

**JOURNAL OF THE HOUSE.**

Monday, January 3, 2011.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

*Resolutions.*

Gordon Forrester.

Resolutions (filed with the Clerk by Mr. Kujawski of Webster) congratulating Chief Gordon Forrester on the occasion of his retirement from the Webster Fire Department, were referred, under Rule 85, to the committee on Rules.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Dwyer of Woburn, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Communication.*

Northeastern University Boathouse.

A communication from Northeastern University (under Chapter 645 of the Acts of 1986) relative to the lease entered into by and between the Commonwealth of Massachusetts and Northeastern University for the University Boathouse; was placed on file.

*Paper from the Senate.*

Boston,—land conveyance.

A Bill providing for the disposition of Commonwealth-owned land in the city of Boston (Senate, No. 2645, amended in section 6, in line 41, by striking out the word "used" and inserting in place thereof the following: "developed prior to the receipt of the certification in section 7"; and by adding at end thereof the following section:

"SECTION 7. Upon completion of the redevelopment of the property for the purposes described in section 1, as evidenced by an architect's certificate of completion, the commissioner shall furnish the grantee with an appropriate instrument, in recordable form, certifying as to such completion. Such certification by the commissioner shall be a conclusive determination of the grantee's satisfaction of the conditions in section 1 and shall further constitute a termination of the right of reversion contained in section 6." (on Senate bill No. 2612), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

*Reports of Committees.*

Betty Garcia,—sick leave bank.

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Betty Garcia, an employee of the Department of Transitional Assistance (House,

No. 5084). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Pedone of Worcester, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

*Emergency Measures.*

The engrossed Bill establishing a sick leave bank for Maryann Audette, an employee of the Department of Revenue (see Senate, No. 2644, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Maryann Audette,—sick leave bank.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

The engrossed Bill establishing a sick leave bank for Beverly O'Riordan, an employee of the Department of Elementary and Secondary Education (see Senate, No. 2660), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Beverly O'Riordan,—sick leave bank.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

*Engrossed Bills.*

The engrossed Bill establishing the Massachusetts state pilotage rate board (see Senate, No. 2174, amended), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

*Engrossed bills*

Designating a certain area of the Blackstone River and Canal Heritage State Park in the town of Northbridge as the Spaulding R. Aldrich Memorial Recreation Area (see Senate, No. 2160) (which originated in the Senate);

Bills enacted.

Bills enacted.

Relative to certain members of the Cambridge retirement system (see House, No. 4280, amended); and  
Relative to cutting down, trimming or removing bushes and small trees (see House, No. 5121, amended);  
(Which severally originated in the House);  
Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Frank J. Servello,— sick leave bank.

The engrossed Bill establishing a sick leave bank for Frank J. Servello, an employee of the Executive Office of Public Safety and Security (see Senate, No. 2650) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Pending the question on passing the bill to be enacted, Mr. Kafka of Stoughton moved that Rule 40 be suspended; and the motion prevailed. The same member then moved to amend the bill in lines 1 to 4, inclusive, by striking out the following:

“Notwithstanding any general or special law, rule or regulation to the contrary, the executive office of public safety and security shall establish a sick leave bank for Frank J. Servello, an employee of the executive office of public safety and security.” (as changed by the House committee on Bills in the Third Reading); and inserting in place thereof the following:

“Notwithstanding any general or special law, rule or regulation to the contrary, the executive office of public safety and security shall establish a sick leave bank for Frank J. Servello, a 24-year employee of the department of correction, transferred to the executive office of public safety and security on August 1, 2010, as the result of consolidation of the secretariat’s information technology functions.”

The amendment was adopted. Sent to the Senate for concurrence.

*Motions to Discharge Certain Matters in the Orders of the Day.*

Cummington,— Dennis Forgea.

The Senate Bill authorizing the town of Cummington to continue the employment of Police Chief Dennis W. Forgea (Senate, No. 2632, amended), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed, in concurrence.

Police identification cards.

The Senate Bill relative to the issuance of uniform police identification cards (Senate, No. 2649), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed, in concurrence.

The House Bill relative to the appointment of the treasurer of Palmer Fire District Number One and Palmer Water District Number One (House, No. 1881), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the appointment of Christopher M. Dufresne as a firefighter in the town of North Andover notwithstanding the maximum age requirements (House, No. 5011), was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

The House Resolve providing for an investigation and study by a special commission on college scholarships (House, No. 5129), was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Kafka of Stoughton.

The resolve (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

*Recess.*

At five minutes before one o’clock P.M., on motion of Mr. Pedone of Worcester (Mr. Donato of Medford being in the Chair), the House recessed until three o’clock; and at twenty-four minutes after three o’clock the House was called to order with Mr. Donato in the Chair.

*Emergency Measures.*

The engrossed Bill designating a proposed walking path in the Belle Isle Marsh Area in the town of Winthrop as the John Kilmartin Walkway (see House, No. 5035), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

The engrossed Bill establishing a sick leave bank for Patrick J. Hager, an employee of the Department of Revenue (see House, No. 5110, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 7 to 0. Sent to the Senate for concurrence.

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Robert Manning,—  
sick leave bank.

The engrossed Bill establishing a sick leave bank for Robert Manning, an employee of the Trial Court (see House, No. 5117), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 8 to 0. Sent to the Senate for concurrence.

*Engrossed Bills.*

Bills enacted.

Engrossed bills

Authorizing the town of Cummington to continue the employment of Police Chief Dennis W. Forgea (see Senate, No. 2632, amended) (which originated in the Senate);

Relative to the distribution of copies of the warrant in the town of North Andover (see House, No. 1900); and

Authorizing the town of Reading to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 5122);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and it were signed by the acting Speaker and sent to the Senate.

*Motion to Discharge a Certain Matter  
in the Orders of the Day.*

Raynham,—  
bridges.

The Senate Bill designating certain bridges under the control of the Massachusetts Department of Transportation (Senate, No. 2666), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Flynn of Bridgewater.

The bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) then was read a third time; and it was passed to be engrossed, in concurrence.

*Order.*

Next sitting.

On motion of Mr. DeLeo of Winthrop,—

*Ordered.* That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

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At half past three o'clock P.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.