

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, APRIL 8, 2024

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JOURNAL OF THE SENATE

Monday, April 8, 2024.

Met at seven minutes past eleven o'clock A.M. (Ms. Jehlen in the Chair).

The Chair (Ms. Jehlen), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Distinguished Guests.

There being no objection, the Chair (Ms. Jehlen) handed the gavel to Mr. Fattman for the purpose of an introduction. Mr. Fattman then introduced, in the rear of the Chamber, members of the Brimfield Boy Scouts of America Troop 7, and students from All the Possibilities Home School and Blackstone-Millville Regional High School. The groups were on a tour of the State House learning about the different aspects of state government and were accompanied by Representative Smola of Warren and Representative Marsi of Dudley. The Senate welcomed them with applause and they withdrew from the Chamber.

Brimfield Boy Scouts, All the Possibilities Home School and Blackstone-Millville Regional School.

Communications.

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

Communication from the Department of Public Health relative to its plans of correction for the Bristol County Jail and House of Correction inspection on February 20 and 21, 2024, Dartmouth Women's Center inspection on February 20, 2024, Bristol County Modular Building on inspection on February 20, 2024, and Dartmouth I.C.E. Facility, North Dartmouth inspection on February 20, 2024 (received April 2, 2024);

DPH,-- plan of correction. SD3138

Communication from the Department of Public Health relative to its plan of correction for the Souza-Baranowski Correctional Center, Shirley dated April 1, 2024 (received April 2, 2024);

Id. SD3139

Communication from the Department of Public Health relative to its plan of correction for MCI Framingham dated March 18, 2024 (received April 3, 2024);

Id. SD3140

Communication from the Department of Public Health relative to its plan of correction for the Middlesex County Jail and House of Corrections, Billerica dated March 1, 2024 (received April 5, 2024); and

Id. SD3147

Communication from the Executive Office of Public Safety and Security relative to the plan of correction for the Pondville Correctional Center dated March 26, 2024 (received April 5, 2024).

EOPPS,-- plan of correction. SD3141

Reports.

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

Report of the Plymouth County Sheriff's Department (pursuant to Section 40 of Chapter 126 of the General Laws) submitting its report reflecting the aggregate data on the population of the Plymouth County Correctional Facility for the first quarter of 2024 (received April 5, 2024);

Plymouth Sheriff,-- criminal justice report. SD3142

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of Bridgewater State Hospital (received April 2, 2024);

DPH,-- facility inspection. SD3143

UNCORRECTED PROOF.

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of the Hampshire County Jail and House of Correction, Northampton (received April 5, 2024); and

Id.
SD3144

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of the Hampshire County Jail and House of Correction, Pre-Release Center, Northampton (received April 5, 2024).

Id.
SD3145

Order.

Mr. Barrett presented an Order relative to granting the committee on Telecommunications, Utilities and Energy until June 20, 2024 within which time to make its final report on current Senate documents numbered 538, 1284, 2080, 2088, 2103, 2112, 2113, 2120, 2136, 2137, 2142, 2143, 2144, 2147, 2150, 2152, 2154, 2166, 2174, 2178, and 2558, relative to matters of telecommunications, utilities and energy (Senate, No. 2718);

Telecommunications,
Utilities and Energy,-
- extension order.

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

Reports of a Committees.

By Mr. Barrett, for the committee on Telecommunications, Utilities and Energy, on Senate, Nos. 2083, 2084, 2086, 2087, 2089, 2091, 2092, 2093, 2094, 2095, 2099, 2101, 2108, 2109, 2111, 2114, 2115, 2116, 2117, 2118, 2119, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2129, 2130, 2131, 2133, 2138, 2141, 2146, 2149, 2151, 2153, 2155, 2156, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2167, 2169, 2171, 2173, 2175, 2176, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2394, and 2488, an Order relative to authorizing the joint committee on Telecommunications, Utilities and Energy, to make an investigation and study of certain current Senate documents relative to matters of telecommunications, utilities and energy (Senate, No. 2719) [Senator Pacheco dissenting in so much as relates to Senate, Nos. 2165, 2167, 2169, 2171, 2173, 2175 and 2488];

Telecommunications,
Utilities and Energy,-
- study.

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

By Ms. Kennedy, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill establishing a commission on the status of children and youth (Senate, No. 111);

Children and youth,-
- commission.

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

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bills Increasing the personal care allowance for long term care residents (Senate, No. 115) [Estimated cost: greater than \$100,000];

Long term care,-
- allowance

To increase awareness of community based PACE programs for older adults (Senate, No. 367) [Estimated cost: greater than \$100,000];

Seniors,-
- PACE programs.

Relative to Massachusetts home care eligibility (Senate, No. 376) [Estimated cost: greater than \$100,000];

Home care eligibility.

Relative to expanding the availability of personal care homes for older adults (Senate, No. 385) [Estimated cost: greater than \$100,000];

Personal care homes,-
- seniors.

Relative to reserving beds in nursing homes during certain leaves of absence (Senate, No. 393) [Estimated cost: greater than \$100,000];

Nursing homes,-
- resident beds.

Improving access to breast pumps (Senate, No. 600) (also based on House No. 967) [Estimated cost: greater than \$100,000];

Breast pumps,-
- access.

Relative to transparency of consumer health insurance rights (Senate, No. 602) (also

Health insurance,-
- transparency.

based on House No. 937) [Estimated cost: greater than \$100,000]; and

For supportive care for serious mental illness (Senate, No. 610) (also based on House No. 989) [Estimated cost: greater than \$100,000];

Severally ought to pass;

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

By Ms. Kennedy, for the committee on Children, Families and Persons with Disabilities, on petition, a Bill relative to supporting families dealing with sudden unexplained death in pediatrics (Senate, No. 105);

By Mr. Lewis, for the committee on Education, on petition, a Bill relative to student and educator data privacy (Senate, No. 280);

By Ms. Friedman, for the committee on Health Care Financing, on Senate, No. 727 and House, No. 1200, a Bill to support equal access to community care for elders and persons with disabilities (Senate, No. 727) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on Senate, No. 729 and House, No. 1173 a Bill to restore the effective date of MassHealth coverage for new applicants (Senate, No. 729) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on petition, a Bill relative to primary care for you (Senate, No. 750) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on Senate, No. 753 and House, No. 1180, a Bill relative to preventing discrimination against persons with disabilities in the provision of health care (Senate, No. 753) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on petition, a Bill to protect MassHealth applicants facing undue hardship (Senate, No. 762) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on petition, a Bill relative to the continuous skilled nursing program (Senate, No. 774) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on Senate, No. 782 and House, No. 1240 a Bill relative to Medicaid coverage for doula services (Senate, No. 782) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on petition, a Bill relative to MassHealth reimbursement for schools (Senate, No. 794) [Estimated cost: greater than \$100,000]; and

By the same Senator, for the same committee, on Senate, No. 799 and House, No. 1250 a Bill to advance health equity (Senate, No. 799) [Estimated cost: greater than \$100,000];

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

PAPER FROM THE HOUSE.

A Bill validating a certain vote taken by the city of Attleboro relative to the acceptance of certain ways (House, No. 4243,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Motion – Print Remarks.

The Senator from Suffolk, Mr. Collins presented a motion that his remarks during the Senate Session on March 28, 2024, concerning the Senate Bill relative to violation of regulation regarding hot work processes (Senate, No. 2172) be printed in the journal of the Senate for said day.

Supportive care,--
mental illness.

Pediatric deaths,--
family support.

Student and
educator,-- data
privacy.
Elders and disabled,--
community care.

MassHealth,-- new
applicants.

Primary care.

Persons with
disabilities,--
discrimination.

MassHealth,--
hardship waivers.

Nursing program,--
rate review.

Doula services,--
coverage.

MassHealth,-- school
reimbursement.

Health,-- equity.

Attleboro,-- election
results.

Motion to print
remarks.

The motion prevailed; and the remarks were printed in the Journal of the Senate for March 28, 2024.

PAPER FROM THE HOUSE.

A Bill financing improvements to municipal roads and bridges (printed in House, No. 4529,-- being a message from her Excellency the Governor),-- was read.

Roads and bridges.

There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, on motion of Mr. Crighton, the further consideration thereof was postponed until the next session.

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:

Haverhill,-- jury clerk.

The Senate bill relative to the designation of Jury Clerk in the Haverhill District Court (Senate, No. 2538).

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

Resolutions.

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

Resolutions (filed by Ms. Comerford, Messrs. Velis, Collins, Crighton, Cronin, DiDomenico and Durant, Ms. Edwards, Messrs. Eldridge, Feeney, Finegold, Gomez and Keenan, Ms. Kennedy, Mr. Lewis, Ms. Lovely, Messrs. Montigny and Moore, Ms. Moran, and Messrs. O'Connor, Oliveira, Pacheco, Payano, Rush, Tarr and Timilty) "commending the American Legion Auxiliary – Department of Massachusetts on its recognition of the month of April 2024 as the Month of The Military Child and April 15, 2024 as Purple Up! For Military Kids Day."

American Legion Auxiliary – Department of Massachusetts.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of William N. Brownsberger for legislation relative to damages from defective public ways;

Defective public ways. SD3019

Senate Rule 36 was suspended, on motion of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Susan L. Moran and Patrick M. O'Connor for legislation relative to retirement benefits for Joseph Suppa;

Joseph Suppa,-- retirement benefits. SD2995

Senate Rule 36 was suspended, on motion of Mr. Fattman, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.

Severally sent to the House for concurrence.

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 amending the charter of the town of Marshfield (Senate, No. 1317),--
- was read a third time.

Marshfield,-- charter.

Pending the question on passing the bill to be engrossed, Mr. O'Connor presented an amendment substituting a new draft entitled "An Act amending the charter of the town of Marshfield to make references to the board of selectmen gender neutral" (Senate, No. 2715).

The amendment was adopted.

The bill (Senate, No. 2715), was then passed to be engrossed.

Sent to the House for concurrence.

The Senate 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),-- was read a third time.

Barnstable,--
Mother's Park.

Pending the question on passing the bill to be engrossed, Mr. Cyr presented an amendment substituting a new draft entitled "An Act authorizing the city known as the town of Barnstable to change the use of a portion of a certain parcel of land within Mother's Park" (Senate, No. 2720).

The amendment was adopted.

The bill (Senate, No. 2720), was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill amending the charter of the town of Needham (House, No. 3997) (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.**

Needham,-- charter.

The House Bill authorizing the town of Chesterfield to continue the employment of reserve special police officer Greg Smith (House, No. 4195),-- **was read a third time and passed to be engrossed, in concurrence.**

Chesterfield,-- Greg
Smith.

Order Adopted.

On motion of Mr. Fattman:--

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