
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, OCTOBER 24, 2024

[94]

JOURNAL OF THE SENATE

Thursday, October 24, 2024.

Met at twenty 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 of the Department of Mental Health (pursuant to Line Item 5042-5000 of Section 2 of Chapter 28 of the Acts of 2023) submitting its report on FY24 Program for Assertive Community Treatment for Youth (PACT-Y) (copies having been forwarded to the Senate Committee on Ways and Means) (received October 23, 2024); and

DMH,-- FY24 PACTY report. SD3494

Communication from the Executive Office of Health and Human Services (pursuant to Section 2SSSS(d) of Chapter 29 of the General Laws) submitting its fiscal year 2024 third quarter report on detailed accounting of all monies transferred, credited or deposited into the MassHealth Delivery System Reform Incentive Payment (DSRIP) Trust Fund (copies having been forwarded to the Senate Committee on Ways and Means) (received October 23, 2024).

EOHHS,-- MassHealth DSRIP FY24 Q3 report. SD3496

Report.

Report of the Department of Mental Health (pursuant to Section 35 of Chapter 123 of the General Laws) submitting its 2023 annual report on whether a facility other than the Massachusetts Correctional Institution at Bridgewater is being used for treatment of males committed to MASAC (copies having been forwarded to the Senate Committee on Ways and Means, the Senate Chairs of the Joint Committee on Public Safety and Homeland Security and the Joint Committee on the Judiciary) (received October 23, 2024),-- was placed on file.

DMH,-- MASAC report. SD3495

Petition.

Mr. Finegold presented a petition (accompanied by bill, Senate, No. 2973) of Barry R. Finegold, Tram T. Nguyen, David Allen Robertson and Vanna Howard for legislation relative to the residency requirement for the town manager of the town of Tewksbury [Local approval received];

Tewksbury,-- town manager.

Referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

Reports of a Committee.

By Mr. Brady, for the committee on Public Service, on petition, a Bill directing the city of Boston Police Department to waive the maximum age requirement for police officer Cherell Mellace (Senate, No. 2952) [Local approval received]; and

Boston,-- Mellace police officer.

By the same Senator, for the same committee, on petition, a Bill directing the city of Boston Police Department to waive the maximum age requirement for police officer for

Boston,-- Verdieu police officer.

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Maugelin Verdieu (Senate, No. 2953) [Local approval received];

Severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Order Adopted.

Mr. Tarr and Ms. Lovely presented the following order, to wit:

Ordered, That notwithstanding the provisions of Joint Rule 12A, the Senate shall be allowed to convene for formal business for the purposes of considering conference committee reports filed in the Senate or received from the House under the provisions of Joint Rules 11 or 11A (Senate, No. 2972).

Procedural order.

There being no objection, the rules were suspended, on motion of Mr. Barrett, and, after remarks, the order was considered forthwith and adopted.

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:

A report of a committee of conference, on the disagreeing votes of the two branches, with reference to the House amendments to the Senate Bill upgrading the grid and protecting ratepayers (Senate, No. 2838) (*amended by the House* by striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4884 and by striking out the title and inserting in place thereof the following title: “An Act accelerating a responsible, innovative and equitable clean energy transition”) (Senate, No. 2967),-- was considered, the question being on acceptance of the report.

Climate,-- grid enhancements.

After debate, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at twenty-one minutes before two o'clock P.M., on motion of Mr. Barrett, as follows, to wit (yeas 38 - nays 2) **[Yeas and Nays No. 250]**:

YEAS.

- | | |
|---|--|
| Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Edwards, Lydia
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gomez, Adam
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J. | Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
Mark, Paul W.
Miranda, Liz
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Oliveira, Jacob R.
Pacheco, Marc R.
Payano, Pavel
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 38. |
|---|--|

NAYS.

- | | |
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| Durant, Peter J. | Fattman, Ryan C. – 2. |
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The yeas and nays having been completed at twelve minutes before two o'clock P.M., the report was accepted.

Sent to the House for concurrence.

The House Bill providing for a condominium conversion ordinance in the city of Salem (House, No. 3722) (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.**

Salem,--
condominium
ordinance.

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to applied behavioral analysis therapy (Senate, No. 617),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2970).

Down syndrome,--
therapy.

There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill was read a second time and, was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2970) was then ordered to a third reading.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill relative to medically necessary breast screenings and exams for equity and early detection (House, No. 4918),-- ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2971.

Breast exams,--
early detection.

There being no objection, the rules were suspended, on motion of Ms. Miranda and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading.

By Mr. Rodrigues, for the committee on Ways and Means, that 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. 5077),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2968 (Total Appropriation \$696,535,132.00 in fiscal year 2024 direct appropriations, with a net cost of \$131,117,783.00, to be expended through fiscal year 2025).

Supplemental
appropriations.

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

After remarks, pending the question on adoption of the amendment recommended by the committee on Senate Ways and Means striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2968, and pending the main question on ordering the bill to a third reading, Mr. O'Connor moved that the proposed new text be amended by inserting after section 32 the following section:-

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“SECTION 32A. Section 2LLLLL of chapter 29 of the General Laws, as most recently amended by section 16 of chapter 28 of the acts of 2023, is hereby further amended by inserting after the second sentence the following sentence:- ‘The unexpended balance in the fund at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years and shall not revert to the General Fund.’”

The amendment was adopted.

Mr. Keenan moved that the proposed new text be amended in section 2A, in item 1599-0640, by inserting after the word “Laws” the following words:- “; provided further, that no less than \$1,250,000 of these funds shall be expended from this item for costs associated with mitigating the public-health impacts of online lottery, including, but not limited to,

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suicide, divorce, job loss, bankruptcy and other substance use disorders”.

After remarks, the amendment was *rejected*.

Ms. Friedman moved that the proposed new text be amended by inserting after section 65 the following section:- 5

“SECTION 65A. Item 4000-0300 of said section 2 of said chapter 28 is hereby amended by inserting after the word ‘care’, the twenty ninth time it appears, the following words:- ‘and such funds shall be made available until June 30, 2025’.”

The amendment was adopted.

Mr. Collins moved that the proposed new text be amended by inserting after section 91 the following section:- 6

“SECTION 91A. Item 8100-1001 of said section 2 of said chapter 140 is hereby amended by striking out the words ‘Troop H’ and inserting in place thereof the following words:- ‘including but not limited to Troop H, the Mounted Unit, the Community Action Team and the Marine Unit’.”

The amendment was adopted.

Mr. Collins moved that the proposed new text be amended by inserting after section 76 the following section:- 7

“SECTION 76A. Said item 7008-1116 of said section 2 of said chapter 28, as so amended, is hereby further amended by inserting after the word ‘programming’, the nineteenth time it appears, the following words:- ‘and such funds shall be made available until June 30, 2025’.”

The amendment was adopted.

Messrs. Oliveira and Collins moved that the proposed new text be amended by inserting after section 50 the following section:- 8

“SECTION 50A. Said item 1410-0012 of said section 2 of said chapter 28 is hereby further amended by inserting after the word ‘Center’, the third time it appears, the following words:- ‘and such funds shall be made available until June 30, 2025’.”

The amendment was adopted.

The Ways and Means amendment, as amended, was then adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment [For text of Senate amendment, printed as amended, see Senate, No. 2974].

Sent to the House for concurrence in the amendment.

Remarks of Senator Bruce E. Tarr and Senator Joan B. Lovely.

On October 25, 2024, the Honorable Richard A. Mori will be retiring as a district court judge for the Commonwealth of Massachusetts, capping 40 years of public service.

Judge Mori began his lifelong career in public service in May of 1979 as a Junior Planner in the Governor’s Development Office under Governor Edward J. King. He earned his Juris Doctorate from Suffolk University Law School in the spring of 1980 and was promoted to Legal Counsel after passing the Massachusetts Bar Exam. In 1981, Richard established his own law practice and was a sole practitioner until 1993. During that time, he was a member of the Essex County Bar Advocates and a part-time public defender.

On June 9, 1993, he was appointed as Justice of the District Court and was named Associate Justice of Malden District Court by Governor William F. Weld. In June of 2002, Judge Mori was appointed as the First Justice of Gloucester District Court. After 2007, he served in trial courts across Essex, Middlesex and Suffolk Counties, including, Peabody, Salem, Ipswich, Newburyport, Gloucester, Lynn, Chelsea, Somerville, Malden, Cambridge, and Haverhill until his retirement.

In addition to his service in the trial courts, Judge Mori is an adjunct professor at North

Remarks of Senator
Bruce E. Tarr and
Senator Joan B.
Lovely.

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Shore Community College and Salem State University. He teaches a variety of courses including Criminal Justice, History and Sociology. His years of experience alongside his passion for teaching have provided for enriching and engaging lectures for his students.

Judge Mori is an exemplar of a dedicated public servant who has had a remarkable career serving the Commonwealth of Massachusetts for more than 40 years. His effectiveness as a legal advocate and jurist has come not only from his personal attributes and skills, but also his ability to collaborate and learn from his colleagues. He is generous, thoughtful, and patient, and is a trusted advisor and mentor to court personnel and staff. His dedication and tireless commitment have made a lasting difference in the Commonwealth.

Judge Mori is looking forward to retirement to write his novel, spend time with his family, and travel. We wish him all the best as he embarks on his next chapter.

Under the provisions of Senate Rule 6A, the above remarks were printed in the Journal of the Senate.

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.

On motion of Mr. Keenan, at eight minutes before three o'clock P.M., the Senate adjourned to meet again on Monday at eleven o'clock A.M.