

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.



Thursday, March 14, 2013.

Met according to adjournment at one o'clock P.M. (Mr. Richard T. Moore in the Chair).

Distinguished Guests.

There being no objection, the President handed the gavel to Mr. Rush for the purpose of an introduction Mr. Rush then introduced, in the rear of the Chamber, a member of the Board of Directors and past President of the Irish Cultural Center of New England, Michael O'Connor and his son Edward, the Lord Mayor of West Roxbury Richie Gormley and Tommy Doherty, the Irish Consul General of Boston, Michael Lonegran and the Honorable Phil Hogan, Minister for the Environment, Community and Local Government for the Republic of Ireland. The group was also accompanied by the Boston Police Gaelic Column, world renowned pipers that have been performing since 1992 and dedicated to preserving the traditional music of Gaelic culture. They performed in the well of the Chamber and were applauded for their efforts. Michael Lonegran and the Honorable Phil Hogan signed the guestbook and all withdrew from the Chamber.

There being no objection, the President handed the gavel to Mr. Kennedy for the purpose of an introduction Mr. Kennedy then introduced, in the rear of the Chamber, State Trooper Katie Downey from Lynn. Kate addressed the Senate in Irish song from the Rostrum. She was welcomed with applause and withdrew from the Chamber.

Communications.

The following communications were severally received and placed on file:

Communication from the Joint Committee on Children, Families and Persons with Disabilities (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2013-2014 legislative session (received Wednesday, March 6, 2013);

Communication from the Joint Committee on Economic Development and Emerging Technologies (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2013-2014 legislative session (received Monday, March 4, 2013); and

Communication from the Joint Committee on Revenue (under the provisions of Joint Rule 1) relative to the rules of procedure for said committee for the 2013-2014 legislative session (received Wednesday, March 6, 2013);

Petition.

Mr. DiDomenico presented a petition (subject to Joint Rule 12) of Sal N. DiDomenico for legislation to establish a sick leave bank for Cheryl A. Cole, an employee of the office of Medicaid,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently**

Committee Discharged.

Ms. Chang Diaz, for the committee on Education, reported, asking to be discharged from further consideration Of the petition (accompanied by bill, Senate, No. 276) of Bruce E. Tarr for legislation to authorize Performance-Based Education Funding,-- **and recommending that the same be referred to the committee on Higher Education; and** Of the petition (accompanied by bill, Senate, No. 223) of Sal N. DiDomenico, Michael F. Rush, Marc R. Pacheco, Harriette L. Chandler and other members of the General Court for legislation relative to the quality in early education care centers,-- **and recommending that the same be referred to the committee on Public Service;**
Under Senate Rule 36, the report was considered forthwith and accepted.
Severally sent to the House for concurrence in the discharge of the joint committee on Education.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 3303) of William M. Straus (by vote of the town) for legislation relative to the appointment and removal of the harbor master in the town of Mattapoisset;

Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3304) of Benjamin Swan, Wayman Lee and Domenic J. Sarno (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to reinstate and pay certain retirement benefits to Derek Cook, a former member of the retirement system of the city of Springfield;

Under suspension of Joint Rule 12, to the committee on Public Service.

A Bill establishing a sick leave bank for Melanie Chapman, en employee of the Trial Court (House, No. 1179,-- on petition),--
was read and, under Senate Rule 27, referred to the committee on Ways and Means.

Reports.

Of the committee on Higher Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 1062) of Paul J. Donato, Sean Garballey and Patricia D. Jehlen for legislation relative to the transportation of students to regional vocational schools from non-member districts,-- and recommending that the same be referred to the committee on Education; and

Of the committee on Veterans and Federal Affairs, asking to be discharged of the petition (accompanied by bill, House, No. 3185) of Linda Dorcena Forry and Sonia Chang-Diaz for legislation to provide redistricting data that counts prisoners in a manner consistent with the principles on "One Person, One Vote",-- and recommending that the same be referred to the committee on Election Laws;

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

There being no objection, at one minute past one o'clock P.M., the Chair (Mr. Richard T. Moore) declared a recess subject to the call of the Chair; and, at thirteen minutes past two o'clock P.M., the Senate reassembled, the President in the Chair.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:-
Resolutions (filed by Messrs. Barrett and Donnelly) "congratulating the residents of the town of Lexington on the occasion of the three hundredth anniversary of its incorporation";

Resolutions (filed by Ms. Donoghue) "honoring Anita M. Reed for her dedicated service to the disabled American Veterans";

Resolutions (filed by Mr. Rosenberg and Ms. Candaras) "honoring David Starr for his years of service to the Massachusetts Cultural Council and his many years of advocacy for the arts";

Resolutions (filed by Mr. Ross and Ms. Spilka) "congratulating Richard Cugini on the occasion of his retirement"; and

Resolutions (filed by Messrs. Rush and Ross) "congratulating the Needham Free Public Library on the occasion of its one hundred and twenty-fifth anniversary."

At twenty-seven minutes past two o'clock P.M., Mr. Tarr doubted the presence of a quorum; but a quorum was deemed present.

Report of Committees.

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Michael O. Moore and George N. Peterson, Jr. for legislation to establish a sick leave bank for Steven Dupras, an employee of the Department of Mental Health.

Senate Rule 36 was suspended, on motion of Mr. Brewer, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 3328) of Paul J. Donato for legislation to establish a sick leave bank for Jacqueline Eld, an employee of the Middlesex Probate and Family Court,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

The House Order relative to Joint Rules governing the 2013-2014 legislative sessions, as amended by the House (House, No. 2016, amended),-- **came from the House with the endorsement that the House had concurred in the Senate amendment with a further amendment by striking out the text and inserting in place thereof the text of House document numbered 3326.**

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

Order Adopted.

On motion of Mr. Hedlund,--

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

Moment of Silence.

At the request of the President, members, guests and staff stood in a moment of silence and reflection to the memory of General William J. Gormley III.

Adjourn In Memory of General William J. Gormley III.

The Senator from Suffolk and Norfolk Mr. Rush moved that when the Senate adjourns today, it adjourn in memory of General William J. Gormley III.

Retired Brigadier Gen. William J. Gormley III, who as a commander in the Massachusetts National Guard, oversaw security of troops during the Boston busing crisis in 1974. He rode in chase vehicles behind Pope John Paul II and Queen Elizabeth II during their visits to Boston. General Gormley had his first military service encounter as a young Reserve Officer Training Corps cadet at Boston College. During his 30 years with the Guard, he served as the battery commander of the Bay State's Nike missile sites during the height of the Cold War and as battalion commander of the 241st Field Artillery.

The 74 year old native of West Roxbury constantly gave back to the city of Boston, as an active member on several boards and committees: past president of the Holy Name Society, past member of the board of trustees of the Faulkner Hospital, past district chairman of Boy Scouts of America Greater Boston Council, past vice chairman of the USO Council of New England and director of family owned funeral home, Gormley Funeral Home.

The beloved husband of, Mary, father of five children, grandfather to eight grandchildren, brother of four siblings and uncle to several nieces and nephews.

Accordingly, as a mark of respect in memory of General William J. Gormley III, at five minutes past three o'clock P.M., on motion of Mr. Rush, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.