

Thursday, May 10, 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).

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.

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

Boston,—
Safety
Engineer's
Society.

Resolutions (filed by Mr. Dwyer of Woburn and other members of the House) congratulating the Greater Boston Chapter of the American Society of Safety Engineers on its celebration of North American Occupational Safety and Health Week and Occupational Safety and Health Professional Day; and

Natick,—
Warren James
Bedford
Square.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) celebrating the dedication of the Warren James Bedford Square in the town of Natick;

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.

Reconsideration.

Supplemental
appropriations.

Mr. Dempsey of Haverhill asked that the vote be reconsidered by which the House, at the preceding sitting, passed to be engrossed the House Bill making appropriations for the fiscal year 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4071, amended), and the motion to reconsider was entertained; and it prevailed.

The same member then moved that the vote be reconsidered by which the House adopted an amendment (offered by Mr. Hill of Ipswich), that the bill be amended by adding the following two sections:

“SECTION 7. Subsection (c) of section 222 of chapter 111 of the General Laws, as inserted by section 6 of chapter 197 of the Acts of 2010, is hereby amended by striking subdivision (2) and inserting in place thereof the following:— (2) All competitive foods or beverages sold or provided in public schools shall be limited to foods or beverages that comply with the nutritional standards; provided, however, that the nutritional standards shall not apply, unless a public school district or board of trustees elects to apply the nutritional standards, to: competitive foods or beverages sold on school grounds up to 30 minutes before the beginning of the school day or 30 minutes after the end of the school day, with the exception of competitive foods or beverages sold through vending machines, in which case the nutritional stan-

dards shall apply at all times; or, competitive foods or beverages sold during the school day at booster sales, concession stands, and other school-sponsored or school-related fundraisers and events.

SECTION 8. Clause (iv) of subdivision (4) of subsection (c) of section 222 of chapter 111 of the General Laws, as so appearing, is hereby amended by striking the word ‘may’ and inserting in place thereof the following:— shall.”; and the motion to reconsider prevailed.

Mr. Dempsey of Haverhill then moved that the amendment (offered by Mr. Hill) be amended in section 7 and also in section 8 the first line by striking out the figures “222” and inserting in place thereof, in each instance, figures “223”. The further amendments were adopted. The amendment, as amended, then was adopted.

The bill then was passed to be engrossed. The bill (House, No. 4079, published as amended) then was sent to the Senate for concurrence.

Reports of Committees.

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

Authorizing the conveyance of certain properties by the Melrose housing authority to fund improvements to low income family housing units owned by the Melrose housing authority and to increase the number of low and moderate income family housing units in the city of Melrose (Senate, No. 2234); and

Melrose,—
housing.

Relative to planning boards. approval of subdivision plans (House, No. 86);

Subdivision
plans.

Under suspension of Rule 7A, in each instance, on motion of Mr. Kafka, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on Senate, No. 265 and House, No. 1101, a Bill regarding residential habilitation (House, No. 1101).

Residential
habilitation.

By the same member, for the same committee, on a petition, a Bill to establish an Alzheimer’s state plan commission (House, No. 2727).

Alzheimer’s
commission.

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

By Mr. Costello of Newburyport, for the committee on Financial Services, on Senate, No. 868 and House, No. 1219, a Bill to prevent unlawful and unnecessary foreclosures (House, No. 4083).

Foreclosures.

By Mr. Honan of Boston, for the committee on Housing, on a petition, a Bill relative to eliminating homelessness (House, No. 2118).

Homelessness,—
elimination.

By Mr. O’Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill relating to comprehensive protection from childhood sexual abuse (House, No. 469).

Childhood
sexual abuse.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill providing for the conveyance of certain land by the Commonwealth of Massachusetts along I-95 (House, No. 1394).

Canton,—
land.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Schools,—
athletic
resources.

By Ms. Peisch of Wellesley, for the committee on Education, on House, No. 1939, a Bill relative to the disclosure of information of public school athletic resources and interscholastic athletic authorized representatives (House, No. 4080).

Personal
care,—
training.

By Mr. Walsh of Lynn, for the committee on Health Care Financing, on Senate, No. 268 and House, No. 599, a Bill to provide personal care attendant orientation program (House, No. 4081).

State
purchasing,—
preference.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill relative to reducing outsourcing (House, No. 3684).

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

Engrossed Bills.

Bill
Enacted.

The engrossed Bill validating the actions taken at the annual town meeting in the town of North Andover (see House bill printed in House, No. 3665) (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.

Recess.

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at four minutes after five o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Papers from the Senate.

Supplemental
appropriations.

The House Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4079), came from the Senate passed to be engrossed, in concurrence, with amendments by striking out sections 5 to 8, inclusive, and inserting in place thereof the following four sections:

“SECTION 5. Subsection (c) of section 223 of chapter 111 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out paragraph (2) and inserting in place thereof the following paragraph:

(2) All competitive foods or beverages sold or provided in public schools shall be limited to foods or beverages that comply with the nutritional standards; provided, however, that the nutritional standards shall not apply to competitive foods and beverages sold on school grounds up to 30 minutes before the beginning of the school day or to competitive foods and beverages sold on school grounds 30 minutes after the end of the school day; provided further, that notwithstanding the foregoing, the nutritional standards shall apply at all times to competitive foods or beverages sold on school grounds through vending machines. A public school district or board of trustees may elect to apply the nutritional standards to competitive foods and beverages sold or provided on school grounds up to 30 minutes before the beginning

of the school day or to competitive foods and beverages sold or provided on school grounds 30 minutes after the end of the school day; provided, however that the nutritional standards shall not apply at any time to competitive foods or beverages sold or provided at booster sales, concession stands and other school-sponsored or school-related fundraisers and events.

SECTION 6. Said section 223 of said chapter 111, as so appearing, is hereby further amended by striking out, in line 78, the word 'may' and inserting in place thereof the following word:— shall;

SECTION 7. The first sentence of subsection (l) of section 3 of chapter 23K of the General Laws, as appearing in section 16 of chapter 194 of the acts of 2011, is hereby amended by striking out the words 'commission may' and inserting in place thereof the following words:— commission shall.

SECTION 8. Said first sentence of said subsection (l) of said section 3 of said chapter 23K, as so appearing, is hereby further amended by inserting after the word 'credit' the following words:— and background.”.

Under suspension of Rule 35, on motion of Mr. Dempsey of Haverhill, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Emergency Measure.

The engrossed Bill making appropriations for the fiscal year 2012 for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4079), 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.

Supplemental appropriations.

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 2 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

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

Next sitting.

At twenty-nine minutes before six o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.