

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MAY 9, 2024

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JOURNAL OF THE SENATE

Thursday, May 9, 2024.

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

Pledge of allegiance.

Distinguished Guests.

There being no objection, the following guests were introduced:

The Chair (Mr. Crighton) handed the gavel to Mr. Feeney for the purpose of an introduction. Mr. Feeney then introduced, in the rear of the Chamber, the Foxborough High School girls basketball team. The top-seeded Warriors were recognized for winning the MIAA Division 3 state championship title by defeating the second ranked Norwell High School with a score of 66-43. The team was led by Coach Lisa Downs and accompanied by Representative Barrows of Mansfield. The Senate applauded their accomplishments and they withdrew from the Chamber.

Foxborough High School girls basketball team.

The Chair (Mr. Crighton) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, on the Rostrum, Thomas Rich, Corporate Safety Director at Walsh Brothers. The Greater Boston Chapter of the American Society of Safety Engineers celebrates North American Occupational Safety and Health Week and Occupational Safety and Health Professional Day. The Greater Boston Chapter was being recognized for its efforts to increase awareness of the importance of safe workplaces for all. Mr. Rich was accompanied by Representative Ayers of Quincy, who briefly addressed the Senate. The Senate welcomed him with applause, he was presented with Joint Resolutions and he withdrew from the Rostrum.

Thomas Rich.

Communications.

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

Communication from the Office of Medicaid (pursuant to Section 65(b) of Chapter 118E of the General Laws) submitting its annual report on the processes used to determine eligibility for Health Safety Net reimbursable health services (received May 6, 2024);

Medicaid,-- Health Safety New eligibility report. SD3220 EOPSS,-- CMSP Q1 and Q2 reports. SD3222

Communication from the Executive Office of Health and Human Services (pursuant to line item 000-0990 of Chapter 28 of the Acts of 2023) submitting its MassHealth reports on the Children's Medical Security Plan (CMSP) for the first and second quarters of fiscal year 2024 (received May 9, 2024); and

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 May 6, 2024 (received May 6, 2024).

Emergency Housing Assistance Program,-- bi-weekly report. SD3225

UNCORRECTED PROOF.

Reports.

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

A report of the Department of Energy Resources (pursuant to Section 5 of Chapter 25A of the General Laws) submitting its FY23 "Chapter 25A Annual Report" (received May 9, 2024);

Report of the Department of Correction (pursuant to Section 119A(i) of Chapter 127 of the General Laws) submitting its annual report on medical parole (received May 9, 2024); and

Report of the Greater Attleboro-Taunton Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2023 (received May 7, 2024).

DOER,-- FY23
annual report.
SD3221

DOC,-- medical
parole report.
SD3223

GATRA,-- auditors'
report.
SD3224

Order.

Mr. Timilty presented an Order relative to granting the committee on Public Safety and Homeland Security until July 17, 2024, within which time to make its final report on current Senate documents numbered 1490, 1493, 1496, 1500, 1508, 1509, 1510, 1511, 1512, 1529, 1535, 1541, 1542, 1543, 1545, 1546, 1547, 1548, 1555, and 1582, relative to public safety and homeland security (Senate, No. 2781);

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

Public Safety and
Homeland Security,-
- extension.

Reports of Committees.

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bill ensuring access to full spectrum pregnancy care (Senate, No. 646) (also based on House No. 1137) [Estimated cost: greater than \$100,000] [Representative Barrows of Mansfield dissenting];

Ought to pass.

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

By Mr. Velis, for the committee on Veterans and Federal Affairs, on petition, a Bill establishing a commission on Post Traumatic Stress Disorder (Senate, No. 2323);

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

Pregnancy,-- health
coverage.

PTSD,--
commission.

By Mr. Moore, for the committee on Advanced Information Technology, the Internet and Cybersecurity, on petition (accompanied by bill, Senate, No. 25), a Bill establishing the Massachusetts Data Privacy Act (Senate, No. 2770);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 34), a Bill to modernize funding for community media programming (Senate, No. 2771) [Senator Finegold dissenting];

By Ms. Comerford, for the committee on Agriculture, on petition (accompanied by bill, Senate, No. 44), a Bill establishing community fridges to address food insecurity (Senate, No. 2760);

By Ms. Jehlen, for the committee on Labor and Workforce Development, on Senate, No. 1162 and House, No. 1922, a Bill relative to non-fault unemployment insurance overpayments (Senate, No. 1162);

By Mr. Velis, for the committee on Veterans and Federal Affairs, on petition, a Bill to modernize chapter 115 (Senate, No. 2315);

By the same Senator, for the same committee, on petition, a Bill excluding Chapter

MA,-- data privacy.

Digital
infrastructure.

Food insecurity,--
public fridges.

Unemployment
insurance,--
payments.

MGL Chapter 115,--
language updates.

Veterans,--

115 payments to veterans from gross household income calculation (Senate, No. 2321);

By the same Senator, for the same committee, on petition, a Bill relative to reservists with service-connected disabilities (Senate, No. 2322);

By the same Senator, for the same committee, on petition, a Bill relative to headstones for long-serving or perished members of the Massachusetts National Guard (Senate, No. 2324);

By the same Senator, for the same committee, on petition, a Bill relative to waiving education requirements for skilled veterans to be LPNs (Senate, No. 2327);

By the same Senator, for the same committee, on petition, a Bill relative to establish the Massachusetts National Guard Museum in Salem (Senate, No. 2335);

By the same Senator, for the same committee, on petition, a Bill relative to the military family advocacy program, domestic violence and child abuse and neglect (Senate, No. 2336);

By the same Senator, for the same committee, on petition, a Bill to amend the general officer designation in the state staff of the militia (Senate, No. 2339);

By the same Senator, for the same committee, on petition, a Bill relative to uniformity in veteran benefits (Senate, No. 2346);

By the same Senator, for the same committee, on petition, a Bill ensuring the fair treatment of military service members and veterans (Senate, No. 2352);

By the same Senator, for the same committee, on petition, a Bill relative to Massachusetts Medal of Allegiance (Senate, No. 2353);

By the same Senator, for the same committee, on petition, a Bill relative to EMT certification of veterans and military medics (Senate, No. 2359);

By the same Senator, for the same committee, on petition, a Bill relative to military childcare, innovation, learning and development (Senate, No. 2361);

By the same Senator, for the same committee, on petition, a Bill clarifying the duties of the adjutant general (Senate, No. 2362);

By the same Senator, for the same committee, on petition, a Bill to improve health and safety standards at state-operated veterans' homes (Senate, No. 2363);

By the same Senator, for the same committee, on petition, a Bill relative to soldiers' home eligibility for certain national guard members (Senate, No. 2364);

By the same Senator, for the same committee, on petition, a Bill relative to modernizing Chapter 115 (Senate, No. 2489); and

By the same Senator, for the same committee, on petition, a Bill to properly recognize merchant marine veterans (Senate, No. 2688);

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

By Mr. Velis, for the committee on Veterans and Federal Affairs, on petition, a relative to tax abatements for disabled veterans and Gold Star families (Senate, No. 2338);

Read and, under Senate Rule 26, referred to the committee on Rules.

PAPERS FROM THE HOUSE.

Bills

Relative to the Adams fire district (House, No. 2031,-- on petition); and

Designating a certain bridge as the Lt. David S. Cutler memorial bridge (House, No. 4108, amended,-- on petition);

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

payments.

Reservists,-- disabilities.

Headstones,-- National Guard.

Veterans,-- LPNs.

Salem,-- National Guard Museum.

Military,-- advocacy programs.

General officer designation.

Veteran benefits,-- uniformity.

Veterans,-- fair treatment.

MA Medal of Allegiance.

EMT certification,-- veterans and military medics.

Military development.

Adjutant general,-- duties.

Veterans' homes,-- standards.

National Guard,-- soldiers' home eligibility.

Veterans benefits,-- modernization.

Merchant marine veterans.

Disabled veterans,-- tax abatements.

Adams fire district.
Marshfield/Norwell,
-- Lt. David S.
Cutler bridge.

UNCORRECTED PROOF.

A Bill to recall elected officials in the town of Manchester-by-the-Sea (House Bill printed as Senate, No. 440,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Manchester-by-the-Sea,-- elected officials.

Resolutions.

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

Resolutions (filed by Messrs. Cyr and Tarr) “congratulating Charles ‘Stormy’” Mayo III on his many years of distinguished service to the Cape Cod Community as a leader of the Center for Coastal Studies, Inc.”;

Charles “Stormy” Mayo III.

Resolutions (filed by Ms. Miranda) “honoring Doctor Wesley A. Roberts on the occasion of his retirement after 44 years as pastor of the Peoples Baptist Church of Boston”; and

Doctor Wesley A. Roberts.

Resolutions (filed by Mr. Oliveira, Ms. Lovely, Messrs. Velis and Cyr, Ms. Kennedy, Messrs. Pacheco, Barrett, Finegold, O'Connor, Eldridge and Fattman, Ms. Jehlen, Messrs. Payano and Crighton, Ms. Comerford, Messrs. DiDomenico, Moore and Keenan and Ms. Moran) “commending the American Association of Endodontists on its observance of May 2024 as Save Your Tooth Month in the commonwealth.”

American Association of Endodontists.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (both 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 (Mr. Crighton) and laid before the Governor for her approbation, to wit:

Amending the charter of the town of Rockland (see House, No. 4036); and

Bills laid before Governor.

Correcting the membership date of North Reading police officer Thomas Romeo in the Middlesex county retirement system (see House, No. 4437).

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 the town of Holliston to establish a means-tested senior citizen property tax exemption (House, No. 3826),-- **was read a third time and passed to be engrossed, in concurrence.**

Holliston,-- senior property tax exemption.

The House Bill authorizing the town of Sunderland to continue the employment of Scott Smith (House, No. 4003) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Sunderland,-- Scott Smith.

Pending the question on passing the bill to be engrossed, Ms. Comerford presented an amendment in section 1 by striking out, in line 4, the word “no” and inserting in place thereof the following words:- “Scott Smith is mentally and physically capable of performing the duties of such position; provided further, that the town may, at its own expense, require that Scott Smith be examined by an impartial physician designated by the town to determine such capability. No”.

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Moment of Silence.

At the request of the Chair (Mr. Crighton), the members, guests and staff stood in a moment of silence and reflection to the memory of Gordon “Buzzy” Barton.

Moment of silence.

Order Adopted.

On motion of Mr. Durant,--

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 Gordon “Buzzy” Barton.

The Senator from Third Essex, Mr. Crighton moved that when the Senate adjourns today, it do so in memory of Gordon “Buzzy” Barton who passed away on April 5th, 2023.

Buzzy was a giant, an icon, a legend. He was known for his magnetic personality, contagious sense of humor, genuine care for others, and unwavering loyalty to his friends, family, and community.

A lifelong resident of Lynn, Buzzy attended Ingalls Elementary School, Eastern Junior High and Lynn English High School (Class of 1972), where he played five varsity sports in one school year: soccer, football, basketball, baseball and track.

Buzzy went on to serve as a Lynn firefighter from 1976 to 2004 and was president of Local 739 of the International Association of Fire Fighters. He was named Firefighter of the Year in 1990, Union Man of the Year in 1991 and received the Box 41 Award in 1998.

Buzzy, who had a reputation as a hands-on official, served as a Lynn City Councilor-At-Large since 2012. He was elected six times and in three of those elections he topped the ticket. The sitting Vice President of the Council, Buzzy had pulled nomination papers to run for a seventh term. Given his background, Buzzy had also chaired the Council’s Public Safety Subcommittee. In addition, Buzzy was an active member of the Lynn Retirement Board. He also served on the Lynn Park Commission and EDIC/Lynn Board of Directors. Buzzy is among the most respected public officials in Lynn history.

Buzzy coached the varsity boys basketball team at Lynn English from 2006 to 2011, winning the Northeastern Conference title every year and the 2009 Eastern Massachusetts Division 1 Championship. He also coached the English girls basketball team from 1994 to 1998, winning multiple league titles. Buzzy was a member of the Lynn English Hall of Fame and was honored by the Agganis Foundation with the Paul Cavanagh Award.

Buzzy’s dedication to public service was inspired by his late mother Virginia, a tireless crusader for civil rights who was the co-founder of the Community Minority Cultural Center and president of the North Shore branch of the NAACP.

Buzzy is survived by his sisters, Patricia Barton, Paulette Hartwell and Carol Brown; his cousins, the Kevin and Robin Bradley Family, including his niece, Rachael Randall, a nurse who oversaw his medical care; his son James Smith; grandnephew Alexander Barton Davis-Reddy; grandniece Aubrey Virginia Davis; his lady friend Evelyn Marcotte and her family; and many other nieces, nephews and close friends. He was also the brother of the late Roberta “Birdie” (Barton) Davis, Barbara Barton, Lori (Barton) Holiday and Donna Barton.

Accordingly, as a mark of respect to the memory of Gordon “Buzzy” Barton, at twenty-three minutes before twelve o’clock noon, on motion of Mr. Durant, the Senate

adjourned to meet again on Monday next at eleven o'clock A.M.
