

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, SEPTEMBER 19, 2024

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JOURNAL OF THE SENATE

Thursday, September 19, 2024.

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

Pledge of allegiance.

Communication.

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

Communication from the Department of Public Health relative to its plan of correction for the MCI Framingham inspection on June 17 and 18, 2024 (received September 18, 2024); and

DPH,-- plan of correction. SD3438

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the appointments of Senator John C. Velis (named as co-chair of the commission), Jeremy Burton, CEO of the Jewish Community Relations Council of Greater Boston and Jody Kipnis, Founding President and CEO of the Holocaust Legacy Foundation (under the provisions of Section 201 of Chapter 140 of the Acts of 2024) to the Special Commission on Combatting Antisemitism in the Commonwealth (received September 19, 2024).

Special Commission on Combatting Antisemitism,-- appts.

The following communication was received, under the provisions of Senate Rule 13C, and was placed on file, to wit:

Communication from CliftonLarsonAllen LLP, on an audit of the Commonwealth of Massachusetts Senate with State of available resources and expenditures – statutory basis – and additional information for the Fiscal Year ending June 30, 2022 (received in the Office of the Clerk of the Senate at nineteen minutes past ten o'clock A.M., on Wednesday, September 18, 2024).

Senate Audit for Fiscal Year 2022.

The following communication was received, under the provisions of Joint Rule 24, and was placed on file, to wit:

Communication from CliftonLarsonAllen LLP, on an audit of the Joint Accounts of the Massachusetts Legislature with State of available resources and expenditures – statutory basis – and additional information for the Fiscal Year ending June 30, 2022 (received in the Office of the Clerk of the Senate at nineteen minutes past ten o'clock A.M., on Wednesday, September 18, 2024).

Joint Accounts Audit for the Fiscal Year 2022.

Reports.

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

Report of the Executive Office of the Trial Court (pursuant to Section 15(c) of Chapter 239 of the General Laws) submitting its report summary statistics on eviction filings, actions, and dispositions from January 2023 through August 2024 (received September 13, 2024);

EOTC,-- rental protections report. SD3432

UNCORRECTED PROOF.

Report of the Department of Economic Research (pursuant to Section 14F of Chapter 151A of the General Laws) submitting the September 2024 Unemployment Insurance Trust Fund report (received September 13, 2024);

DER,-- UI trust fund report. SD3433

Report of the Plymouth District Attorney (pursuant to Section 47(d) of Chapter 94C of the General Laws) submitting its fiscal year 2024 annual report relative to drug rehabilitation, drug education and other anti-drug or neighborhood crime watch programs (received September 13, 2024);

Plymouth DA,-- FY24 drug report. SD3434

Report of the Plymouth District Attorney (pursuant to Section 24W(e) of Chapter 90 of the General Laws) submitting its fiscal year 2024 OUI Deterrent Trust Fund annual report (received September 13, 2024);

Plymouth DA,-- OUI Trust Fund report. SD3435

Report of the Department of Mental Health (pursuant to Section 23 of Chapter 19 of the General Laws) submitting its Children's Behavioral Health Knowledge Center FY2023 Annual Report (received September 17, 2024);

DMH,-- CBHKC report. SD3439

Report of the Cape & Islands District Attorney (pursuant to Section 24W(e) of Chapter 90 of the General Laws) submitting its annual report for fiscal year 2024 relative to expenditures from the DUI Deterrent Account (received September 18, 2024); and

Cape & Islands DA,-- motor vehicle forfeiture funds. SD3440

Report of the Cape & Islands District Attorney (pursuant to Section 47 of Chapter 94C of the General Laws) submitting its annual report for fiscal year 2024 relative to expenditures from the Drug Rehabilitation, Drug Education and Other Anti-drug or Neighborhood Crime Watch Trust Fund (received September 18, 2024).

Cape & Islands DA,-- FY24 drug report. SD3441

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Miranda, a petition (accompanied by bill, Senate, No. 2953) of Liz Miranda (with the approval of the mayor and city council) for legislation to direct the city of Boston Police Department to waive the maximum age requirement for police officer for Maugelin Verdieu [Local approval received]; and

Boston,-- Verdieu police officer.

By Mr. Rush, a petition (accompanied by bill, Senate, No. 2952) of Michael F. Rush and Rob Consalvo (with the approval of the mayor and city council) for legislation to direct the city of Boston Police Department to waive the maximum age requirement for police officer Cherell Mellace [Local approval received];

Boston,-- Mellace police officer.

Severally, under Senate Rule 20, to the committee on Public Service.

Severally sent to the House for concurrence.

PAPER FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Speaker:

Representative Cataldo of Concord, Mr. Robert Leikind of the American Jewish Committee and Ms. Peggy Shukur of the Anti-Defamation League have been appointed (under Section 201 of Chapter 140 of the Acts of 2024) to the Special Commission on Combatting Antisemitism in the Commonwealth (received September 19, 2024).

Antisemitism Commission.

A Bill amending the charter of the town of Hopkinton to correct a statutory reference (House, No. 4847,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Hopkinton,-- charter.

Resolutions.

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

UNCORRECTED PROOF.

Resolutions (filed by Mr. Cyr and Ms. Moran) “congratulating the Housing Assistance Corporation on the fiftieth anniversary of its founding”; and

Housing Assistance Corporation.

Resolutions (filed by Mr. Payano) “commending the American Red Cross of Massachusetts for its recognition of Gail J. McGovern Day.”

American Red Cross of Massachusetts.

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 amending the provision of health insurance and other benefits in the town of Carver (Senate, No. 2870),-- **was read a second time and ordered to a third reading.**

Carver,-- health insurance and benefits.

The House Bill authorizing the town of Truro to establish a program to reduce property tax liability in exchange for volunteer services for persons with disabilities (House, No. 3735),-- **was read a third time and passed to be engrossed, in concurrence.**

Truro,-- property tax program.

The House Bill eliminating the residency requirement for the position of administrative assistant to the board of assessors of the city of New Bedford (House, No. 4201) (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.**

New Bedford,-- non-resident employee.

PAPERS FROM THE HOUSE.

A Bill authorizing employment contracts with persons serving as Deputy Police Chief in the town of Milford (House, No. 4779,-- on petition) [Local approval received],-- was read.

Milford,-- deputy police chief.

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

A Bill establishing a sick leave bank for Michael David, an employee of the department of children and families (House, No. 5037,-- on petition),-- was read.

Michael David,-- sick leave.

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

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

Petition (accompanied by bill, House, No. 5053) of Donald R. Berthiaume, Jr., and Peter J. Durant for legislation to establish a sick leave bank for Eric J. Iwaniec, an employee of the Department of the Trial Court;

Eric J. Iwaniec,-- sick leave.

Under suspension of Joint Rule 12, to the committee on the Judiciary.

Petition (accompanied by bill, House, No. 5051) of Joan Meschino for legislation to remove the town of Hull from the Eastern Regional Commission on the Status of Women;

Hull,-- Regional Commission on the Status of Women.

Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 5052) of Joan Meschino and Patrick M. O'Connor for the issuance of an annual proclamation by the Governor to designate October 17th as Pastene day;

Pastene Day.

Under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

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. Collins) and laid before the Governor for her approbation, to wit:

Bills laid before the Governor.

Authorizing the town of Natick to establish minimum seating capacity for granting licenses for the sale of all alcoholic beverages or wine and malt beverages to be drunk on the premises (see House, No. 4187); and

Further regulating the sale of alcoholic beverages to be drunk on the premises of clubs or veterans' organizations in the town of Natick (see House, No. 4865).

Committee of Conference Report.

Infrastructure investment.

Mr. Rodrigues, for the committee of conference, on the disagreeing votes of the two branches, with reference to the House amendments to the Senate Bill to provide for competitiveness and infrastructure investment in Massachusetts (Senate, No. 2554) (*amended by the House* by striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4446 and by striking out the emergency preamble and inserting in place thereof the following emergency preamble: "*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to enhance the competitiveness of the commonwealth in winning federal funds and to provide for the infrastructure needs of the commonwealth, each of which is immediately necessary to accomplish important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."),-- reports, a "Bill to provide for competitiveness and infrastructure investment in Massachusetts." (Senate, No. 2954).

The rules were suspended, on motion of Mr. Durant, and, after remarks, the report was accepted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

Infrastructure investment.

An engrossed Bill to provide for competitiveness and infrastructure investment in Massachusetts (see Senate, No. 2954), 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 2 to 0.

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

Bonds,-- terms.

The House Bill providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 5000,-- being a message from Her Excellency the Governor),-- was read.

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

Id.

The House Bill providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 5008,-- being a message from Her Excellency the Governor),-- was read.

There being no objection, the rules were suspended, on motion of Mr. Durant,

and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Recess.

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

Recess.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

The engrossed Bill providing for the terms of certain bonds to be issued by the Commonwealth (see House Bill, printed in House, No. 5000); 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 2 to 0.

Bonds,-- terms.

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

The engrossed Bill providing for the terms of certain bonds to be issued by the Commonwealth (see House Bill, printed in House, No. 5008); 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 2 to 0.

Id.

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

Engrossed Bill.

An engrossed Bill to provide for competitiveness and infrastructure investment in Massachusetts (see Senate, No. 2954) (which originated in the Senate), **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. Collins) and laid before the Governor for her approbation.**

Bill laid before the Governor.

Order Adopted.

On motion of Mr. Durant,--

Ordered, That when the Senate adjourns today, it adjourns to meet again on Monday next at eleven o'clock A.M.

Time of meeting.

On motion of the same Senator, at twenty-four minutes past one o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.