The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, DECEMBER 9, 2024

[107]

JOURNAL OF THE SENATE

Monday, December 9, 2024.

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

Pledge of allegiance.

Distiguished Guests.

There being no objection, the Chair (Mr. Rush) handed the gavel to Ms. Moran for the purpose of an introduction. Ms. Moran then introduced, in the rear of the Chamber, members of the Hering Pond Wampanoag Tribe Cultural Council. The Council was led to the Rostrum by Chairperson Melissa Ferretti. The Senate welcomed them with applause and they withdrew from the Chamber. They were accompanied by Representatives Muratore of Plymouth, LaNatra of Kingston and Vieira of Falmouth.

Hering Pond Wampanoag Tribe Cultural Council.

Communications.

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

Communication from the Honorable Bruce E. Tarr, Minority Leader, announcing the appointment of Senator Patrick M. O'Connor (under Section 27 of Chapter 197 of the Acts of 2024) to the task force to evaluate the governance and regulatory structure of rest homes in the commonwealth (received December 6, 2024); and

Task force,-- rest homes. SD3569

Communication from the Honorable Bruce E. Tarr, Minority Leader, announcing the appointment of Senator Peter J. Durant (under Section 148 of Chapter 135 of the Acts of 2024) to the special commission to conduct a study on emerging firearm technology (received December 6, 2024).

Commission,-firearm technology. SD3570

Reports.

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

Report of the Executive Office of Housing and Livable Communities (pursuant to Section 4(e) of Chapter 40V of the General Laws) submitting its FY 2021 Housing Development Incentive Program report (copies having been forwarded to the Senate Chairs of the Joint Committee on Housing and the Joint Committee on Revenue) (received December 5, 2024);

EOHLC,-- FY2021 HDIP report. SD3566

Report of the Executive Office of Housing and Livable Communities (pursuant to Section 4(e) of Chapter 40V of the General Laws) submitting its FY 2022 Housing Development Incentive Program report (copies having been forwarded to the Senate Chairs of the Joint Committee on Housing and the Joint Committee on Revenue) (received December 5, 2024);

EOHLC,-- FY2022 HDIP report. SD3567

Report of the Executive Office of Housing and Livable Communities (pursuant to Section 4(e) of Chapter 40V of the General Laws) submitting its FY 2023 Housing Development Incentive Program report (copies having been forwarded to the Senate Chairs of the Joint Committee on Housing and the Joint Committee on Revenue) (received

EOHLC,-- FY2023 HDIP report. SD3568

December 5, 2024); and

Report of the Department of Revenue (pursuant to Section 5 of Chapter 62F of the General Laws as amended by the Acts of 2023) submitting its October 2024 report on yearto-date net state tax revenue for the current fiscal year (copies having been forwarded to the Senate Chair of the Committee on Ways and Means and the Senate Chair of the Joint Committee on Revenue) (received December 6, 2024).

DOR .-- net state tax revenue report. SD3571

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 5134) of Kimberly N. Ferguson and Peter J. Durant (by vote of the town) relative to increasing the membership of the select board in the town of Paxton,-- was referred, in concurrence, to the committee on Municipalities and Regional Government.

Paxton, -- select board membership.

A Bill preserving the competitiveness of group auto and homeowners insurance plans (House, No. 5133,-- on House, No. 957),-- was read and, under Senate Rule 26, referred to the committee on Rules.

Insurance plans.

Bills

Relative to the town of Blandford volunteer fire department (House, No. 2716, amended,-- on petition) [Local approval received];

Authorizing the appointment of retired police officers to perform police details in the town of Plainville (House, No. 4464, amended,-- on House, No. 4216) [Local approval received on House, No. 4216];

Directing the city of Boston Police Department to waive the maximum age requirement for police officers for Alex Guzman (House, No. 5054,-- on petition) [Local approval received1: and

Establishing a special fund for the festival of the hills receipts for the town of Conway (House, No. 5066,-- on petition) [Local approval received];

Boston,-- Alex Guzman

employment.

Blandford,--

details.

volunteer fire dept.

Plainville,-- police

Conway, -- festival of the hills fund.

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

Resolutions

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

Resolutions (filed by Mr. Tarr) "congratulating the Topsfield Town Library on its one hundred and fiftieth anniversary."

Topsfield Town Library.

PAPERS FROM THE HOUSE

Engrossed Bills.

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

Establishing the appointed positions of district clerk and district treasurer for the North Raynham water district (see Senate, No. 2717);

Promoting local law enforcement continuity between the city of Boston and the town of Dedham (see House, No. 2299);

Waiving the maximum age requirement for police officers for the city of Methuen (see House, No. 2548);

Bills laid before the Governor.

Designating a certain roundabout in the town of Orleans in honor of Dorofei Klimshuk (see House, No. 4484); and

Authorizing the towns of Foxborough and Sharon to extend a certain agreement for municipal sewer service (see House, No. 4754).

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 annual election of members of the Spencer East Brookfield Regional School Committee (printed as Senate, No. 421),-- was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Durant moved that the bill be amended by striking out all after the enacting clause and inserting in place the text of Senate document numbered 2989.

The amendment was 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.

Sent to the House for concurrence in the amendment.

The House Bill amending the town manager act of the town of Arlington relative to the appointment of the town manager (House, No. 4026) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Friedman presented an amendment striking out, in line 15, the words "for the balance of the unexpired term".

The amendment was adopted.

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

Send to the House for concurrence in the amendment.

The House Bill further regulating town meeting vacancies in the town of Burlington (House, No. 4708) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Pending the question on passing the bill to be engrossed, Ms. Friedman presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2988.

The amendment was adopted.

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

Send to the House for concurrence in the amendment.

The House Bill authorizing the town of Plymouth to grant 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4850),-- was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

The House Bill amending the term of the moderator in the town of Wrentham (House, No. 4881),-- was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, it's title having been changed by the committee on Bills in the Third Reading to read as follows:- "An Act amending the term of the town moderator in the town of Wrentham".

Spencer-East Brookfield Regional School Committee.

Arlington,-- town manager.

Burlington,-- town meeting vacancy.

Plymouth,-- liquor licenses.

Wrentham,-- town

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for Daniel McKim, an employee of Worcester County Sheriff's Office (House, No. 5116,-- on petition),-- was read.

Daniel McKim,--sick leave.

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

Moment of Silence.

At the request of Mr. Timilty, the members, guests and staff stood in a moment of silence and reflection to the memory of William Driscoll, Jr.

Moment of silence.

Boston,-- property tax classification.

Matter Taken Out of the Orders of the Day.

There being no objection, the following matter was taken out of the Orders of the Day and considered as follows:

The House Bill relative to property tax classification in the city of Boston (House, No. 5114),--was considered, the main question on ordering the bill to a third reading.

The pending motion, previously moved by Mr. Collins, to lay the matter on the table was considered; and it was *negatived*.

After remarks and pending the question on ordering the bill to a third reading, Mr. Collins moved that the matter be laid on the table; and, in accordance with the provisions of Senate Rule 24, the consideration of the motion to lay on the table was postponed, without question, until the next session.

Moment of Silence.

At the request of Mr. Rush, the members, guests and staff stood in a moment of silence and reflection to the memory of Patrick Jospeh Lyons.

Moment of silence.

Order Adopted.

On motion of Mr. Montigny,--

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

Time of meeting.

Adjournment in Memory of William J. "Billy" Driscoll, Jr.

The Senator from Norfolk, Plymouth and Bristol, Mr. Timilty moved that when the Senate adjourns today, it does so in memory of William J. "Billy" Driscoll, Jr., of Milton, Massachusetts.

Sadly, Billy passed away on April 18th, 2024, after a courageous battle with cancer. Billy's devoted wife and sons, Marion, Declan, and Terrance were by his side.

Billy was born and raised in Milton to William J. Driscoll and the late Phyllis (Manning) Driscoll. Billy graduated from Milton High School, where he excelled in both athletics and friendship. Also, Billy attended the University of Massachusetts Boston. There, Billy met the love of his life, Marion, while she was both a member of the student body and an employee of the athletic department. Moreover, Billy was a valuable member of the Marr Scaffolding team for over 37 years.

Beyond his work, Billy was a pillar of the Milton community. An avid athlete himself, he generously shared his passion by coaching Milton National Little League, Milton Babe Ruth, and Milton Youth Hockey. A true champion, Billy was inducted into the University of Massachusetts Boston Hockey Hall of Fame after leading the team to a Division 3

national championship in 1981-82. He was a beloved coach and friend throughout the town of Milton and beyond, leaving a lasting impact on countless young athletes and their families.

Billy also cherished his time spent with his family, particularly enjoying vacations in North Conway and Martha's Vineyard with Marion, Terrance, Declan, and their legions of friends.

Billy leaves behind a loving family, including his wife Marion, twin sons Declan and Terrence, his father Bill and his late mother, Phyllis. He was the brother of Jacqueline Marr, Cynthia O'Rourke, Phillip Driscoll, and Lauren Dunn, and brother-in-law of Paul O'Rourke and Scott Dunn. He also leaves behind many nieces and nephews.

Billy Driscoll was a man of dedication, passion, and kindness. He will be deeply missed by all who enjoyed the privilege of knowing him and loving him.

Accordingly, as a mark of respect to the memory of William J. "Billy" Driscoll, Jr., at thirteen minutes past twelve o'clock noon, on motion of Mr. Brownsberger, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.

Adjournment in Memory of Mr. Patrick Joseph Lyons.

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it does so in memory of Mr. Patrick Joseph Lyons.

Mr. Patrick Joseph Lyons, affectionately known as Pat, was born on July 22, 1954, in Dublin, Ireland. He passed away peacefully on December 2, 2024.

Mr. Lyons was the beloved son of the late Maureen (Duffy) Lyons and Patrick Joseph Lyons, he is survived by a loving family, including his brother Dr. Michael Lyons of New Zealand and sister Marie Mortimer back in Ireland. He was a proud uncle to David and Rachel Mortimer, who cherished the memories they shared with their uncle.

Pat spent over 40 dedicated years serving as the facilities manager for Gate of Heaven and St. Brigid's parish in South Boston. His commitment to the parish community was profound, and he always considered the priests, staff, teachers, and parishioners as part of his extended family. His personality was marked by a great Irish wit, and he was known for his helpfulness, ensuring that everyone around him felt supported and valued.

Educated in Ireland, Pat held a deep appreciation for his Irish heritage, which was evident in his frequent trips home to visit family and friends. He loved nurturing those connections, reflecting the values of kinship that were so central to his life.

Pat leaves behind not only his immediate family but also his extensive parish community, which stands testament to his impact on their lives. Many good friends in the United States and Ireland will also remember him fondly, including his dear friend Daniel Ubiparipovic and his family from North Carolina.

Accordingly, as a mark of respect to the memory of Mr. Patrick Joseph Lyons, at thirteen minutes past twelve o'clock noon, on motion of Mr. Brownsberger, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.