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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, November 1, 2012.

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

Report.

Report from the Honorable Martin J. Benison, Comptroller, submitting fiscal year 2013 transfer schedules for the item 1595-1068 –Executive Office for Health and Human Services (pursuant to Section 2E of Chapter 139 of the Acts of 2012) (received in the Office of the Clerk of the Senate on Thursday, August 23, 2012, at six minutes past one o'clock P.M.).

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:- Resolutions (filed by Messrs. Richard T. Moore, Rosenberg, Brewer and Michael O. Moore, Ms. Chandler and Messrs. DiDomenico, Welch and Tarr) “congratulating the Polish American Congress on its Fifth Annual Day of Recognition”; Resolutions (filed by Mr. Ross) “congratulating Charles and Marjorie Stacey on their sixty-fifth wedding anniversary”; and Resolutions (filed by Ms. Spilka and Mr. Ross) “commemorating the dedication of the Antalek Family Square in the town of Natick.”

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 collection of estimated water assessments and general fund reimbursement in the town of Charlton (House, No. 4203),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Report of a Committee.

The following report was laid before the Senate, the time within which the said committee was required to report having expired:—

Of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2307) of Richard T. Moore and Kevin Kuros (by vote of the town) for legislation to authorize the town of Webster to convert an existing liquor license for the sale of wine and malt beverages to a license for the sale of all alcoholic beverages to be drunk on the premises.

On motion of Mr. Tarr, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the committee on Consumer Protection and Professional Licensure.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Kevin Lewis, an employee of the Department of Developmental Services (see House, No. 4450, 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 2 to 0.**

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

Order Adopted.

Mr. McGee offered the following order, to wit:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Monday, December 3, 2012 to make its final report on on current Senate document numbered 2448 relative to transportation matters.

Under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Berry, for the said committees, reported, recommending that the order ought to be adopted.

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

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 4488) of Carlo Basile for legislation establishing a sick back leave for Barbara A. Dichiaro, an employee of the Massachusetts Department of Transportation,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Engrossed Bill

An engrossed Bill establishing the water and sewer commission of the town of Dudley (see Senate, No. 2060) (which originated in the Senate), 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 (Ms. Spilka) and laid before the Governor for his approbation.

Engrossed Bill – Amended.

An engrossed Bill authorizing the Falmouth Retirement Board to acquire real property in the town of Falmouth (see House, No. 4317) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- **was laid before the Senate.**

On motion of Mr. Tarr, Senate Rule 49 was suspended.

Ms. Murray presented an amendment inserting before the enacting clause the following emergency preamble:-

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the Falmouth retirement board to acquire real property in the town of Falmouth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted.

Sent to the House for concurrence in the amendment.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Adjournment in Memory of Chris Serino

The Senator from Middlesex and Essex, Ms. Clark, and the Senator from Essex and Middlesex, Mr. McGee, moved that when the Senate adjourns today, it adjourn in memory of Chris Serino.

Former Malden Catholic and Merrimack College head coach and athletic director, Chris Serino, passed away on October 15th after a courageous battle with throat cancer. He was 63 years old and is survived by his wife, Robin, and five sons.

Serino coached the Merrimack College Warriors for seven years before he took the job as head coach and athletic director at Malden Catholic in 2005. While at MC, the hugely popular Serino was able to coach two of his five sons on the Lancers.

He led Malden Catholic to their first Super 8 Championship in 2011. We in the Senate welcomed Coach Serino and the Lancers in recognition of their historic win here in this Chamber in June, 2011. And this past spring, while Coach Serino was off the bench battling his illness, his team went on to win the title again in his honor.

Throughout his long and successful career coaching hockey, Chris Serino was beloved by his players and respected by his colleagues. Prior to coaching at Merrimack, Serino served as an assistant coach at UNH as well as head coach at Northfield Mount-Hermon. He was inducted into the Massachusetts High School Hockey Hall of Fame in 2001 and the Saugus High School Athletic Hall of Fame in 1987.

Serino's retired No.5 hangs at Saugus' Kasabuski Rink.

Accordingly, as a mark of respect in memory of Chris Serino, at twenty-six minutes before twelve o'clock noon, on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.