

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, SEPTEMBER 12, 2024

JOURNAL OF THE SENATE

Thursday, September 12, 2024.

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

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

Pledge of
allegiance.

Communications.

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

Communication from Diana I. Santiago, Legal Director, Massachusetts Advocates for Children, announcing herself as the designee for the organization to the Bureau of Special Education Appeals Advisory Council (pursuant to Section 2A of Chapter 71B of the General Laws) (received September 9, 2024);

Bureau of Special
Education Appeals
Advisory Council.

Communication from the Department of Public Health submitting its Arbovirus Weekly Report for the weeks of September 2nd and September 9th, 2024 (received September 9, 2024);

DPH,-- arbovirus
reports.
SD3416

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 September 9, 2024 (received September 9, 2024);

Emergency Housing
Assistance
Program,-- bi-
weekly report.
SD3419
EOPSS,--
Municipal Public
Safety Staffing
Grant report.
SD3417

Communication from the Executive Office of Public Safety and Security (pursuant to item 1599-0026 of Section 2 of Chapter 28 of the Acts of 2023) submitting its FY24 Massachusetts Municipal Public Safety Staffing Grant Legislative Report (copies having been forwarded to the Senate Committee on Ways and Means) (received September 10, 2024);

EOPSS,-- Shannon
Jr. Community
Safety Initiative
Legislative report.
SD3420

Communication from the Executive Office of Public Safety and Security (under the provisions of item 8100-0111 of Chapter 28 of the Acts of 2023) submitting a copy of the Charles E. Shannon Jr. Community Safety Initiative Legislative Report (copies having been forwarded to the Senate Committee on Ways and Means) (received September 10, 2024); and

Communication from the Massachusetts State House Press Association (pursuant to Senate Rule 59) submitting a list of accredited legislative reporters (received September 12, 2024).

SHPA,-- legislative
reporters.
SD3425

Reports.

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

Report of the Executive Office for Administration and Finance (pursuant to Chapter 88 of the Acts of 2024) submitting its monthly report on Temporary Respite Centers (received September 9, 2024);

A&F,-- temporary
respite centers.
SD3421

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 September 10, 2024);

Plymouth ROD,--
tech fund report.
SD3415

UNCORRECTED PROOF.

Report of the Department of Children and Families (pursuant to Sections 7(e), 23, 24 and 25 of Chapter 18B and Sections 23(f), 23(h), 39½ and 51D of Chapter 119 of the General Laws and item 4800-0015 of Section 2 of Chapter 126 of the Acts of 2022) submitting its fiscal year 2023 annual report (received September 10, 2024);

DCF,-- FY23
annual report.
SD3418

Report of the Department of Transitional Assistance (pursuant to Sections 2(B)(p) and 5I(d) of Chapter 18 of the General Laws) submitting its fiscal year 2023 consolidated report on the efforts of its Program Integrity Division (received September 11, 2024);

DTA,-- PI report.
SD3422

Report of the Department of Transitional Assistance (pursuant to Section 32 of Chapter 158 of the Acts of 2014) submitting its 2024 report on agency paper reduction efforts (received September 11, 2024); and

DTA,-- paper
reduction report.
SD3423

Report of the Berkshire District Attorney (pursuant to Section 24W(e) of Chapter 90 and Section 47(d) of Chapter 94C of the General Laws) submitting its fiscal year 2024 annual reports relative to motor vehicle forfeiture funds and drug rehabilitation, drug education and other anti-drug or neighborhood crime watch programs (received September 12, 2024).

Berkshire DA,--
reports.
SD3426

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Rush, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael F. Rush for legislation to authorize the University of Massachusetts Building Authority to purchase, construct, and operate a hospital in the town of Norwood; and

Norwood hospital.
SD3414

By Mr. Velis, a petition (accompanied by bill) (subject to Joint Rule 12) of John C. Velis for legislation to establish a sick leave bank for Jerome Malcovsky, an employee of the department of transportation;

Jerome Malcovsky,-
- sick leave.
SD3413

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE.

A Bill relative to the appointment of an associate member of the town of Bernardston board of health (House, No. 4886,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Bernardston,--
board of health.

Engrossed Bills.

Mr. DiDomenico in the Chair, 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. DiDomenico) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for her approbation, to wit:

Establishing appointed positions of district clerk and district treasurer for the Raynham center water district (see Senate, No. 2857);

Bills laid before the
Governor.

Changing the name of the board of selectmen in the town of Foxborough to select board (see House, No. 3724);

Validating the actions of the town of Worthington relative to the provision of health insurance for eligible town employees (see House, No. 4231, amended);

Changing the name of the board of selectmen in the town of Dunstable to select board (see House, No. 4244); and

Designating a portion of United States highway route 7 in the town of Sheffield as the Brigadier-General John G. Barnard highway (see House, No. 4617, amended).

Resolutions.

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

Resolutions (filed by Mr. Tarr) “congratulating the American Hellenic Educational Progressive Association Aristides Chapter 50 on its one hundredth anniversary”;

American Hellenic Educational Progressive Assoc. Gorton’s Inc.

Resolutions (filed by Mr. Tarr) “congratulating Gorton’s Inc. on its one hundred and seventy-fifth anniversary”;

Resolutions (filed by Messrs. Tarr, Finegold, and Payano) “congratulating the Merrimack Valley Planning Commission on its sixty-fifth anniversary”; and

Merrimack Valley Planning Commission. Merrimack Valley Transit.

Resolutions (filed by Messrs. Tarr, Finegold, and Payano) “congratulating Merrimack Valley Transit on its fiftieth anniversary.”

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 the town charter for the town of Southbridge (Senate, No. 2523),-- was read a third time.

Southbridge,-- charter.

Pending the question on passing the bill to be engrossed, Mr. Fattman presented an amendment substituting a new draft, entitled “An Act amending the charter of the city known as the town of Southbridge” (Senate, No. 2943).

The amendment was adopted.

The bill (Senate, No. 2943) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill authorizing the town of Williamsburg to continue the employment of Glen Everett beyond the age of 65 (House, No. 4769) (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.**

Williamsburg,-- Glen Everett employment.

PAPER FROM THE HOUSE.

The House Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4799, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2897, *with a further amendment* striking all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text of House document numbered 5050.

Supplemental appropriations.

The rules were suspended, on motion of Mr. Collins, and, after remarks, the further House amendment was considered forthwith and adopted, in concurrence.

Recess.

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

Recess.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4799, amended), 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 3 to 0.

Supplemental appropriations.

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

Moment of Silence.

At the request of the Chair (Mr. Tarr), the members, guests and staff stood in a moment of silence and reflection to the memory of Mr. Robert R. Fanning, Jr.

Moment of silence.

Order Adopted.

On motion of Mr. Timilty,--
Ordered, That when the Senate adjourns today, it adjourns to meet again on Monday next at eleven o'clock A.M.

Time of meeting.

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, after remarks, were severally passed to be enacted and were signed by the Acting President (Mr. DiDomenico) and laid before the Governor for her approbation, to wit:

Bills laid before the Governor.

Making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4799, amended); and

To increase kennel safety, aka Ollie's Law (see House, No. 4919, amended).

Adjournment in Memory of Mr. Robert R. Fanning, Jr.

The Senator from Essex and Middlesex, Mr. Tarr moved that when the Senate adjourns today, it does so in memory of Mr. Robert R. Fanning, Jr., of Boxford known to his friends and family as Bob, Bobby, and Pops who passed away Friday, August 2nd.

Mr. Fanning was the retired President of Beverly Hospital and Northeast Health System. He was a lover of animals, healthcare and his family. For over two decades, he was dedicated to his colleagues and the people that worked at Beverly Hospital, the patients that sought care there, and ultimately the entire surrounding community.

Mr. Fanning early in his health care career met his wife of 52 years Nancy E. (Henry) Fanning. Nancy was head nurse at Beth Israel Hospital, while Bob was an Administrative Resident. During their marriage, Bob and Nancy had two daughters, Courtney Desmarais and Kelly R. Fanning. Bob was incredibly proud of his daughters throughout their lifetime, but especially at the end of his. He enjoyed skiing together, family summer vacations and watching his grandkids play any and all sports.

Mr. Fanning was also a proud and dedicated member of his community. He was a member of the town of Boxford Personnel Board, and Finance Committee.

Mr. Fanning is survived by his wife, daughters, sons-in-law, and four wonderful grandchildren, Avery and Quinn Desmarais, daughter and son of Courtney, and Reece Bundy and Mabel Fanning, daughters of Kelly Fanning. He is also survived by his sister and brother-in-law, Michele and Fern Poulin and his nephews Eric and his wife Courtney and Tyler and his wife Sarah. Last, but not least, he leaves behind his dear Allie, his adoring goldendoodle, Allie is one of five loving dogs Bob had in his life.

Accordingly, as a mark of respect to the memory of Mr. Robert R. Fanning, Jr., at seventeen minutes before two o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.