

**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, September 5, 2013.*

Met at five minutes past eleven o'clock A.M. (Mr. McGee in the Chair).

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

#### *Communication.*

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing his appointment of himself to the Special Commission established (under Section 164 of Chapter 38 of the Acts of 2013) to make an investigation and study of quality and affordable dental care in the Commonwealth,-- was placed on file.

#### *Petition.*

Mr. Finegold presented a petition (subject to Joint Rule 12) of Barry R. Finegold, Frank A. Moran and James J. Lyons, Jr. for legislation to designate a certain bridge in the town of Andover as the Andover Veterans of the Iraqi and Afghanistan War Memorial Bridge,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

#### **PAPERS FROM THE HOUSE**

Communications were severally referred, in concurrence, as follows, to wit:

Communication (accompanied by bill, House, No. 3640) from the Public Employee Retirement Administration Commission PERAC (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting proposed amendments to the rules and regulations governing retirement of public employees in Massachusetts (840 CMR 3.07 and 3.10); and

Communication (accompanied by bill, House, No. 3641) from the Public Employee Retirement Administration Commission PERAC (under the provisions of Section 50 of Chapter 7 of the General Laws) submitting proposed amendments to the rules and regulations governing retirement of public employees in Massachusetts (840 CMR 3.08).

**Severally to the committee on Public Service.**

#### *Resolutions.*

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

Resolutions (filed by Messrs. Brewer and Brownsberger, Ms. Chandler, Ms. Clark, Ms. Creem, Messrs. DiDomenico, Donnelly, Downing and Eldridge, Ms. Flanagan, Ms. Forry, Messrs. McGee, Montigny, Michael O. Moore and Richard T. Moore, Ms. Murray, Messrs. Rodrigues and Ross, Ms. Spilka and Messrs. Tarr, Timilty and Welch) "commending the Admetech Foundation on hosting the fifth annual Prostate Cancer Awareness Day at the Massachusetts State House on September 12, 2013"; and

Resolutions (filed by Ms. Clark) "commending the people of the town of Stoneham on the success of the Stoneham Strong Fund."

*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 providing for rent regulation and control of evictions in mobile home park accommodations in the town of Easton (House, No. 1106),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

*Order Adopted.*

On motion of Mr. Richard T. Moore,--

*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.

*Moment of Silence.*

At the request of the Chair (Mr. McGee), the members, guests and staff stood in a moment of silence and reflection to the memory of James A. Kelly, Jr.

*Adjournment in Memory of James A. Kelly, Jr.*

The Senator from Worcester and Norfolk, Mr. Richard T. Moore moved that when the senate adjourns today, it do so in memory of former State Senator James A. Kelly, Jr.

James A Kelly, Jr., originally from Cherry Valley, Massachusetts, passed away in Pueblo, Colorado on August 9 of complications following a hip fracture. Jim was born in Worcester on May 11, 1926, the son of James and Florence Kelly. Following Jim's tour of duty in the Navy during the Second World War, Jim attended Clark University where he met and married Elisabeth Kelly. He earned his CPA and had an accounting practice in Leicester. Jim also served more than 20 years in the public arena in the Massachusetts House of Representatives and State Senate, the last 8 years as Chairman of the Senate Ways & Means Committee. He played a central role in the establishment of UMASS Medical Center, and the selection of Worcester for its location. After living many years in Florida, Jim moved to Colorado Springs, Colorado. Jim enjoyed his last years which he spent at Summit Glen Senior housing in Colorado Springs. Jim and Elisabeth had eight children: Msgr. James, a priest of the Prelature of Opus Dei, living in Menlo Park, California; Mary (who died when less than a year old); Thomas, married to Catherine (Rizzi) and with two children, Maria and Thomas, of San Diego, California; Michael of Worcester; Robert, married to Lucy Sharp and with daughter Diane of Woodland Park, Colorado; Paul married to Patricia and with two daughters Rachel and Katie, of Paxton; Jean and her husband Barry Fenning, of North Brookfield; and Maureen and her husband Alan Walker, of Rye, Colorado. Jim is survived by his first wife Elisabeth of Grafton and their children, and by the five grandchildren. Jim will be buried in Leicester, near his parents and his daughter Mary. Jim's family is very grateful to the Steel City staff at the Pueblo Care and Rehab Center for the outstanding abilities and kindness they showed Jim in his final months.

Accordingly, as a mark of respect to the memory of James A. Kelly, Jr., at eleven minutes past eleven o'clock A.M., on motion of Mr. Rodrigues, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.