overtime,-- prohibit mandatory.

**UNCORRECTED PROOF.**

By Mr. Brady, for the committee on Public Service, on petition, a Bill to provide diabetes prevention program benefits for GIC insurees (Senate, No. 1661);

Diabetes,--  
prevention

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

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, No. 1156 and House, No. 1886, a Bill protecting an employee's right to rebuttal of personnel records (Senate, No. 1156);

Employee  
protections,--  
personnel records.

By the same Senator, for the same committee, on petition, a Bill relative to nondiscrimination (Senate, No. 1160);

Nondiscrimination  
plans.

By the same Senator, for the same committee, on Senate, No. 1174 and House, Nos. 1871 and 1921, a Bill relative to workplace safety and disclosure of violations (Senate, No. 1174);

Contracts,--  
workplace safety.

By the same Senator, for the same committee, on petition, a Bill relative to collective bargaining dues (Senate, No. 1220);

Collective bargaining  
dues.

By the same Senator, for the same committee, on Senate, No. 1171 and House, No. 1943, a Bill relative to compliance with the prevailing wage laws of the Commonwealth (Senate, No. 2603);

Prevailing wage  
laws,-- compliance.

By the same Senator, for the same committee, on Senate, Nos. 1197 and 1198 and House, Nos. 1858, 1859, 1860, 1888, 1889 and 1942, a Bill improving the Massachusetts paid family medical leave law (Senate, No. 2605);

Paid family medical  
leave.

By Mr. Brady, for the committee on Public Service, on petition, a Bill relative to local public housing authorities access to the dental and vision insurance plan managed by the group insurance commission (Senate, No. 1611);

Housing authorities,--  
insurance.

By the same Senator, for the same committee, on petition, a Bill to exempt certain local housing authority executive directors from anti-spiking provisions (Senate, No. 1613);

Local housing,-- anti-  
spiking.

By the same Senator, for the same committee, on petition, a Bill providing for a COVID-19 retirement credit to essential first responders employees (Senate, No. 1619);

COVID-19 credit,--  
first responders.

By the same Senator, for the same committee, on Senate, No. 1622 and House, No. 2456, a Bill providing for fairness and equity for Massachusetts Water Resources Authority employees (Senate, No. 1622);

MWRA employees,--  
equity.

By the same Senator, for the same committee, on Senate, No. 1632 and House, No. 2681, a Bill relative to certain employees of the MBTA advisory board (Senate, No. 1632);

MBTA,-- advisory  
board.

By the same Senator, for the same committee, on Senate, Nos. 1637 and 1645, a Bill relative to the disability or death caused by post-traumatic stress disorder (PTSD) (Senate, No. 1637);

PTSD,-- disability or  
death.

By the same Senator, for the same committee, on petition, a Bill relative to court officers injured on duty (Senate, No. 1663);

Court officers,--  
injured.

By the same Senator, for the same committee, on Senate, No. 1673 and House, No. 3795, a Bill relative to 911 emergency telecommunicators inclusion in the heart bill (Senate, No. 1673);

911 emergency  
telecommunicators.

By the same Senator, for the same committee, on Senate, Nos. 1674 and 1730 and House, Nos. 2575 and 2665, a Bill relative to Massachusetts certified emergency telecommunicators (Senate, No. 1674);

Emergency  
telecommunicators.

By the same Senator, for the same committee, on petition, a Bill relative to the annual allowance for certain survivors of public retirees and employees (Senate, No. 1678);

Public retirees,--  
annual allowance.

By the same Senator, for the same committee, on petition, a Bill relative to Option (d) beneficiaries (Senate, No. 1679);

Option (d)  
beneficiaries.

By the same Senator, for the same committee, on Senate, No. 1681 and House, No. 2522, a Bill relative to Parkinson's disease disability and death in firefighters (Senate, No.

Parkinson's disease,--  
firefighters.

1681);

By the same Senator, for the same committee, on Senate, No. 1691 and House, No. 2588, a Bill to protect gender pay equity (Senate, No. 1691);

Gender,-- pay equity.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1689), a Bill relative to non-Commonwealth entities within the state employees' retirement system (Senate, No. 2611)

State employees',-- retirement system.

By Mr. Mark, for the committee on Tourism, Arts and Cultural Development, on Senate, No. 530 and House, No. 3241, a Bill to preserve space for the creative economy (Senate, No. 530);

By the same Senator, for the same committee, on Senate, No. 2190 and House, No. 3246, a Bill establishing a program for local art and community engagement (Senate, No. 2190); and

Community engagement,-- art.

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

By Mr. Eldridge, for the committee on the Judiciary, on Senate, No. 946 and House, No. 1715, a Bill modernizing time-share extension and termination procedures (Senate, No. 2591);

Time-shares,-- termination procedures.

By the same Senator, for the same committee, on Senate, No. 1073 and House, No. 1406, a Bill regarding conditions of release in Superior Court (Senate, No. 2595);

Superior Court,-- conditions of release.

By the same Senator, for the same committee, on Senate, No. 1074 and House, Nos. 1686 and 1726, a Bill to further clear titles to real property affected by technical irregularities in recorded instruments (Senate, No. 2596);

Real property,-- titles.

By Ms. Jehlen, for the committee on Labor and Workforce Development, on petition, a Bill relative to banning noncompetition agreements in the Commonwealth (Senate, No. 1192);

Non-competition agreements,-- ban.

By Mr. Brady, for the committee on Public Service, on petition, a Bill relative to fair worker representation on joint purchasing group committees (Senate, No. 1640);

Worker representation,-- boards.

By the same Senator, for the same committee, on Senate, No. 1662 and House, No. 2494, a Bill relative to protecting local retirees (Senate, No. 1662);

Local retirees,-- protect.

By the same Senator, for the same committee, on Senate, No. 1666 and House, No. 2529, a Bill relative to maintenance of physical examinations records for public safety personnel (Senate, No. 1666);

Public safety personnel,-- physical exams.

By the same Senator, for the same committee, on petition, a Bill relative to firefighter training (Senate, No. 1715);

Firefighter,-- training.

By the same Senator, for the same committee, on petition, a Bill clarifying call firefighter rights (Senate, No. 1755); and

Call firefighters,-- creditable service.

By Mr. Crighton, for the committee on Transportation, on petition, a Resolve reviving and continuing the non-emergency human services transportation task force (Senate, No. 121);

Non-emergency HST task force.

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

*Committees Discharged.*

Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Public Service to make an investigation and study of a certain current Senate document relative to superannuation benefits for Ann Marie OKeefe (Senate, No. 2693);

Public Service,-- study.

**Under Senate Rule 36, the report was considered forthwith and accepted.**

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4454) of Nicholas A. Boldyga (by vote of the town) that the town of Huntington be authorized to establish the appointed office of town clerk in said town;

Huntington,-- town clerk.

**To the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4455) of Jerald A. Parisella and Joan B. Lovely (with the approval of the mayor and city council) relative to the retirement classification of certain employees of the city of Beverly;

Beverly,-- fire alarm operators.

**To the committee on Public Service.**

*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 relative to polling locations in the city of Gloucester (Senate, No. 2544),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follow:- “An Act providing for the designation of polling locations in the city of Gloucester”.**

Gloucester,-- polling locations.

**Sent to the House for concurrence.**

The House Bill authorizing the town of Hopkinton to offer an income-eligible discount program for sewer and water rates (House, No. 2017) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Hopkinton,-- sewer and water discounts.

The House Bill separating the positions of town clerk and treasurer-collector in the town of Southwick (House, No. 4079) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Southwick,-- town clerk and treasurer.

*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 validating the actions taken at the Princeton annual town meeting (printed in House, No. 4067).

Princeton,-- town meeting.

**There being no objection, the rules were suspended, on motion of Ms. Lovely, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE

*Emergency Preamble Adopted.*

An engrossed Bill designating a certain bridge in the town of Lexington as the Henry N. “Hank” Manz bridge (see House, No. 4160, 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.

Lexington,-- Henry N. “Hank” Manz bridge.

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

*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:

Bills laid before the Governor.

Authorizing the appointment of special police officers in the town of Charlton (see Senate, No. 2416);

Authorizing the town of Hamilton to amend the income threshold for senior real property tax deferments (see Senate, No. 2508);

Designating a certain bridge in the town of Dedham as the Honorable Deborah R. Cochran memorial bridge (see House, No. 3382, amended); and

Authorizing the board of selectmen of the town of Rockland to serve as cemetery commissioners for the town (see House, No. 4010).

*Order.*

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith as follows:

Housing,-- extension order.

*Ordered,* That notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Friday, April 12, 2024, within which time to make its final report on current Senate documents numbered 626, 850, 853, 855, 856, 857, 858, 859, 861, 862, 863, 864, 865, 867, 869, 870, 871, 872, 873, 874, 875, 880, 882, 884, 885, 889, 890, 891, 894, 895, 898, 901, 902, 903, 904, 1299, 1308, 2498 and 2545, and House documents numbered 1162, 1295, 1296, 1297, 1300, 1304, 1305, 1306, 1309, 1310, 1312, 1313, 1314, 1315, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1325, 1326, 1327, 1328, 1335, 1336, 1340, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1352, 1353, 1355, 1356, 1357, 1358, 1360, 1361, 1363, 1364, 1371, 1372, 1373, 1374, 1375, 1376, 1378, 1379, 1380, 1381, 1382, 1383, 2028, 2103, 3744, 3777, 3855, 3873, 3923, 3940, 3941, 3963, 4074 and 4138.

**The rules were suspended, on motion of Ms. Lovely, and, after remarks, the order (House, No. 4377) was considered forthwith; and, was adopted, in concurrence.**

*Engrossed Bill.*

An engrossed Bill designating a certain bridge in the town of Lexington as the Henry N. "Hank" Manz bridge (see House, No. 4160, amended) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.**

Bill laid before the Governor.

*Order Adopted.*

On motion of Mr. O'Connor,--

Time of meeting.

*Ordered,* That when the Senate adjourns today, it adjourn to meet again on Thursday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

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