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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Tuesday, November 12, 2013.

Met at three minutes past eleven o'clock A.M. (Mr. Rosenberg in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Senator from Essex and Middlesex, Mr. Tarr, then led the Chair (Mr. Rosenberg), members, guests and staff in the recitation of the pledge of allegiance to the flag.

Report of a Committee

By Mr. Kennedy, for the committee on Consumer Protection and Professional Licensure, on petition (accompanied by bill Senate, No. 155), a Bill to regulate secondary metals dealing (Senate, No. 1916);

Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

PAPERS FROM THE HOUSE

A Bill designating a certain state owned bridge in the town of Randolph as the Charles L. Bowley memorial bridge (House, No. 3158,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

A Bill repealing the law authorizing the town of Lincoln to grant a license for the sale of wines and malt beverages to be drunk on the premises (House, No. 3527,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Resolutions.

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

Resolutions (filed by Ms. Creem, Messrs. Brewer and Brownsberger, Ms. Candaras, Ms. Chandler, Ms. Clark, Messrs. DiDomenico and Donnelly, Ms. Donoghue, Messrs. Downing, Eldridge and Finegold, Ms. Flanagan, Mr. Hedlund, Ms. Jehlen, Mr. Keenan, Ms. Lovely, Messrs. McGee, Montigny, Michael O. Moore and Richard T. Moore, Ms. Murray, Messrs. Rosenberg, Ross and Rush, Ms. Spilka and Messrs. Tarr, Timilty, Welch and Wolf) "commemorating the celebration of Chanukah 2013"; Resolutions (filed by Mr. Ross) "congratulating Dylan Morris Baroody on his elevation to the rank of Eagle Scout"; and Resolutions (filed by Mr. Ross) "congratulating Conor Crosby Walsh on his elevation to the rank of Eagle Scout."

PAPER FROM THE HOUSE

The Senate Bill to foster economic independence (Senate, No. 1806),-- **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 of House document numbered 3756.**

Ms. Lovely moved that the Senate NON-concur in the House amendments and ask for a committee of conference on the disagreeing votes of the two branches.

Senators Flanagan, Barrett and Hedlund were appointed to the committee on the part of the Senate. The bill was returned to the House endorsed accordingly.

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 House Bill relative to a form of governance for the Boston Housing Authority (House, No. 1117),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the disposal of certain real property in the town of Framingham (House, No. 3512) (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.**

Reports of Committees.

Mr. Rosenberg, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill designating a certain parcel in the city of Cambridge as the Lynch family skate park (House, No. 2892).
There being no objection, the rules were suspended, on motion of Mr. Ross, 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 designating a certain parcel in the city of Cambridge as the Lynch Family Skate Park’.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill relative to voluntary towing reform (Senate, No. 1150),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 1917).

There being no objection, the rules were suspended, on motion of Mr. Ross, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means. The bill (Senate, No. 1917) was then ordered to a third reading.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Mary Ford, an employee of the Department of Correction (House, No. 3620),-- **ought to pass.**

There being no objection, the rules were suspended, on motion of Ms. Lovely, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

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 Arleen Martino for the adoption of resolutions to call on the United States Congress to support prudent banking.

Senate Rule 36 was suspended, on motion of Ms. Lovely, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by resolutions) was referred to the committee on Financial Services. Sent to the House for concurrence.

PAPERS FROM THE HOUSE

A petition (accompanied by bill, House, No. 3758) of William Smitty Pignatelli and others for legislation to establish a commuter pass program for users of the Massachusetts Turnpike,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Transportation.**

Engrossed Bills.

The following engrossed bills (both of which originated in the House), 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. Rosenberg) and laid before the Governor for his approbation, to wit:

Increasing the membership of the board of selectmen in the town of Southborough (see House, No. 3551); and

Authorizing the city of Revere to issue bonds or notes for the payment of a certain litigation settlement (see House, No. 3687).

Resolve Passed.

An engrossed Resolve relating to the Tribal-State Compact between the Mashpee Wampanoag Tribe and the Commonwealth of Massachusetts (see House Bill, printed in House, No. 3376) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed and signed by the Acting President (Mr. Rosenberg) and laid before the Governor for his approbation.

Moment of Silence.

At the request of the Chair (Mr. Rosenberg), members, guests and staff stood in a moment of silence and reflection to the memory of Ernest “Tony” Winsor of Newton.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet on Thursday next at one o’clock P.M., in a full formal session with a calendar.

Recess.

There being no objection, at sixteen minutes past eleven o’clock A.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at twenty-four minutes before one o’clock P.M., the Senate reassembled, Mr. Rosenberg in the Chair.

Adjourn In Memory of Ernest “Tony” Winsor

The Senator from Middlesex and Norfolk, Ms. Creem, moved that when the Senate adjourns today, it do so in memory of Ernest “Tony” Winsor of Newton.

Ernest “Tony” Winsor, one of Newton’s most dedicated advocates for reforming inequality in the justice system died November 4, 2013.

Graduating from Harvard University in 1958, Tony served in the U.S. Army for 2 years and returned to Harvard for law school, from which he graduated in 1963. After working 6 years at Hale & Dorr Law Firm he worked at Mass Law Reform Institute for the next 39 years until his retirement in 2009.

Tony was a tireless advocate seeking justice for disadvantaged individuals. He devoted much of his time and energy reforming the CORI system and to require interpreters be in courts and emergency rooms.

For more than 50 years he was active with the Massachusetts Chapter of the American Civil Liberties Union and served on the Board of Massachusetts Prisoners’ Legal Services for more than 30 years.

Tony enjoyed summering with friends and family in Nova Scotia, and loved sharing his “Mama Tone’s Rum Punch”. He believed the justice system could, and would, be improved and quietly impressed upon others his certainty that each individual deserves equal opportunities for justice.

Newton resident Ernest “Tony” Winsor will be missed by Rose, his wife of 44 years, his daughter Alina, and son and daughter in law Ben and Alyssa, and his many friends.

Accordingly, as a mark of respect to the memory of Ernest “Tony” Winsor, at twenty-three minutes before one o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Thursday next at one o'clock P.M.