

NOTICE: While reasonable efforts have been made to assure the accuracy of the data herein, this is **NOT** the official version of Senate Journal. It is published to provide information in a timely manner, but has **NOT** been proofread against the events of the session for this day. All information obtained from this source should be checked against a proofed copy of the Senate Journal.

UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, December 1, 2011.

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

Communications.

The following communications were severally received and placed on file:

The Honorable Therese Murray, President of the Senate, has announced the following appointments to various special commissions and committees:

Senator Richard T. Moore to the Standing Committee on the Environment of the National Conference of State Legislatures;

The withdrawal of the appointment of former Senator Steven A. Tolman and the appointment of Senator Thomas M. McGee to the Statewide Advisory Commission (pursuant to Chapter 313 of the Acts of 2010) established to make an investigation and study of the relative value of a uniform claims administration system for all payers in the Commonwealth;

Senators James E. Timilty to the Special Commission (pursuant to Chapter 85 of the Acts of 2011) to make an investigation and study on current funding levels and municipal contractual obligations; and

Linda Cavaoli of Worcester (pursuant to Section 66 of Chapter 3 of the General Laws) to the Massachusetts Commission on the Status of Women for a term that will expire on October 31, 2014; and

The Honorable Bruce E. Tarr, Senate Minority Leader, has announced his own re-appointment (pursuant to Section 1 of Chapter 354 of the Acts of 2008) to the Massachusetts Creative Economy Council.

Resolutions.

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

Resolutions (filed by Mr. Pacheco) "congratulating Kathryn Marie Tripp on the occasion of her retirement from the Bridgewater-Raynham School District."

Communication.

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133-1053

November 20, 2011

William F. Welch, Clerk
Massachusetts State Senate
State House, Room 334
Boston, MA 02133

Dear Mr. Clerk:

I was absent from the Chamber on November 16, 2011, when one roll call vote was taken. Had I been present, I would have voted in the following manner:

Yes, S. 2022, Crosby's Corner (Roll Call No. 137).

I respectfully request that a copy of this letter be printed in the Senate Journal as part of the official records for November 16, 2011. Thank you in advance for your attention to this important matter.

Sincerely,
CYNTHIA S. CREEM
State Senator.

On motion of Mr. Tarr, the above communication was ordered printed in the Journal of the Senate.

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 city of Somerville to incur debt to maintain property leased, licensed, or otherwise under the control of the city pursuant to an agreement between the city and the Commonwealth (Senate, No. 2025) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

The House Bill relative to the charter of the city known as the town of Amesbury (House, No. 3621) (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, in concurrence, Mr. Baddour presented an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2086.

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.

Reports of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Charles Maynard, an employee of the Department of Developmental Services (Senate, No. 2055),-- **ought to pass.**

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.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Lawrence Mainville, an employee of the Department of Transportation (House, No. 3747),-- **ought to pass.**

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, in concurrence.

PAPERS FROM THE HOUSE

The House Bill validating certain votes passed by the town of Athol at the special town meeting held on January 31, 2011, and validating the annual town election held on April 4, 2011 (printed in House, No. 3796,-- being a message from His Excellency the Governor),-- **was read.**

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, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act validating the acts and proceedings at a special town meeting and the annual town election in the town of Athol".

Engrossed Bill

An engrossed Bill relative to the markings of lobster buoys (see House, No. 1851) (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. McGee) and laid before the Governor for his approbation.

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 Dr. George A. Shirn

The Senator from Essex and Middlesex, Mr. Tarr and the Senator from Berkshire, Hampden and Franklin, Mr. Downing, moved that when the Senate adjourns today, it adjourn in memory of Dr. George A. Shirn.

Dr. George A. Shirn died on November 20, 2011 at the age of 90 following a brief illness.

Born on June 30, 1921 in Williamsport, Pennsylvania, Dr. Shirn was the son of parents who survived the Armenian Genocide. After graduating from trade school in 1939, he joined the US Navy in 1941 and served aboard the USS Texas in North Africa during World War II. He later received a degree in electrical engineering from Columbia University in 1946 and a PhD in physics from Rensselaer Polytechnic Institute in Troy, New York in 1954.

An adjunct professor of physics at Massachusetts College of Liberal Arts, Dr. Shirn also worked as a research physicist for Sprague Electric Co. in North Adams, Massachusetts where his research centered on capacitors and electronic components, some of which were sent into space on the early NASA launches. When he retired in 1986, he held 14 patents and was the author of 30 scientific papers.

Dr. Shirn was a man of many talents and interests who enjoyed gardening, photography, computers, classical music, home maintenance, finding bargains, reading anything in print, fixing anything broken, and humor. For many years he collected jokes and edited a weekly email, "The Monday Morning Cheer", which he sent to a long list of family and friends.

Dr. Shirn was married for 65 years to Lula Belle (Everidge) Shirn. They lived in Williamstown, MA for 53 years before moving to South Hamilton to be near their family.

In addition to his wife, Dr. Shirn is survived by two daughters and sons-in-law, C. Victoria and George R. Harvey of Essex, Massachusetts, and Martha Barrett-Smith and Richard E. Smith of Pelham, New Hampshire. He was immensely proud of his four grandchildren, Aaron Lee Harvey of Valley Village, California, John E. Barrett, Esq. of Falls Church, Virginia, Dr. Mary M. Barrett of Albany, New York, and Kathleen V. Barrett of Boston. Dr. Shirn is also survived by his sister, Kathryn (Shirn) Peet, and brother-in-law, Dr. Thomas Peet of Victoria, British Columbia, as well as his niece, Karen Peet-Hawksworth and her husband, Ray Hawksworth, also of Victoria. He was predeceased by a brother, John H. Shirn of San Antonio, Texas.

Accordingly, as a mark of respect to the memory of Dr. George A. Shirn, at eighteen minutes past eleven o'clock A.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.