

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, MARCH 11, 2024

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JOURNAL OF THE SENATE

Monday, March 11, 2024.

Met at seventeen 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.

Reports.

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

Report of the Plymouth County Registry of Deeds (pursuant to Section 2KKK(a) of Chapter 29 of the General Laws) submitting its plan for expenditure from the County Registers Technological Fund (copies having been forwarded as required to the Senate Committees on Ways and Means and Post Audit and Oversight) (received March 11, 2024); and

Plymouth ROD,-- tech fund report. SD3065

Report of the Community Economic Development Assistance Corporation (pursuant to Section 6 of Chapter 40H of the General Laws) submitting its 2023 annual report (received March 8, 2024).

CEDAC,-- 2023 annual report. SD3066

Order.

Mr. Cyr presented an Order relative to granting the committee on Public Health until December 31, 2024, within which time to make its final report on current Senate document numbered 2670, relative to public health (Senate, No. 2699);

Public Health,-- extension.

Referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, a Resolve establishing a special commission to ensure the safety and sustainability of non-profit public events (Senate, No. 1598),-- ought to pass.

Non-profit events,-- commission.

Referred, under Senate Rule 27, to the committee on Ways and Means.

By Mr. Crighton, for the committee on Transportation, on petition, a Resolve establishing a special commission to investigate and study the protection of junior operators (Senate, No. 2283),-- was read and, under Joint Rule 29, referred to the committee on Rules of the two branches, acting concurrently.

Junior operators,-- commission.

By Mr. Feeney, for the committee on Financial Services, on petition, a Bill relative to emergency insulin access (Senate, No. 651);

Insulin,-- emergency access.

By the same Senator, for the same committee, on petition, a Bill ensuring prompt access to health care (Senate, No. 654);

Health care,-- prompt access.

By the same Senator, for the same committee, on petition, a Bill relative to telehealth and digital equity for patients (Senate, No. 655);

Telehealth,-- equity for patients.

UNCORRECTED PROOF.

By the same Senator, for the same committee, on petition, a Bill to reduce the cost of pharmacy benefits (Senate, No. 656);

By the same Senator, for the same committee, on petition, a Bill providing continuity of care for mental health treatment (Senate, No. 657);

By the same Senator, for the same committee, on petition, a Bill relative to dual diagnosis treatment coverage (Senate, No. 658);

By the same Senator, for the same committee, on petition, a Bill relative to removing barriers to non-opioid pain management (Senate, No. 659);

By the same Senator, for the same committee, on petition, a Bill relative to the care and treatment of patients with mitochondrial disease (Senate, No. 660);

By the same Senator, for the same committee, on petition, a Bill providing access to full spectrum addiction treatment services (Senate, No. 662);

By the same Senator, for the same committee, on petition, a Bill to prevent inappropriate denials by insurers for medically necessary services (Senate, No. 663);

By the same Senator, for the same committee, on petition, a Bill relative to the sustainability of public health dental hygienists through adequate reimbursements (Senate, No. 664);

By the same Senator, for the same committee, on petition, a Bill relative to specialty medications and patient safety (Senate, No. 665);

By the same Senator, for the same committee, on petition, a Bill to prohibit cost sharing for opioid antagonists (Senate, No. 667);

By the same Senator, for the same committee, on petition, a Bill to ensure dependent health coverage for adults with disabilities (Senate, No. 668);

By the same Senator, for the same committee, on petition, a Bill requiring mental health parity for disability policies (Senate, No. 669);

By the same Senator, for the same committee, on petition, a Bill to help patients and reduce healthcare costs by ensuring patient adherence to medications (Senate, No. 670);

By the same Senator, for the same committee, on petition, a Bill increasing access to maternal postpartum home visiting services (Senate, No. 672);

By the same Senator, for the same committee, on petition, a Bill ensuring support groups are part of the pathway of care following the annual mental health wellness exam (Senate, No. 673);

By the same Senator, for the same committee, on petition, a Bill relative to breast cancer screening and early detection (Senate, No. 674);

By the same Senator, for the same committee, on petition, a Bill relative to insurance coverage for doula services (Senate, No. 680);

By the same Senator, for the same committee, on petition, a Bill relative to increasing consumer access to licensed rehabilitation counselors (Senate, No. 682);

By the same Senator, for the same committee, on petition, a Bill to increase access to lactation care and services (Senate, No. 691);

By the same Senator, for the same committee, on petition, a Bill relative to human donor milk coverage (Senate, No. 696);

By the same Senator, for the same committee, on petition, a Bill relative to fair and equitable compensation for medical services (Senate, No. 699);

By the same Senator, for the same committee, on petition, a Bill to ensure access to epinephrine for minors (Senate, No. 700);

By the same Senator, for the same committee, on petition, a Bill prohibiting discrimination against 340b drug discount program participants (Senate, No. 704);

By the same Senator, for the same committee, on petition, a Bill relative to pediatric care appointments (Senate, No. 706);

Pharmacy benefits,--
cost reduction.

Mental health
treatment.

Dual diagnosis,--
treatment.

Pain management,--
barriers.

Mitochondrial
disease,-- treatment.

Addiction,--
treatment access.

Insurers,--
inappropriate denials.

Dental hygienists,--
reimbursements.

Patient safety,--
medications.

Opioid antagonists,--
cost sharing.

Dependent health
coverage.

Disability policies,--
mental health.

Patients,-- medication
synchronization.

Home visiting
services,-- access.

Mental health,--
support groups.

Mammograms,--
insurance coverage.

Doula services,--
coverage.

Rehabilitation
counselors,-- access.

Lactation services,--
access.

Human donor milk,--
coverage.

Medical services,--
compensation

Epinephrine,--
access.

Discount drug
program,--
discrimination.

Pediatric,--
appointments.

UNCORRECTED PROOF.

By the same Senator, for the same committee, on petition, a Bill expanding health insurance access for state employees (Senate, No. 707); and

State employees,--
health insurance.

By the same Senator, for the same committee, on petition, a Bill enhancing post-pregnancy mental health care (Senate, No. 708);

Mental health,-- post-
pregnancy.

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

By Ms. Kennedy, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill increasing accessibility in restaurants for physically handicapped persons (Senate, No. 112);

Restaurants,--
accessibility.

By Mr. Cronin, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 143 and House, No. 251, a Bill relative to refrigeration technicians (Senate, No. 143, changed by striking the words “2018 Official Edition” and inserting in place thereof the words “2022 Official Edition”);

Licensing fees,--
refrigeration
technicians.

By Mr. Feeney, for the committee on Financial Services, on petition, a Bill relative to executive compensation for mutual companies (Senate, No. 686);

Mutual companies,--
executive
compensation.

By the same Senator, for the same committee, on petition, a Bill relative to unemployment insurance benefits for replacement workers (Senate, No. 694);

Unemployment
insurance,--
replacement workers.

By the same Senator, for the same committee, on petition, a Bill relative to the workers’ compensation premium payment schedules for small businesses (Senate, No. 695);

Small businesses,--
workers’
compensation.

By the same Senator, for the same committee, on petition, a Bill relative to motor vehicle service contracts (Senate, No. 701);

Motor vehicle,--
service contracts.

By the same Senator, for the same committee, on petition, a Bill requiring licensed auto insurance damage appraisers to provide safety notices to the owners of damaged motor vehicles (Senate, No. 709);

Auto appraisers,--
safety notices.

By the same Senator, for the same committee, on petition, a Bill relative to preventing fraud (Senate, No. 710);

Insurance fraud.

By Mr. Cyr, for the committee on Public Health, on Senate, No. 1382 and House, No. 2131, a Bill to improve outdoor and indoor air quality for communities burdened by pollution (Senate, No. 2682);

Pollution,-- air
quality.

By the same Senator, for the same committee, on Senate, No. 1448, a Bill relative to monitoring dry casks of spent nuclear fuel (Senate, No. 2685); and

Nuclear fuel,--
monitoring.

By Mr. Crighton, for the committee on Transportation, on Senate, No. 2284 and House, No. 3421, a Bill relative to motor vehicle leasing parity (Senate, No. 2284);

Motor vehicle
leasing.

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

PAPERS FROM THE HOUSE.

A message from Her Excellency the Governor recommending legislation relative to strengthening Massachusetts’ economic leadership (House, No. 4459),-- **was referred, in concurrence, to the committee on Economic Development and Emerging Technologies.**

MA economic
leadership.

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

Petition (accompanied by bill, House, No. 4469) of Michael S. Day (by vote of the town) that the town of Winchester be authorized to establish a building permit surcharge and special revenue fund in said town;

Winchester,-- special
revenue fund.

To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4465) of Christine P. Barber and Patricia

Somerville,-- Charles

D. Jehlen (with the approval of the mayor and the city council) that the city of Somerville be authorized to continue the employment of Charles J. Femino as acting chief of police in said city;

F. Femino.

To the committee on Public Service.

A Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4466,-- on a part of House, No. 4284), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Supplemental appropriations.

Bills

To establish Noah Fernandes mitochondrial disease awareness day (House, No. 4240,-- on petition); and

Noah Fernandes mitochondrial disease awareness day. Boxborough residents,-- drinking water.

Authorizing the town of Littleton to provide drinking water to the inhabitants of the town of Boxborough (House, No. 4246,-- on petition);

Were severally read and, under Senate Rule 26, referred to the committee on Rules.

A Bill in the town of Hanson local licenses and permits; denial, revocation or suspension for failure to comply with conditions of approval (House, No. 4467,-- on House, No. 3984) [Local approval received on House, No. 3984],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Hanson,-- local licenses and permits.

Message from Her Excellency the Governor.

Message from Her Excellency the Governor (pursuant to Article II, Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation validating the results of the annual election held in the town of Whitman on May 20, 2023 (Senate, No. 2698) (received in the office of the Clerk of the Senate on Thursday, March 7, 2024, at twenty-three minutes before five o'clock P.M.);

Whitman,-- annual election.

The message was read; and, under Senate Rule 20, with the accompanying bill, was referred to the committee on Election Laws.

Sent to the House for concurrence.

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 (Mr. Timilty) and laid before the Governor for her approbation, to wit:

Increasing the term of office for select board members in the town of Marblehead from 1 year to 3 years (see Senate, No. 2652);

Bills laid before the Governor.

Directing the police department of the city of Boston to waive the maximum age requirement for police officers for Ariel Rodriguez (see House, No. 3844); and

Authorizing the town of Dedham to establish a maximum age requirement for original appointment to the position of police officer (see House, No. 3910).

A Bill establishing a sick leave bank for Danielle M. Alachoyan, an employee of the department of correction (House, No. 4297,-- on petition),-- was read.

Danielle M. Alachoyan,-- sick leave.

There being no objection, the rules were suspended, on motion of Mr. O'Connor, and the bill was read a second time and ordered to a third reading.

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 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),-- **was read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Brian Dacey.

The House Bill authorizing Derek Clark to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4149),-- **was read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Derek Clark.

The House Bill providing for recall elections in the town of Conway (House, No. 3575),-- was read a third time.

Conway,-- recall elections.

Pending the question on passing the bill to be engrossed, Mr. Mark presented an amendment in section 3, by striking out the second and third paragraphs and inserting in place thereof the following paragraph:-

“Not later than 30 days from the date of delivery of the recall petition sheets, the 10 registered voters of the town to whom the town clerk delivered recall petition sheets shall file the signed recall petition sheets with the town clerk containing the signatures, names and street addresses of not less than 10 per cent of the registered voters of the town as of the date the initial recall affidavit was filed with the town clerk”.

The amendment was adopted.

The bill, as amended, was then passed to be engrossed.

Sent to the House for concurrence in the amendment.

Moment of Silence.

At the request of the Chair (Mr. Timilty), the members, guests and staff stood in a moment of silence and reflection to the memory of Barbara J. Schlichte.

Moment of silence.

Order Adopted.

On motion of Mr. O’Connor,--

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

Time of meeting.

Adjournment in Memory of Barbara J. Schlichte.

The Senator from Essex and Middlesex, Mr. Tarr moved that when the Senate adjourns today, it does so in memory of Barbara J. Schlichte, 94, of Gloucester.

Barbara passed away peacefully on Monday, February 12, 2024, following an extended decline in health. She was the wife of attorney Miles Schlichte, who predeceased her in 2009 after 54 years of marriage.

Barbara was born in 1929 to Edwin and Vyvyan Palmer in Hartford, Connecticut, and attended Notre Dame Academy and Regis College, it was there where she met her future husband on a blind date.

Barbara was a dedicated teacher, first on the West Coast, then Cape Cod, and finally settling in Gloucester, where she taught at Maplewood, Hovey, and Forbes schools for

over 25 years. As a public-school teacher, “Mrs. Schlichte” had a profound impact on her students, making a difference in the many lives she touched.

After her husband died in 2009, Barbara traveled more frequently. While in Gloucester and Cape Ann Barbara loved basking in the sun, especially on Good Harbor Beach with family and friends. She loved to walk with her dogs in Dogtown Common and later in life through the streets of Gloucester. Barbara was an avid reader and crossword puzzle aficionado.

Barbara is survived by her children and their spouses, Barbara and Ed Wierzbicki of Connecticut, Joan and Karl Stockbridge of Texas, Miles and Nancy Schlichte, George Schlichte, Mark and Tracey Schlichte, Catherine Schlichte and Shawn Henry, Patricia and Gary Johnstone, Marianne and Robert Smith, all of Gloucester; grandchildren, Jeffrey, Ryan, Eric and Amanda-T Schlichte, Nathan and Matthew Wierzbicki, Katherine and Margaret Stockbridge, Zachary, Aaron, and Isaiah Smith; her sister, Maureen Cox and sister-in-law, Helen Chin Schlichte; nine great-grandchildren, nieces and nephews.

Accordingly, as a mark of respect to the memory of Barbara J. Schlichte, at twenty-seven minutes past eleven o’clock A.M., on motion of Mr. O’Connor, the Senate adjourned to meet again on Thursday next at eleven o’clock A.M.