

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, DECEMBER 26, 2024

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JOURNAL OF THE SENATE

Thursday, December 26, 2024.

Met at seventeen 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).

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

Pledge of allegiance.

Distinguished Guests.

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, in the rear of the Chamber, John Fitzgerald of Braintree. Mr. Fitzgerald is a teacher at Gates Middle School in Scituate. He was accompanied by his sons Ryan and Sean who are sixth graders at East Middle School in Braintree. The Senate welcomed them with applause and they withdrew from the Chamber. They were also guests of Senators Keenan and O'Connor.

John Fitzgerald.

Reports.

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

Report of the Executive Office of Public Safety and Security (pursuant to line item 8000-0125 of Section 2 of Chapter 140 of the Acts of 2024) submitting its FY24 Sex Offender Registry Board annual report (received December 26, 2024); and

EOPSS,-- Sex Offender Registry report. SD3599 EOPSS,-- FY23 Hate Crimes report. SD3600

Report of the Executive Office of Public Safety and Security (pursuant to Section 34 of Chapter 22C of the General Laws) submitting its FY23 Hate Crimes in Massachusetts annual report (received December 26, 2024).

Report of a Committee.

By Mr. Collins, for the committee on State Administration and Regulatory Oversight, on petition, a Bill promoting the civil rights and inclusion of American Muslims in the commonwealth (Senate, No. 1994);

American Muslims,-- civil rights.

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

PAPERS FROM THE HOUSE.

Bills

Authorizing the town of Southborough to issue pension obligation bonds or notes (House, No. 5056,-- on petition) [Local approval received];

Southborough,-- pension bonds.

Relative to genetic counselors (House, No. 5147,-- on House, No. 274);

Genetic counselors.

Relative to creditable service for Kellie Martin, a member of the Teachers' Retirement System (House, No. 5148,-- on House, No. 3812);

Kellie Martin,-- retirement.

Relative to the creation of a branch of the Boston public library within an affordable housing development in the Dorchester section of the city of Boston (House, No. 5149,-- on House, No. 4432) [Local approval received on House, No. 4432];

Dorchester,-- Boston public library.

Relative to Massachusetts Credit Union Share Insurance Corporation (House, No. 5150,-- on House, No. 3772); and

MA Credit Union
Share Insurance
Corp.
Vessels,--
transportation.

Relative to the transportation of vessels (House, No. 5151,-- on House, No. 5129);

Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Message from Her Excellency the Governor.

Message from Her Excellency the Governor, Maura T. Healey (pursuant to Chapter 127, Section 152 of the Massachusetts General Laws) a report of the exercise of the pardoning power by the Governor, with the advice and consent of the Council, from March 13, 2024 (received in the Office of the Clerk of the Senate on Monday, December 23, 2024 at three minutes past two o'clock P.M.) (see Senate, No. 3007),-- **was read; and sent to the House for its information.**

Governor,-- 2024
pardons.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

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

Daniel McKim,--
sick leave.

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

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

Bills laid before the
Governor.

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 of wine and malt beverages not to be drunk on the premises (see Senate, No. 2471, amended);

Further regulating the residential tax exemption in the town of Provincetown (see House Bill, printed as Senate, No. 2465);

Amending the charter of the town of Provincetown (see House, No. 4091);

Amending the charter of the town of Grafton relative to appointments by the select board and the town administrator and the reference to the town's website (see House, No. 4682);

Amending the charter of the town of Grafton relative to the school committee and the Grafton Housing Authority (see House, No. 4683);

Amending the charter of the town of Grafton relative to the town clerk (see House, No. 4684);

Amending the charter of the town of Grafton relative to transitional provisions (see House, No. 4685);

Authorizing Christina Rodriguez to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (see House, No. 4859, amended);

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 (see House, No. 4860, amended);

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 (see House, No. 4950, amended);

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 (see House, No. 4951);

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 (see House, No. 4952);

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 (see House, No. 4953);

Authorizing Dave Michienzi to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (see House, No. 5061);

Designating the state public health laboratory campus as the Doctor Alfred DeMaria, Jr. campus (see House, No. 5063, amended); and

Establishing a sick leave bank for Daniel McKim, an employee of Worcester county sheriff's office (see House, No. 5116).

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 to rename the Executive Office of Elder Affairs to the Executive Office of Aging and Independence (printed in Senate, No. 2797).

EOEA,-- renaming.

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

Pending the question on ordering the bill to a third reading, Ms. Lovely moved to amend the bill by substituting a new draft with the same title (Senate, No. 3006).

The amendment was adopted.

The bill (Senate, No. 3006) was then 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 in the Orders of the Day for the next session:

The House Bill relative to the transfer of real property from the Silver Lake regional school district to the town of Kingston (House, No. 4874).

Kingston,-- land.

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

Pending the question on ordering the bill to a third reading, Ms. Lovely moved to amend the bill by substituting a new draft with the same title, Senate, No. 3008.

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, it's title having been changed by the committee on Bills in the Third Reading to read as follows:- "An Act authorizing the transfer of real property from the Silver Lake regional school district to the town of Kingston".

Sent to the House for concurrence in the amendment.

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 relative to acceptance of certain types of identification to purchase alcohol in Massachusetts (House, No. 4131).

Alcohol purchase,--
identification.

There being no objection, the rules were suspended, on motion of Mr. Timilty, 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 allowing electronic delivery receipts for certain bulk sale customers (House, No. 4132).

Bulk sales,--
delivery receipts.

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

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 authorizing the town of Pembroke to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2935),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, it's title having been changed by the committee on Bills in the Third Reading to read as follows:- "An Act authorizing the town of Pembroke to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises"**.

Pembroke,-- liquor
license.

Sent to the House for concurrence.

The House Bill relative to student mental health (House, No. 1999) (the committee on Ways and Means previously amended by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3001),-- **was read a third time and passed to be engrossed, in concurrence with the amendment.**

Mental health,--
students.

Sent to the House for concurrence in the amendment.

The House Bill authorizing the appointment of special police officers in the town of Maynard (House, No. 3930),-- was read a third time.

Maynard,-- special
police officers.

Pending the question on passing the bill to be engrossed, Mr. Eldridge presented an amendment in section 1 by adding the following subsection:-

“(k) Special police officers appointed pursuant to this act shall comply with all requirements of chapter 6E of the General Laws and said section 96B of chapter 41 of the General Laws, including: (i) maintaining certification and good standing with the Massachusetts Peace Officer Standards and Training Commission; and (ii) complying with all annual in-service and other training requirements mandated by the municipal police training committee.”

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.

The House Bill exempting the redevelopment of certain affordable housing in the town

Westborough,--
affordable bidding

UNCORRECTED PROOF.

of Westborough from public procurement laws (House, No. 4679) (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.**

requirements.

The House Bill relative to commercial driver's licenses (House, No. 5139) (the committee on Ways and Means previously amended by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3002),-- **was read a third time and passed to be engrossed, in concurrence with the amendment.**

Commercial driver's licenses.

Sent to the House for concurrence in the amendment.

The House Bill prohibiting license revocation for student loan default (House, No. 4937),-- **was read a third time and passed to be engrossed, in concurrence.**

License revocation,-
- student loan default.

The House Bill preserving the competitiveness of group auto and homeowners insurance plans (House, No. 5133),-- **was read a third time and passed to be engrossed, in concurrence.**

Insurance plans.

The House Bill authorizing the city known as the town of Franklin to utilize alternative methods for notice of public hearings (House, No. 2108),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Franklin,-- public hearing notices.

The House Bill relating to the regular compensation of certain active and retired employees of the city of Fitchburg (House, No. 3864),-- **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 further regulating the regular compensation of certain active and retired employees of the city of Fitchburg".**

Fitchburg,-- employee compensation.

The House Bill allowing print free digital legal notices for the town of Arlington (House, No. 4027),-- **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 authorizing print-free digital legal notices in the town of Arlington".**

Arlington,-- digital notices.

The House Bill authorizing the town of Dracut to adopt alternative methods for notice of public hearings (House, No. 4430),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Dracut,-- public hearing notices.

The House Bill allowing print-free digital legal notices for the town of Lexington (House, No. 4650),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Lexington,-- digital notices.

The House Bill allowing print-free digital legal notices for the town of Lincoln (House, No. 4664),-- **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 allowing print-free digital legal notices for the town of Lincoln".**

Lincoln,-- digital notices.

UNCORRECTED PROOF.

The House Bill authorizing the town of Sharon to adopt alternative methods for notice of public hearings (House, No. 4857),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Sharon,-- public hearing notices.

The House Bill relative to the expansion of a branch of the Boston Public Library within an affordable housing development in the West End Neighborhood of the downtown sections of the city of Boston (House, No. 4880),-- **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 exempting the expansion of a branch of the Boston public library within an affordable housing development in the West End section of the city of Boston from public procurement laws”.**

Boston Public Library,-- affordable housing.

The House Bill authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4992),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Fairhaven,-- liquor license.

The House Bill increasing the maximum amount of penalties which may be imposed for violations of ordinances in the city of Boston (House, No. 4507) (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.**

Boston,-- ordinance violations.

The House Bill relative to the executive form of government for the town of Lenox (House, No. 5028),-- **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 further regulating the residency requirements for the town manager of the town of Lenox”.**

Lenox,-- town government.

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill to modernize the Massachusetts insurer’s insolvency fund (House, No. 4772),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3003.

Insurers insolvency fund.

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 dental hygienist reciprocal licensure (House, No. 4842),-- ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3004.

Dental hygienist,-- licensure.

There being no objection, the rules were suspended, on motion of Mr. Fattman, 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 concerning the safety of school children embarking and disembarking school buses (House,

School bus,-- safety.

No. 4940),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3005.

There being no objection, the rules were suspended, on motion of Mr. Fattman, 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.

PAPERS FROM THE HOUSE.

A Bill providing for the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 5142,-- being a message from Her Excellency the Governor),-- was read.

Terms of bonds.

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

Engrossed Bill Returned with Recommendation of Amendment.

A message from Her Excellency the Governor, returning with recommendation of amendment the engrossed Bill authorizing the town of Lunenburg to establish a means tested senior citizen property tax exemption (see House, No. 3911) [for message, see House, No. 4677],-- came from the House with endorsement that the House adopted the amendment recommended by the Governor (as approved by committee on Bills in the Third Reading), as follows:

Lunenburg,-- senior property tax exemption.

In section 2 by striking out, in line 19, the word "Lunenburg" and inserting in place thereof the following word: "Lunenburg"; and

By striking out section 5 and inserting in place thereof the following section:-

"SECTION 5. No exemption shall be granted under this act until the department of revenue certifies a tax rate or rates for the applicable tax year where the total exemption amount is raised by a burden shift within the tax levy on all taxpayers."

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Tilty, and the Governor's amendment was considered forthwith.

On motion of the same Senator, the Governor's amendment was adopted, in concurrence.

Sent to the House for re-enactment.

The Senate Bill amending the charter of the town of Marshfield to make references to the board of selectmen gender neutral (Senate, No. 2715),-- 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 5001.

Marshfield,-- charter.

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

Moment of Silence.

At the request of the Chair (Mr. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Cheryl A. Frazier.

Moment of silence.

Order Adopted.

On motion of Mr. Fattman,--

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

Time of meeting.

Adjournment in Memory of Cheryl A. Frazier.

The Senator from Norfolk, Plymouth and Bristol, Mr. Timilty and the Senator from Plymouth and Norfolk, Mr. Brady, moved that when the Senate adjourns today, it do so in memory of Cheryl A. Frazier.

Cheryl A. (Tindal) Frazier, of Randolph, formerly of Boston, a beacon of love and strength, passed away peacefully, after a brief illness, on September 25, 2024, at the age of 79. Born on June 2, 1945, in Queens, New York, she was the cherished daughter of the late Paris Lee Tindal and Beatrice (Brown) Tindal. Her life was a testament to her loving, kind, and passionate nature, and she will be deeply missed by all who knew her.

Cheryl grew up in the vibrant neighborhood of Corona, New York, where she was raised and educated. Her commitment to education led her to Northeastern University, from which she graduated with a Bachelor's Degree in Human Services - Social Work. This academic achievement was the foundation of a distinguished career with Boston Emergency Medical Services, where she devoted more than 32 years of service, retiring as a respected Lieutenant.

In her personal life, Cheryl was a loving mother to her son, Glenn B. Frazier of Brockton. She was the heart of her family and a guiding light to her grandchildren, lovingly known as "G-Ma" to Sierra Cheryl Frazier, Christopher Jacobs, and Tiffany Jacobs, and "GG-Ma" to her great-grandchildren, Crimson Gocking, Eliana Jacobs, and Christopher Jacobs.

Cheryl's legacy lives on through her adoring family, including many nieces, nephews, cousins, and a host of friends who were touched by her warmth and generosity.

Cheryl was both an active and beloved member of the Randolph First Baptist Church, where she nurtured her spiritual life and community connections. Her engagement with the community extended to serving on the Randolph School Committee, where she was a voice for progress and education. As a member of the Randolph ELKS Lodge #2130, she embodied the organization's principles of charity and fellowship.

A woman of many interests, Cheryl was also a member of the Randolph Garden Club, where she shared her love of nature and beauty. Her competitive spirit shone brightly as a multi-sport winner in the annual Randolph Senior Olympics, where she demonstrated that age is just a number, and passion is ageless.

Cheryl's zest for life was infectious, and she loved spending time with her family and friends. She created a world around her that was full of laughter, support, and endless kindness. Her passion for life was evident in everything she did, and her presence was a comfort and joy to those around her.

The story of Cheryl is one of a life beautifully lived and lovingly remembered. Her impact on the lives she touched is immeasurable, and her spirit will continue to inspire and guide us. As we say goodbye to this remarkable woman, we celebrate the legacy of love and dedication she leaves behind.

Accordingly, as a mark of respect to the memory of Cheryl A. Frazier at eighteen minutes past twelve o'clock noon, on motion of Mr. Timilty, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.