

## JOURNAL OF THE HOUSE.

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Monday, June 28, 2010.

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).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Gracious God, from Whom all blessings flow, once again we begin this morning's legislative session with a prayer for guidance and with a moment for personal reflection. Your available assistance enables us to set correctly our priorities for the day and to give direction and meaning to our daily routine and responsibilities. Inspire us to offer You and our constituents who depend upon our mature, reasoned judgments, our sincere and best legislative efforts. This morning, we will stand for a moment of silence as we honor, remember and pay tribute to Representative Robert Nyman of the 5th Plymouth District, who died several days ago. We are grateful for his distinguished service in the House, his care for the people of his district and his graciousness and warm friendship which we enjoyed. May he rest in eternal peace in the kingdom of his God and Creator. May the Good Lord also grant strength, peace and courage to his wife and daughters.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

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.

### *Silent Prayer.*

At the request of Speaker DeLeo of Winthrop, the members, guests and employees stood in a moment of silent tribute to the memory of Robert J. Nyman, a member of the House of Representatives from Hanover from 1999 to 2010, inclusive.

### *Special Report.*

A report from the Dukes 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 this report were referred to the committees on Post Audit and Oversight and Ways and Means, in accordance with said law), was placed on file.

### *Resolutions.*

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

Resolutions (filed by Mr. Kocot of Northampton) congratulating the Northampton Lions Club on the occasion of its seventy-fifth anniversary; and

Richard J. Kelliher. Resolutions (filed by Mr. Smizik of Brookline) congratulating Richard J. Kelliher on the occasion of his retirement;  
 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. Smizik, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Papers from the Senate.*

Newbury,—fire department. A petition (accompanied by bill, Senate, No. 2516) of Bruce E. Tarr and Harriett L. Stanley (by vote of the town) for legislation to provide for the establishment of a fire department in the town of Newbury, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Condominium records. A petition of Thomas P. Kennedy for legislation relative to record keeping for condominiums came from the Senate referred, under suspension of Joint Rule 12, to the committee on Housing.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2519) was referred, in concurrence, to the committee on Housing.

*Reports of Committees.*

By Mr. Binienda of Worcester, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration

Health insurance. Of the Bill to promote cost containment, transparency and efficiency in the provision of quality health insurance for individuals and small businesses (Senate, No. 2447);

International trade. Of the Bill providing for the creation of a special commission relative to the impact on the Commonwealth of Massachusetts of the international trade and investment agreements (House, No. 341);

Middlesex Canal. Of the Bill relative to the Middlesex Canal Commission (House, No. 784);

Water pipes, etc. Of the Bill to establish the water infrastructure finance commission (House, No. 825);

Sex offenders. Of the Bill creating a task force to study the use of the internet by sex offenders (House, No. 2235);

Safety agencies. Of the Bill relative to establishing a commission to study the reorganization of municipal public safety agencies (House, No. 2236);

Fuel costs. Of the Resolve providing for an investigation and study by a special commission relative to reducing fuel costs of cities and towns (House, No. 3129);

SAT scores. Of the Resolve relative to improving SAT scores (House, No. 4644);

Lyme disease. Of the Resolve relative to lyme disease and associated co-infections (House, No. 4480) [with the amendment previously recommended by the committee on Health Care Financing,— that the bill be amended by substitution of Bill relative to tick born illness (House, No. 4683),— pending]; and

Behavioral health medications. Of the Resolve providing for an investigation and study by a special commission relative to the provisions of samples of behavioral health medications to individuals under the age of 18 years of age (House, No. 4723);

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Ms. Wolf of Cambridge, for the committee on Elder Affairs, on Senate, No. 59 and House, No. 536, a Bill relative to assist families care for elders (House, No. 536).

Elder family care.

By the same member, for the same committee, on Senate, No. 308 and House, No. 2737, a Bill relative to the calculation of income for spouses of nursing home residents (House, No. 2737).

Nursing homes,—income calculation.

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

By Ms. Stanley of West Newbury, for the committee on Health Care Financing, that the Bill regulating pharmacy audits (Senate, No. 835) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4804) [Cost: Greater than \$100,000.00].

Pharmacy audits.

By the same member, for the same committee, that the Bill establishing a board of registration in naturopathy (Senate, No. 889) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4807) [Cost: Greater than \$100,000.00].

Naturopathy,—board.

By the same member, for the same committee, that the Bill improving the health of GIC population and reducing the cost of health care (Senate, No. 1180) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4808) [Cost: Greater than \$100,000.00].

GIC population.

By the same member, for the same committee, that the Bill relative to surgical technology (Senate, No. 2340) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4809) [Cost: Greater than \$100,000.00].

Surgical technology.

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

By Mr. Speliotis of Danvers, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 243 and 2214, a Bill relative to regulating licensed pawnbrokers (House, No. 2214).

Pawnbrokers.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a recommitted message, a Bill relative to reducing firearm violence (printed in House, No. 4102).

Firearm violence.

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

By Ms. Stanley of West Newbury, for the committee on Health Care Financing, that the Bill increasing access to affordable health insurance coverage (Senate, No. 455) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4799).

Affordable health insurance.

By the same member, for the same committee, that the Bill relative to certified professional midwives and enhancing the practice of nurse-midwives (Senate, No. 2341) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4810).

Midwives.

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

Economic development reorganization.

By Mr. Murphy of Burlington, for the committee on Ways and Means, to whom was referred the Bill relative to economic development reorganization (Senate, No. 2380); the Bill relative to providing for job creation by small businesses (House, No. 4553); the Bill relative to providing for job creation by small businesses (House, No. 4629); and the Bill relative to establishing the Massachusetts growth capital corporation (House, No. 4705) recommending that the Bill relative to economic development reorganization (Senate, No. 2380) ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4820. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Emergency Measures.

Dispatch center.

The engrossed Bill establishing a regional public safety communications and dispatch center in the towns of Cohasset, Hingham, Hull and Norwell (see House, No. 4610), 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 5 to 0. Sent to the Senate for concurrence.

Bill enacted.

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.

School budgets.

The engrossed Bill relative to regional school district budgets (see House, No. 4775, amended), which had been returned to the House by His Excellency the Governor, with recommendation of amendment, 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 5 to 0. Sent to the Senate for concurrence.

Bill re-enacted.

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

Recess.

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Mr. Speliotis of Danvers (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at sixteen minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Orders of the Day.

The House Bill relative to interior designers bidding on state contracts (House, No. 2999) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Third reading bill.

Pending the question on passing the bill to be engrossed, Mr. Kafka of Stoughton moved to amend it by striking out section 3 and inserting in place thereof the following section:

"SECTION 3. The first paragraph of section 38E of said chapter 7, as so appearing, is hereby amended by adding the following paragraph:—

(h) Interior designers may be eligible to compete for those projects where appropriate as the prime consultant. Eligible candidates shall hold a valid National Council for Interior Design Qualification certificate."

The amendment was adopted; and the bill (House, No. 2999, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Orders.

An Order (filed this day by Mr. Binienda of Worcester) relative to extending until twelve o'clock noon on Tuesday, June 29, 2010, the time for filing amendments to the House text (see House document numbered 4820) of the Senate Bill relative to business and job growth in the Commonwealth (Senate, No. 2380), or amendments offered to the House amended text to said bill (for order, see House, No. 4813) was referred, under Rule 85, to the committee on Rules.

Business and job growth.

The same member, for said committee, then reported recommending that the order ought to be adopted. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the order was considered forthwith; and it was adopted.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet Thursday next at four o'clock P.M.

Next sitting.

At twenty-five minutes after one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at four o'clock P.M., in an Informal Session.