
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, DECEMBER 23, 2024

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JOURNAL OF THE SENATE

Monday, December 23, 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.

Communications.

Communication from the Honorable Karen E. Spilka, President of the Senate, announcing the re-appointment of Shivang Patel and the appointment of Kristen Mahoney Shannon (pursuant to Section 241 of Chapter 260 of the Acts of 2020) to the Rare Disease Advisory Council (received December 20, 2024),-- was placed on file.

Rare Disease Advisory Council,-- appts. SD3601

Reports.

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

Report of the Department of Elementary and Secondary Education (pursuant to Section 89(kk) of Chapter 71 of the General Laws) submitting its FY23 Charter School Data Annual report (copies having been forwarded to the Senate Chair of the Joint Committee on Education) (received December 19, 2024);

DESE,-- FY23 Charter School Data annual report. SD3590

Report of the Department of Elementary and Secondary Education (pursuant to Section 89(kk) of Chapter 71 of the General Laws) submitting its FY24 Charter School Data annual report (copies having been forwarded to the Senate Chair of the Joint Committee on Education) (received December 19, 2024);

DESE,-- FY24 Charter School Data annual report. SD3591

Report of the Department of Elementary and Secondary Education (pursuant to Section 35 of Chapter 28 of the Acts of 2024) submitting its FY2024 Progress of the Green School Works Program report (copies having been forwarded to the Senate Chair of the Committee on Senate Ways and Means, and the Senate Chairs of the Joint Committee on Education, the Joint Committee on Telecommunications, Utilities and Energy) (received December 19, 2024);

DESE,-- FY2024 Green School Works report. SD3592

Report of the Executive Office of Health and Human Services (pursuant to line item 1595-1070 of Section 2 of Chapter 28 of the Acts of 2023) submitting its MassHealth Safety Net Provider Trust Fund report (copies having been forwarded to the Senate Chair of the Committee on Senate Ways and Means) (received December 19, 2024);

MassHealth,-- Safety Net Provider report. SD3593

Report of the Secretary of the Commonwealth (pursuant to Section 25B(k) of Chapter 54 of the General Laws) submitting its 2024 Vote By Mail Cost report (copies having been forwarded to the Senate Chair of the Committee on Ways and Means and the Senate Chair of the Joint Committee on Election Laws) (received December 20, 2024);

SOS,-- 2024 Vote By Mail Cost report. SD3594

Report of the Commission on the Status of Grandparents Raising Grandchildren (pursuant to Section 69(h) of Chapter 3 of the General Laws) submitting its 2024 annual report (received December 20, 2024);

MassGRG,-- annual report. SD3595

Report of the Executive Office of Energy and Environmental Affairs (pursuant to Section 5A(b)(3) of Chapter 3 of the General Laws) submitting its Funding in Lieu 2024

EOEEA,-- Funding in Lieu FY 2024 report.

report (received December 20, 2024);

SD3596

Report of the Department of Public Health (pursuant to Section 2 of Chapter 111 of the General Laws) submitting its 2022 Massachusetts Births report (received December 23, 2024); and

DPH,-- 2022 births report.
SD3597

Report of the Department of Public Health (pursuant to Section 2 of Chapter 111 of the General Laws) submitting its Massachusetts Deaths 2022 report (received December 23, 2024).

DPH,-- 2022 deaths report.
SD3598

PAPERS FROM THE HOUSE.

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

Firearm technology,-- commission appointment.

Professor Nicholas Ashford of M.I.T. and Todd Lizotte of TACLABS, Inc. have been appointed to serve as his designees on the special commission established (under Section 148 of Chapter 135 of the Acts of 2024) to study and investigate emerging firearm technology.

A petition (accompanied by bill, House, No. 5144) of Andres X. Vargas (with the approval of the mayor and city council) for legislation to authorize Freddy Castaneda to take the civil service examination for the position of police officer in the city of Haverhill, notwithstanding the maximum age requirement,-- **was referred, in concurrence, to the committee on Public Service.**

Haverhill,-- Freddy Castaneda employment.

Bills

Authorizing the appointment of retired police officers in the town of Sterling to serve as special police officers (House, No. 5025, amended,-- on House, No. 4729) [Local approval received on House, No. 4729];

Sterling,-- special police officers.

Authorizing Gabriel Rosa to take the civil service examination for the position of police officer in the city of Haverhill notwithstanding the maximum age requirement (House, No. 5069,-- on petition) [Local approval received];

Haverhill,-- Gabriel Rosa employment.

Authorizing Juan Jimenez to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 5070,-- on petition) [Local approval received]; and

Haverhill,-- Juan Jimenez employment.

Authorizing the town of Uxbridge to grant 2 additional licenses for the sale of all alcoholic beverages to be drunk off the premises (House, No. 5096,-- on petition) [Local approval received].

Uxbridge,-- liquor licenses.

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

Emergency Preamble Adopted.

An engrossed Bill designating a certain bridge as the Lieutenant David S. Cutler memorial bridge (see House, No. 4108, 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 6 to 0.

Marshfield/Norwell, -- Lt. David S. Cutler memorial bridge.

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

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 amending the charter for the town of Nantucket (Senate, No. 2438),-- **was read a third time and passed to be engrossed.**

Nantucket,--
charter.

Sent to the House for concurrence.

The House Bill further regulating the residential tax exemption in the town of Provincetown (printed as Senate, No. 2465) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Provincetown,-- tax
exemption.

Sent to the House for concurrence.

The Senate Bill amending the charter of the town of Provincetown (Senate, No. 2745) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Id.

Sent to the House for concurrence.

The House Bill amending the charter of the town of Provincetown (House, No. 4091) (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.**

Id.

The House Bill establishing a sick leave bank for Daniel McKim, an employee of Worcester county sheriff's office (House, No. 5116) (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.**

Daniel McKim,--
sick leave.

The House Bill further regulating the Lawrence school committee (House, No. 5098) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Lawrence,-- state
receivership.

Pending the question on passing the bill to be engrossed, Mr. Payano moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2999.

After remarks, the amendment was adopted.

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

Sent to the House for concurrence in the amendment.

PAPER FROM THE HOUSE.

The engrossed Bill relative to the regulation of money transmission by the Division of Banks (see House, No. 4840, amended),-- came from the House, passed to be engrossed, in concurrence, *with an amendment* by striking out the emergency preamble.

Division of Banks,--
regulations.

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

Moment of Silence.

At the request of the Chair (Mr. Timilty), the members, guests and staff stood in a moment of silence and reflection to the memory of Margaret O'Connor.

Moment of silence.

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 amending the town charter in the town of Grafton relative to

Grafton,-- town

UNCORRECTED PROOF.

appointments by the town select board and the town administrator and the reference to the town’s website (House, No. 4682),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act amending the charter of the town of Grafton relative to appointments by the town select board and the town administrator and the reference to the town’s website”.**

charter.

The House Bill amending the town charter in the town of Grafton relative to the town school committee and the Grafton housing authority (House, No. 4683),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act amending the charter of the town of Grafton relative to the school committee and the Grafton Housing Authority”.**

Id.

The House Bill relative to the charter and the town clerk in town of Grafton (House, No. 4684),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act amending the charter of the town of Grafton relative to the town clerk”.**

Grafton,-- town clerk.

The House Bill amending the town charter in the town of Grafton relative to transitional provisions of the charter (House, No. 4685),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act amending the charter of the town of Grafton relative to transitional provisions”.**

Grafton,-- town charter.

The House Bill authorizing Christina Rodriguez to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4859, amended),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Christina Rodriguez.

The House Bill authorizing Gustavo Romero to take the civil service examination for the position of police officer in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4860, amended),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Gustavo Romero.

The House Bill authorizing Brian Dacey to take the civil service examination for the position of police officer in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4950, amended),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Brian Dacey.

The House Bill authorizing Dante Perella to take the civil service examination for the position of police officer in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4951),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Dante Perella.

The House Bill authorizing Jason Restituyo to take the civil service examination for the position of police officer in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4952),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Jason Restituyo.

UNCORRECTED PROOF.

The House Bill authorizing Michael E. Jarvis, Jr. to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 4953),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Michael E. Jarvis, Jr.

The House Bill authorizing Dave Michienzi to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (House, No. 5061),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- Dave Michienzi.

Reports of Committees.

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

The Senate Bill updating the juvenile justice policy and data board (Senate, No. 78).

JJPAD board.

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

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

The House Bill preserving the competitiveness of group auto and homeowners insurance plans (House, No. 5133).

Insurance plans.

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

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill prohibiting license revocation for student loan default (House, No. 4937),-- ought to pass.

License revocation,-
- student loan
default.

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

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill relative to student mental health (House, No. 1999),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3001.

Mental health,--
students.

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

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill relative to commercial driver's licenses (printed in House, No. 5139),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3002.

Commercial
driver's licenses.

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

PAPER FROM THE HOUSE.

The Senate Bill authorizing the city of Everett to grant 2 additional licenses for the sale of all alcoholic beverages not be drunk on the premises and 1 additional license for the sale

Everett,-- liquor
licenses.

of wine and malt beverages not to be drunk on the premises (Senate, No. 2471),-- came from the House passed to be engrossed, in concurrence *with an amendment*, striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5088.

The rules were suspended, on motion of Ms. Jehlen, and the House amendment was considered forthwith and adopted, in concurrence.

Report of a Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order, granting the committee on the Judiciary until December 31, 2024 within which time to make its final report on a current Senate document numbered 2835, relative to adoptions (Senate, No. 2925),-- ought to be adopted.

Judiciary,--
extension.

The rules were suspended, on motion of Mr. Eldridge, and, after remarks, the order was considered forthwith and adopted.

Sent to the House for concurrence.

Moment of Silence.

At the request of the Chair (Mr. Collins), the members, guests and staff stood in a moment of silence and reflection to the memory of Mary Bailey.

Moment of silence.

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, 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:

Authorizing the town of Rowe to continue the employment of Dennis Annear as an on-call firefighter (see House, No. 3989, amended); and

Bills laid before the
Governor.

Further amending the fair housing ordinance in the city of Cambridge (see House, No. 4234).

Emergency Preamble Adopted.

An engrossed Bill designating the state public health laboratory campus as the Doctor Alfred DeMaria, Jr. campus (see House, No. 5063, 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.

Dr. Alfred DeMaria,
Jr.,-- lab.

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

Engrossed Bills.

The following engrossed bills (the first three 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. Collins) and laid before the Governor for her approbation, to wit:

Providing for recall elections in the town of Granby (see Senate, No. 2444);

Bills laid before the
Governor.

Authorizing the select board of the town of Provincetown to establish a schedule of

finances for parking violations (see Senate, No. 2978);

Authorizing the town of Raynham to appoint retired police officers as special police officers (see Senate, No. 2983);

Providing for the annual election of members of the Spencer East Brookfield Regional School Committee (see House, Bill printed as, Senate, No. 421, amended);

Further regulating vacancies in the office of town manager in the town of Arlington (see House, No. 4026, amended);

Designating a certain bridge as the Lieutenant David S. Cutler memorial bridge (see House, No. 4108, amended);

Further regulating town meeting vacancies in the town of Burlington (see House, No. 4708, amended);

Relative to the regulation of money transmission by the Division of Banks (see House, No. 4840, amended); and

Further regulating the Lawrence school committee (see House, No. 5098, amended).

Order Adopted.

On motion of Mr. Timilty,--

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 Margaret "Peggy O'Connor.

The Senator from Norfolk, Plymouth and Bristol, Mr. Timilty, and the Senator from Suffolk, Mr. Collins moved that when the Senate adjourns today, it do so in memory of Margaret "Peggy" (Dwyer) O'Connor.

Margaret "Peggy" (Dwyer) O'Connor, age 87, of Milton, passed away peacefully on November 2, 2024, surrounded by her loving family at home.

Born Eyeries, Castletownbere, County Cork, Ireland, Peggy moved to Boston in 1957. Here, Peggy settled in with her uncle and aunt, Tim and Nora Driscoll, living on St. Gregory Street in Dorchester. Moreover, her sister, Maureen, was also residing here, leading the way to the States from Ireland.

Peggy worked at Filene's Department Store in Boston. In addition, Peggy enjoyed attending Irish dances and the Gaelic games. It was at these social events where she met the love of her life, Austin.

In the years that followed, Peggy was an integral part of helping Austin grow their business – The Briar Group and Kinvara Property Management.

Most important, Peggy was a devout Catholic bringing those values to her family and friends. Furthermore, Peggy was a devoted wife and mother. Her grandchildren were her passion, and she lovingly spoiled them all. Peggy enjoyed traveling with family and friends. She especially enjoyed Pompano Beach, Florida, and Newport, Rhode Island, where she took up the game of golf.

Beloved wife to Austin F. O'Connor for 61 years, Peggy was the devoted mother to Austin M. O'Connor and his wife Mary of Hingham, Kevin O'Connor and his wife Tammy of Lakeville, Caroline Walsh and her husband John of Milton and Sheila Taylor and her husband Mark of Milton.

Proudly, Peggy was the doting grandmother to Carlie Pardini and her husband Danny, Austin S. and his wife Heather, Sarah, Brendan, Bridget O'Connor; Olivia, Jack, Connor and his wife Haley, Eamon, Emily Walsh; Maeve, Maura, Molly O'Connor; AJ, Brooke and Nina Taylor. Cherished great grandmother to Elle, Liam and Jaxson Pardini. Peggy is, also, survived by her siblings Maureen Egan of Milton, John Dwyer of Castletownbere,

Ireland, Pat Dwyer of Quincy, Eileen O'Connor of San Francisco and Michael Dwyer of Westwood.

Peggy is predeceased by her parents, Pat and Helena "Lena" Dwyer and her granddaughter Siobhan Taylor.

She will be missed by the legions of people that knew and loved her.

Accordingly, as a mark of respect to the memory of Margaret "Peggy" O'Connor, at eight minutes past two o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.

Adjournment in Memory of Mary Katherine Bailey.

The Senator from the First Suffolk, Mr. Collins moved that when the Senate adjourns today, it adjourns in memory of Mrs. Mary Katherine Bailey.

Mrs. Mary Katherine Bailey of Quincy, formerly of South Boston, passed away on Friday, November 29, 2024.

Mrs. Bailey was the beloved wife of the late John "Jack" Bailey and daughter of the late Anna and Joseph Fontana of South Boston. Loving mother of Jacqueline Grattan and her husband Frederick of Hanover, William Bailey and his wife Maureen of South Boston, John Bailey and his fiancée Ann Davis of Chelsea, and Brian Bailey and his wife Fiona of Weymouth.

Mary was the cherished grandmother of Rose, Brittney, Kristyn, Olivia, Owen, and Declan, and great grandmother to Maeve, Úna Rose, and Rory. Mary was the loving sister of William and Sheila Fontana of Quincy, Joseph and Virginia Fontana of Florida, Joan and Robert Lantz of New Hampshire, Gerard Fontana of Quincy, Katherine Fontana of Quincy, and the late Phyllis MacMurdo of Holbrook. Mary is also survived by many nieces and nephews, relatives, and dear friends.

Accordingly, as a mark of respect to the memory of Mary Katherine Bailey, eight minutes past two o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.