

JOURNAL OF THE HOUSE.

Monday, July 22, 2013.

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.

Message from the Governor — Veto.

Transportation finance.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to transportation finance [see House, No. 3535, amended] (for message, see House, No. 3585), was filed in the Office of the Clerk on Friday, July 19. The message was read; and, under the provisions of Article II of Section I of Chapter I of the Constitution, the House proceeded to "reconsider" the said bill.

The bill then was placed, under Rule 12, in the Orders of the Day for the next sitting, the question being: "Shall the bill pass, notwithstanding the objections of His Excellency the Governor?"

Resolutions.

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

Burlington Players.

Resolutions (filed by Mr. Gordon of Bedford and other members of the House) congratulating the Burlington Players on winning the 2013 American Association of Community Theatre Festival Award for Best Production; and

Adam Martin Lurie.

Resolutions (filed by Messrs. Kafka of Stoughton and Galvin of Canton) congratulating Adam Martin Lurie of Boy Scout Troop 516 on earning the Eagle Scout Award;

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 Mr. Kafka, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

Norfolk County,—technology fund.

From the Norfolk County Registry of Deeds (pursuant to Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of said report forwarded to the committee on Ways and Means and committee on Post Audit and Oversight] was placed on file.

Papers from the Senate.

The Senate Bill establishing a sick leave bank for Kathleen Meinhofer, an employee of the Department of Children and Families (Senate, No. 1285, amended in line 1 by striking out the following: "SECTION 1.", in said line by striking out the words ", rule or regulation", and in lines 5, 6 and 7, by striking out the sentence contained in those lines; and by inserting before the enacting clause the following emergency preamble:

Kathleen
Meinhofer,—
sick leave.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of children and families, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, then 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.

A petition (accompanied by bill) of Michael F. Rush, Kevin G. Honan and Edward F. Coppinger for legislation relative to the practice of athletic training, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Health.

Athletic
training.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 1832) was referred, in concurrence, to the committee on Public Health.

Reports of Committees.

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 following petitions;

Petition (accompanied by bill) of Thomas P. Conroy relative to pesticide application. To the committee on Environment, Natural Resources and Agriculture.

Pesticide
application.

Petition (accompanied by bill) of William Smitty Pignatelli and others for legislation to establish a homeless bill of rights. To the committee on Housing.

Homeless
bill of
rights.

Under suspension of the rules, on motion of Ms. Peisch of Wellesley, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to needlestick injury prevention in public health facilities and settings (House, No. 1902) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

Needlestick
prevention.

By the same member, for the same committee, on a petition, a Bill relative to the issuance of public health warnings (House, No. 1932) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

Public health
warnings.

Boston
Public Health
Commission,—
data sharing.

By the same member, for the same committee, on a petition, a Bill relative to public health data sharing with the Boston Public Health Commission (House, No. 2070) [Local Approval Received] [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

HIV/AIDS,—
commission.

By the same member, for the same committee, on a petition, a Bill relative to the establishment of a commission to modernize HIV/AIDS prevention and treatment (House, No. 2085) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

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

Fish,—
labeling.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill relative to strengthening the consumer protections and ensuring the proper labeling of fish sold in the Commonwealth (House, No. 1946) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

Wellesley,—
land.

By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a joint petition, a Bill authorizing the town of Wellesley to convey a portion of the aqueduct land to be acquired by said town pursuant to chapter 267 of the acts of 2002 to Bike Realty LLC, for parking purposes, provided said town votes to transfer jurisdiction to the Natural Resources Commission of said town, to be held as parkland, land currently held for general municipal purposes, in satisfaction of the article 97 land disposition policy of the Executive Office of Energy and Environmental Affairs (House, No. 3513) [Local Approval Received].

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

Potluck
events.

By Mr. Sánchez of Boston, for the committee on Public Health, on a petition, a Bill protecting potluck events (House, No. 1997) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

Organ
retention.

By the same member, for the same committee, on a petition, a Bill relative to organ retention (House, No. 2106) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

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

Subsequently, Mr. Kafka of Stoughton for said committee reported that the matters be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

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

Lynn,—
illegal
dumping.

The Senate Bill authorizing the city of Lynn to establish a program for enforcement against illegal dumping (Senate, No. 1784) [Local Approval Received]; and

House bills

School foods.

Relative to school served food products (House, No. 130);

Schools,—
employees.

Relative to protecting the rights of custodial and other non teaching employees of school districts (House, No. 2352);

Teachers.

To define further teacher for retirement purposes (House, No. 2384);

Designating a certain parcel in the city of Cambridge as the Lynch family skate park (House, No. 2892); and

Cambridge,—
Lynch park.

Relative to risk management services (House, No. 3540);

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

Risk
management.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Linda Barlow, an employee of the Department of Mental Health (see House, No. 3468), 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.

Linda
Barlow,—
sick leave.

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.

Orders of the Day.

The House Bill authorizing the Massachusetts Water Resources Authority to dispose of real property located in the city of Quincy and to grant an access easement upon real property of the Massachusetts Water Resources Authority located in the city of Quincy (House, No. 3570), 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.

Third
reading
bill.

Order.

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.

Next
sitting.

At thirteen minutes after eleven o'clock A.M., on motion of Mr. Smola of Palmer (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.