

Monday, March 5, 2012.

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).

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. Pledge of allegiance.

*Change in Membership of a Special Commission.*

The Minority Leader announced that he had appointed Representative Ferguson of Holden as his designee (to replace Representative Poirier of North Attleborough) on the special commission established (under Chapter 313 of the Acts of 2010) to provide guidance and advice to the Governor, the General Court and the Secretary of Health and Human Services relative to current research on postpartum depression including, but not limited to, best and promising practices in the prevention, detection and treatment of postpartum depression and recommend policies, including legislation, to promote greater public awareness, screening and treatment of postpartum depression. Postpartum Depression Commission,—membership change.

*Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

- Resolutions (filed by Mrs. Poirier of North Attleborough) in celebration of the one hundredth anniversary of Girl Scouts; Girl Scouts.
  - Resolutions (filed by Ms. Hogan of Stow) congratulating John P. Slattery III on achieving the rank of Eagle Scout with the Boy Scouts of America; John P. Slattery, III.
  - Resolutions (filed by Ms. Malia of Boston) honoring Barbara Leadholm for her outstanding service and dedication as Commissioner of the Department of Public Health; Barbara Leadholm.
  - Resolutions (filed by Ms. Peisch of Wellesley) honoring Christopher Zabriskie on receiving the Eagle Award of the Boys Scouts of America; Christopher Zabriskie.
  - Resolutions (filed by Mr. Pignatelli of Lenox) celebrating the eightieth anniversary season of Jacob's Pillow Dance Festival; Jacob's Pillow.
  - Resolutions (filed by Mr. Vallee of Franklin) honoring John (Gus) Reitinger for his commitment to our nation and community; and John (Gus) Reitinger.
  - Resolutions (filed by Mr. Vallee of Franklin) honoring Theresa (Terri) Reitinger for her commitment to our nation and community; Theresa (Terri) Reitinger.
- Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Ms. Wolf of Cambridge, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*

Women in criminal justice system,— study.

By Ms. Khan of Newton, an additional petition (having been deposited with the Clerk previous to five o'clock in the afternoon on Wednesday, January 20, 2011) (accompanied by order, House, No. 3973) of Kay Khan relative to the appointment of a special committee of the House to make an investigation and study concerning women in the criminal justice system, was presented; and it was referred, under Rule 24 and Joint Rule 13, to the committee on Children, Families and Persons with Disabilities. Sent to the Senate for concurrence.

Springfield,— MCAS.

Mr. Curran of Springfield presented a petition (accompanied by bill, House, No. 3974) of Sean Curran and others (with the approval of the mayor and city council) for legislation to authorize the city of Springfield to postpone taking the 2011-2012 MCAS tests for students of said city; and the same was referred to the committee on Education. Sent to the Senate for concurrence.

*Papers from the Senate.*

**Bills**

Erving,— liquor license.

Authorizing the town of Erving to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2093, amended in section 1, in lines 2 and 3, by striking out the words “a license for the sale of all alcoholic beverages not to be drunk on the premises to Weatherheads” and inserting in place thereof the words “to Ralph Semb a license for the sale of all alcoholic beverages not to be drunk on the premises”) (on a petition); and

HIV,— screening.

To increase routine screening for HIV (Senate, No. 2158, amended in lines 4, 11 and 16 by striking out the following “HTVL-III” and inserting in place thereof, in each instance, the following “HIV”; in lines 17 and 18 by striking out the following: “; and ‘HTLV-III and antibody or antigen test’ shall mean a licensed screening antibody test for human T-cell lymphotropic virus type III”; and by adding the following paragraph:

“This section shall not apply to premortem and postmortem serological testing for purposes of donation under chapter 113A.”) (on Senate bill No. 1997);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Artificial trans fats.

A report of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1164) of Michael F. Rush for legislation relative to food containing artificial trans fats,— and recommending the same be referred to the committee on the Health Care Financing,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

*Reports of Committees.*

Maureen Shaw,— accidental death benefit.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Martin J. Walsh and others

relative to the payment of an accidental death benefit from the State-Boston Retirement Board to Maureen Shaw.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, 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 Senate for concurrence.

By Mr. Scibak of South Hadley, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Cheryl A. Cole, an employee of the Office of Medicaid (House, No. 3967). Cheryl A. Cole,—sick leave.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for a certain employee of the Department of Developmental Services (House, No. 3969). Janet Ochner,—sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick bank for Mary M. Stanton (House, No. 3972). Mary M. Stanton,—sick leave.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to regulating the practice of human body piercing (House, No. 584). Human body piercing.

By the same member, for the same committee, on Senate, No. 1087 and House, No. 598, a Bill to improve health care access (House, No. 598). Health care,—outreach.

By the same member, for the same committee, on a petition, a Bill to eliminate antiquated hospital bed de-licensure rules (House, No. 606). Hospital beds.

By the same member, for the same committee, on Senate, No. 1126 and House, No. 623, a Bill relative to the Massachusetts Alzheimer's project (House, No. 623). Alzheimer's project.

By the same member, for the same committee, on a petition, a Bill relative to developing an HIT revolving loan program (House, No. 628). Loan fund.

By the same member, for the same committee, on Senate, No. 1099 and House, No. 1472, a Bill relative to medication technician (House, No. 1472). Medication technicians.

By the same member, for the same committee, on House, Nos. 1492 and 2355, a Bill creating a nursing advisory board (House, No. 1492). Nursing advisors.

By the same member, for the same committee, on House, Nos. 1513 and 2361, a Bill relative to healthy cosmetics (House, No. 1513). Cosmetics.

By the same member, for the same committee, on a petition, a Bill relative to firefighters (House, No. 1514). Firefighters.

By the same member, for the same committee, on Senate, No. 280 and House, Nos. 1521 and 3603, a Bill to ensure transparency in prescription drug practices in the Commonwealth (House, No. 1521). Prescription drugs,—pricing.

By the same member, for the same committee, on a petition, a Resolve providing for an investigation and study by a special commission relative to reducing the wait time for medical equipment for children with special health care needs (House, No. 1523). Medical equipment,—study.

MassHealth applications.

By the same member, for the same committee, on a petition, a Bill regarding MassHealth applications (House, No. 1530).

Cancer screenings.

By the same member, for the same committee, on a petition, a Bill ensuring access to life-saving colorectal cancer screenings (House, No. 1543).

Pharmacy,— benefits.

By the same member, for the same committee, on a petition, a Bill relative to the definition of a pharmacy (House, No. 2362).

Death benefits.

By the same member, for the same committee, on a petition, a Bill relative to death benefit claims (House, No. 2373).

Health care providers,— vaccines.

By the same member, for the same committee, on Senate, No. 1084 and House, No. 2386, a Bill requiring the Department of Public Health to implement a provider choice system for certain vaccines (House, No. 2386).

Tobacco addiction,— health care.

By the same member, for the same committee, on Senate, No. 1075 and House, No. 2452, a Bill to curtail tobacco addiction and related health care costs (House, No. 2452).

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

Workplace bullying.

By Ms. Coakley-Rivera of Springfield, for the committee on Labor and Workforce Development, on Senate, No. 916 and House, Nos. 2309 and 2310, a Bill addressing workplace bullying, mobbing and harassment, without regard to protected class status (House, No. 2310).

Trash,— transportation.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to the removal or transportation of trash (House, No. 1546).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Epinephrine,— schools.

Relative to access to epinephrine in schools (House, No. 594), with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3959),— pending;

Hemophilia Advisory Committee.

Relative to the Hemophilia Advisory Committee (House, No. 1526), with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3960),— pending;

Deceased persons,— transportation.

Relative to the transporting of deceased persons (House, No. 1545), with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3961),— pending; and

Insurance company rebates.

Relative to insurance company rebates (House, No. 3776), with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of a bill with the same title (House, No. 3930),— pending.

Severally placed in the Orders of the Day for the next sitting for a second reading, with the amendments pending.

Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Authorizing the town of Kingston to install, finance and operate wind energy facilities (Senate, No. 1915) [Local Approval Received]; and Kingston,—wind energy.

Relative to medical emergency response plans for schools (Senate, No. 2132, amended); Schools,—medical response plans.

Severally placed in the Orders of the Day for the next sitting for a second reading.

*Emergency Measure.*

The engrossed Bill establishing a sick leave bank for Catherine Blais, an employee of the Trial Court (see House, No. 3894), 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. Catherine Blais,—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 5 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 House) 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 a sick leave bank for Michael Foti, an employee of the Department of Correction (see Senate, No. 2088) (which originated in the Senate), 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.

The engrossed Bill relative to the Division of Transportation in the town of Brookline (see House, No. 3920) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Id.

*Orders of the Day.*

House bills

Authorizing the town of Sherborn to enter into an employment contract for the position of police chief of the town of Sherborn (House, No. 3487); and Third reading bills.

Authorizing the town of Scituate to continue the employment of the chief of police, Brian E. Stewart (House, No. 3834) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

*Recess.*

Recess.

At twelve minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before twelve o'clock noon; and at six minutes before twelve o'clock, the House was called to order with Mr. Donato in the Chair.

*Engrossed Bills.*Bill  
enacted.

The engrossed Bill relative to a voting precinct in the town of Dracut (see House bill printed in House, No. 3958) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Id.

The engrossed Bill relative to voting precincts in the city of Chicopee (see House, No. 3956) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Order.*Next  
sitting.

On motion of Mr. DeLeo of Winthrop,—

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

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At five minutes before twelve o'clock noon, on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.