

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, JULY 8, 2024

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JOURNAL OF THE SENATE

Monday, July 8, 2024.

Met at a quarter past eleven o'clock A.M. (Mr. Timilty in the Chair).

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

Pledge of
allegiance.

Communication.

Communication from the Department of Public Health submitting its Arbovirus Weekly Report for the week of July 1, 2024 (received July 2, 2024),-- **was placed on file.**

DPH,-- Arbovirus
weekly report.
SD3326

Report.

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 second quarter of 2024 (received July 2, 2024),-- **was placed on file.**

Plymouth Sheriff,--
criminal justice
report.
SD3244

Petition.

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2855) of Marc R. Pacheco and Angelo L. D'Emilia (by vote of the town) for legislation relative to the appointment of retired police officers as special police officers in the town of Raynham [Local approval received];

Raynham,-- special
police officers.

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

Sent to the House for concurrence.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Resolve establishing the Harmony commission to study and make recommendations related to the welfare and best interests of children in care and protection cases (Senate, No. 118),-- ought to pass.

Harmony
commission.

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

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bills: Relative to reducing administrative burden (Senate, No. 1249) (also based on House, No. 1143) [Estimated cost: greater than \$100,000];

Administrative
burden.

Expanding access to the certified nurses' aides certification process (Senate, No. 1336) [Estimated cost: greater than \$100,000];

Nurses' aides,--
certification.

Relative to removing barriers to care for physician assistants (Senate, No. 1354) [Estimated cost: greater than \$100,000];

Physicians
assistants,-- patient
care.

Relative to the health care workforce (Senate, No. 1377) [Estimated cost: greater than \$100,000]; and

Health care
workforce.

Transferring Bridgewater State Hospital from the Department of Correction to the Department of Mental Health (House, No. 2985) [Estimated cost: greater than \$100,000];

Bridgewater State
Hospital.

Severally ought to pass.

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

By Ms. Friedman, for the committee on Health Care Financing, on Senate, No. 765 and House, No. 1226, a Bill to promote graduate medical education (Senate, No. 765) [Estimated cost: greater than \$100,000];

Graduate medical education,-- payments.

By the same Senator, for the same committee, on Senate, No. 798 and House, No. 1170 a Bill to promote primary care through Medicaid graduate medical education funding (Senate, No. 798) [Estimated cost: greater than \$100,000];

Primary care,-- Medicaid.

By Mr. Brady, for the committee on Public Service, on petition, a Bill relative to employees of the Commonwealth who are required to respond to crime scenes (Senate, No. 1669);

Forensic scientists,-- retirement.

By the same Senator, for the same committee, on petition, a Bill relative to retirement for nuclear reactor operators (Senate, No. 1695);

Nuclear reactor operators,-- retirement.

By Mr. Collins, for the committee on State Administration and Regulatory Oversight, on petition, a Bill advancing equity for rural communities receiving state grants (Senate, No. 1977);

Rural communities,-- state grants.

By the same Senator, for the same committee, on petition, a Bill requiring state procurement of low-carbon building materials (Senate, No. 1981);

Building materials,-- low carbon.

By the same Senator, for the same committee, on petition, a Bill relative to the use of low-embodied carbon concrete in state projects (Senate, No. 1982);

State projects,-- carbon concrete.

By the same Senator, for the same committee, on petition, a Bill relative to fair software licensing (Senate, No. 2007); and

Fair software licensing.

By the same Senator, for the same committee, on petition, a Bill to improve transportation oversight (Senate, No. 2032);

Transportation,-- oversight.

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

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 Municipalities and Regional Government to make an investigation and study of certain current Senate documents relative to animal welfare, zoning, and miscellaneous matters (Senate, No. 2815),-- **and recommending that the same be referred to the committee on Rules.**

Municipalities and Regional Government,-- 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. 4823) of Jessica Ann Giannino (with the approval of the mayor and city council) that the city of Revere be authorized to grant up to two additional licenses for the sale of all alcoholic beverages not to be drunk on the premises in said city;

Revere,-- liquor licenses.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4827) of David T. Vieira and Dylan A. Fernandes (by vote of the town) that the town of Falmouth be authorized to establish a real estate transfer fee upon the transfer of residential property in said town for the purpose of funding affordable housing;

Falmouth,-- real estate transfer fee.

To the committee on Revenue.

UNCORRECTED PROOF.

Bills

Relative to electronic meetings and voting in condominiums (House, No. 1338,-- on petition); and

Relative to the safe operation of motor vehicles (House, No. 4490,-- on House, No. 3451);

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

Condominiums,--
electronic meetings.

Motor vehicles,--
safe operation.

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 providing for the retirement of William R. Cushing Jr., a police officer in the city known as the town of Braintree (House, No. 4214),-- **was read a second time and ordered to a third reading.**

Braintree,-- William
R. Cushing, Jr.

The House Bill authorizing the city of Cambridge to increase certain parking fines (House, No. 4264) (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.**

Cambridge,--
parking fines.

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 Joan B. Lovely for legislation to protect minors from the creation of computer-generated child sexual abuse visual materials.

Child sexual abuse,-
- visual materials.
SD3318

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

Sent to the House for concurrence.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4830) of James K. Hawkins for legislation to establish an excise tax for certain applicable taxpayers in excess of the maximum permissible for single-family residences,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Revenue.**

Single family
residence,-- excise
tax.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill relative to strengthening Massachusetts' economic leadership (House, No. 4804),-- ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2856) (General Obligation Bonds: \$2,444,000,000.00).

Economic
development.

Order Adopted.

Mr. Rodrigues presented the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to strengthening Massachusetts' economic leadership (House, No. 4804) (the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2856) shall be placed in the Orders of the Day for a second reading on Thursday, July 11, 2024.

Procedural order.

UNCORRECTED PROOF.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 2:00 P.M., on Tuesday, July 9, 2024. All such amendments shall be second reading-amendments to the Senate Ways and Means new text (Senate, No. 2856), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

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

The bill will be considered on Thursday, July 11, 2024, for a second reading with the amendment pending.

Recess.

There being no objection, at twenty-six minutes before twelve o'clock noon, the Chair (Mr. Timilty) declared a recess, subject to the call of the Chair; and at seventeen minutes past twelve o'clock noon, the Senate reassembled, Mr. Timilty in the Chair.

Recess.

PAPERS FROM THE HOUSE.

The House Bill relative to the Affordable Homes Act (House, No. 4726),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2850, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Arciero of Westford, Michlewitz of Boston and DeCoste of Norwell had been appointed the committee on the part of the House.

Affordable Homes Act.

On motion of Mr. O'Connor, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Brownsberger, Edwards and Durant were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Orders.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Tuesday, December 31, 2024 within which time to make its final report on current Senate documents numbered 2441, 2497 and 2510, and House documents numbered 355, 3714, 3996, 4025, 4089 and 4176.

Consumer Protection and Professional Licensure,-- extension order.

The rules were suspended, on motion of Mr. O'Connor, and the order (House, No. 4345) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Tuesday, December 31, 2024 within which time to make its final report on current Senate document numbered 199, and House documents numbered 290 and 329.

Id.

The rules were suspended, on motion of Mr. O'Connor, and the order (House, No. 4346) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Wednesday, July 31, 2024 within which time to make its final report on current Senate documents numbered 140, 148, 184, 209 and 218, and House documents numbered 281, 326, 357 and 386.

Id.

The rules were suspended, on motion of Mr. O'Connor, and the order (House, No. 4347) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Wednesday, July 31, 2024 within which time to make its final report on current Senate documents numbered 170 and 208, and House documents numbered 255, 312, 346 and 382.

Id.

The rules were suspended, on motion of Mr. O'Connor, and the order (House, No. 4348) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Wednesday, July 31, 2024 within which time to make its final report on current House document numbered 4504.

Id.

The rules were suspended, on motion of Mr. O'Connor, and the order (House, No. 4571) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Wednesday, July 31, 2024 within which time to make its final report on current House document numbered 4663.

Id.

The rules were suspended, on motion of Mr. O'Connor, and the order (House, No. 4798) was considered forthwith; and adopted, in concurrence.

Order Adopted.

On motion of Mr. O'Connor,--

Time of meeting.

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

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