

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, JULY 29, 2024**

[66]

## JOURNAL OF THE SENATE

Monday, July 29, 2024.

Met at ten minutes past eleven o'clock A.M. (Mr. Brownsberger in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

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

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Pledge of  
allegiance.

### *Distinguished Guests.*

There being no objection, the Acting President (Mr. Brownsberger) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the Senate Gallery, California Assemblymember David Alvarez. Assemblymember Alvarez is the current representative of the 80th district that includes the San Diego Communities of Barrio Logan, Logan Heights, Sherman Heights, City Heights, Azalea Park, Otay Mesa, and San Ysidro, as well as the cities of Chula Vista, National City, and Bonita. He was accompanied by his family. The Senate welcomed them with applause and they withdrew from the Gallery.

Assemblymember  
David Alvarez.

### *Report.*

Report of MassDevelopment (pursuant to Section 45C(b) of Chapter 75 of the General Laws) submitting its fifth annual report of the Innovation Voucher Program Fund (received July 26, 2024),-- **was placed on file.**

MassDev,-- IVPF  
report.  
SD3356

### *Reports of Committees.*

By Mr. Cronin, for the committee on Consumer Protection and Professional Licensure, on Senate, No. 170, an Order relative to authorizing the joint committee on Consumer Protection and Professional Licensure to make an investigation and study of certain current Senate documents relative to online lottery (Senate, No. 2907); and

Consumer  
Protection and  
Professional  
Licensure,-- study.

By Mr. Cyr, for the committee on Public Health, on Senate, Nos. 1349, 1406, 1450, 1455, 1460 and 1466, an Order relative to authorizing the joint committee on Public Health to make an investigation and study of certain current Senate documents relative to public health (Senate, No. 2909);

Public Health,--  
study.

**Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.**

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2898.

Substance use  
disorder,--  
treatments.

**Pursuant to an order previously adopted, the bill was placed in the Orders of the Day for Tuesday, July 30, 2024, for a second reading with the amendment pending.**

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill

Midwifery care,--

**UNCORRECTED PROOF.**

promoting access to midwifery care and out-of-hospital birth options (House, No. 2899),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2899.

access.

**Pursuant to an order previously adopted, the bill was placed in the Orders of the Day for Tuesday, July 30, 2024, for a second reading with the amendment pending.**

*Committee Discharged.*

Ms. Lovely, for the committee on Rules, reported, asking to be discharged from further consideration of the Senate Bill relative to senior property tax deferral (Senate, No. 1847); and

Senior property tax,-- deferral.

By the same Senator, for the same committee, reported, asking to be discharged from further consideration of the House Bill relative to student mental health (House, No. 1999);

Mental health,-- students.

**And recommending that the same severally be referred to the committee on Ways and Means.**

**Under Senate Rule 36, the report was considered forthwith and accepted.**

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4920) of James Arciero (by vote of the town) relative to means tested senior citizen property tax exemptions in the town of Westford,-- **was referred, in concurrence, to the committee on Revenue.**

Westford,-- senior property tax exemption.

A report of the committee on The Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1485) of Michael J. Finn, Sean Garballey and others relative to authorizing supported probate law decision-making agreements for certain adults with disabilities, and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Adults with disabilities,-- agreements.

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

Further regulating the Lynnfield Center Water District (see House, No. 3808); and

Bills laid before the Governor.

Relative to disability pensions and critical incident stress management for violent crimes (see House, No. 4746, amended).

*Resolutions.*

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

Resolutions (filed by Mr. Rush) “congratulating Patrick James Emery on achieving the rank of Eagle Scout with the Boy Scouts of America.”

Patrick James Emery.

*Reports of Committees.*

Ms. Lovely, for the committee on Rules, reported that the following matter be placed on the Orders of the Day for the next session:

The Senate Bill relative to maintenance of physical examinations records for public safety personnel (Senate, No. 1666).

Public safety personnel,-- physical exams.

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and**

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

**Sent to the House for concurrence.**

Ms. Lovely, for the committee on Rules, reported that the following matter be placed on the Orders of the Day for the next session:

The House Bill relative to erecting a bench in honor of Rita Walsh in the Hyde Park neighborhood of Boston (House, No. 3965).

Hyde Park,-- Rita Walsh bench.

**There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act dedicating a bench in honor of Rita Walsh in the Hyde Park section of the city of Boston”.**

Ms. Lovely, for the committee on Rules, reported that the following matter be placed on the Orders of the Day for the next session:

The Senate Bill relative to the humane protection of animals (Senate, No. 2757) (the committee on Rules having recommended that the bill be amended by substituting a new draft entitled “An Act providing for the humane protection of animals” Senate, No. 2908).

Animals,-- protection.

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

**The bill, Senate, No. 2908, was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to the reduction of certain toxic chemicals in firefighter personal protective equipment (Senate, No. 1502) (also based on Senate, No. 1556),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2902).

Firefighter PPE,-- toxic chemical reduction.

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

**After remarks, the bill (Senate, No. 2902) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to equal access on DCR roadways (Senate, No. 2557),-- ought to pass with an amendment substituting a new draft entitled “An Act providing for equal access to certain roadways under the jurisdiction of the department of conservation and recreation” (Senate, No. 2895).

DCR roadways,-- equal access.

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

**After remarks, the bill (Senate, No. 2895) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill criminalizing sexual assault by fraud of a medical professional (House, No. 4350),-- ought to pass with an amendment striking out all after the enacting clause and inserting in place

Sexual assault,-- medical professional.

thereof the text of Senate document numbered 2905.

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

**After remarks, 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.**

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill to mandate domestic violence and sexual assault awareness education (Senate, No. 2477),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2904).

Domestic violence,-  
- education.

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

**The bill (Senate, No. 2904) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill to ensure legal parentage equality (House, No. 4750),-- ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2906.

Parentage equality.

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

**On motion of the same Senator, the bill was postponed to Tuesday, July 30, 2024.**

*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 Senate Bill authorizing the release of parcels of land in the town of Raynham from certain restrictions (Senate, No. 2872),-- was read a third time.

Raynham,-- land.

Pending the question on passing the bill to be engrossed, Mr. Pacheco presented an amendment substituting a new draft, entitled "An Act authorizing the release of certain parcels of land in the town of Raynham from certain agricultural preservation restrictions and certain recreational use restrictions" (Senate, No. 2901).

The amendment was adopted.

**The bill, Senate, No. 2901, was then passed to be engrossed.**

**Sent to the House for concurrence.**

PAPER FROM THE HOUSE.

A Bill authorizing additional licenses for the sale of alcoholic beverages to be drunk on the premises in Boston (House, No. 4696,-- on Senate, No. 2380 and House, No. 3741) [Local approval received on Senate, No. 2380 and House, No. 3741],-- was read.

Boston,-- liquor  
licenses.

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

After remarks and pending the question on ordering the bill to a third reading, Ms. Miranda moved that the bill be amended by striking all after the enacting clause and inserting in place thereof the text of Senate document numbered 2903.

**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, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing additional licenses for the sale of alcoholic beverages to be drunk on the premises in the city of Boston.”

Sent to the House for concurrence in the amendment.

*Recess.*

There being no objection, at thirteen minutes past twelve o’clock noon, the Chair (Mr. Brownsberger) declared a recess, subject to the call of the Chair; and, at eight minutes before four o’clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

PAPERS FROM THE HOUSE

*Engrossed Bills.*

An engrossed Bill dedicating a bench in honor of Rita Walsh in the Hyde Park section of the city of Boston (see House, No. 3965) (which originated in the House), **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. Brownsberger) and laid before the Governor for her approbation.**

Bill laid before the Governor.

An engrossed Bill authorizing the town of Weston to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see House, No. 4849) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage was passed to be enacted, two-thirds of the members present having voted in the affirmative, and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.**

Id.

*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 establishing a sick leave bank for Alicia Orlow, an employee of the Department of Correction (House, No. 4749),-- **was read a third time and passed to be engrossed, in concurrence.**

Alicia Orlow,-- sick leave.

The House Bill establishing a sick leave bank for Gabriella Ruocco, an employee of the Department of the State Police (House, No. 4755) (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.**

Gabriella Ruocco,-- sick leave.

PAPERS FROM THE HOUSE.

The House Bill to improve quality and oversight of long-term care (House, No. 4193),-- 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 2900; and by striking out the title and inserting in place thereof the following title: “An Act relative to long-term care and assisted living”, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Stanley of Waltham, Peisch of Wellesley and Kane of Shrewsbury had been appointed the committee on the part of the House.

Long term care.

**On motion of Mr. Tarr, the Senate insisted on its amendment and concurred in**

**the appointment of a committee of conference; and Senators Rodrigues, Jehlen and O'Connor were appointed on the part of the Senate.**

**The bill was returned to the House endorsed accordingly.**

A Bill authorizing the city of Springfield to continue the employment of police officer Lawrence E. Akers (House, No. 4768,-- on House, No. 4482),-- was read.

Springfield,--  
Lawrence E. Akers.

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

A Bill relative to animal welfare and reporting of animal cruelty, abuse or neglect (House, No. 4911,-- on Senate, No. 90 and House, No. 198),-- was read.

Animal welfare.

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

A Bill relative to the use of elephants, big cats, primates, giraffes and bears in traveling exhibits and shows (House, No. 4915,-- on Senate, Nos. 2189 and 2197 and House, No. 3245),-- was read.

Traveling shows,--  
use of animals.

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

A Bill relative to the use of elephants, big cats, primates, giraffes and bears in traveling exhibits and shows (House, No. 4919,-- on House, Nos. 314 and 2019),-- was read.

Kennel safety.

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

*Order Adopted.*

On motion of Mr. Tarr:--

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

Time of meeting.

On motion of the same Senator, at one minute past four o'clock P.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.