

JOURNAL OF THE HOUSE.

Thursday, January 22, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Miss Reinstein of Revere 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:

Eternal God, in whom we place our trust, You have made known to us through the bible that we have been created by You with a material and spiritual dimension and an eternal destiny. Help us to use Your gifts to us (material and spiritual) wisely and to live up to Your reasonable standards and expectations. In our uneasy world and diverse society, teach us to recognize the oneness of the one human family. In a spirit of humility, we ask that You enlighten our minds and open our hearts to You and Your ways in our struggle to make our communities responsive, civil and safe for all. As elected leaders, may our political priorities and concerns enable us to analyze correctly current issues and policies and to plan for the future with knowledge, courage and wisdom.

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

At the request of the Chair (Miss Reinstein), the members, guests and employees joined with her 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:

Resolutions (filed by Representatives Lepper of Attleboro and Poirier of North Attleborough) on the occasion of the observance of National Catholic Schools Week by Bishop Feehan High School in Attleboro;

Resolutions (filed by Representatives Lepper of Attleboro and Poirier of North Attleborough) on the occasion of the observance of National Catholic Schools Week by Saint John's Elementary School in Attleboro;

Resolutions (filed by Representatives Poirier of North Attleborough, Coppola of Foxborough and Kafka of Stoughton) on the occasion of the observance of National Catholic Schools Week by Saint Mary's School in Mansfield; and

Resolutions (filed by Mrs. Poirier of North Attleborough) on the occasion of the observance of National Catholic Schools Week by Saint Mary's/Sacred Heart School in North Attleboro;

Mrs. Harkins of Needham, 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. Donato of

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

Communication.

A communication from the Public Employees Retirement Administration Commission (PERAC) submitting a copy of the Actuarial Valuation Report of the Massachusetts Teachers' Retirement System for the year 2003, was placed on file.

Annual and Quarterly Reports.

Annual Reports

Of the Department of Telecommunications and Energy (under Section 2 of Chapter 166A of the General Laws as most recently amended by Chapter 45 of the Acts of 2002) concerning the appeals that came before the Division of Community Antennae Television during the calendar year 2003;

Of the Massachusetts Commission on Indian Affairs (under Section 8A of Chapter 6A of the General Laws) for the year 2002;

Of the Massachusetts Water Pollution Abatement Trust (under the provisions of Section 17 of Chapter 29C of the General Laws) of the operations, properties and expenditures of said trust; and

A quarterly report of the Division of Employment and Training (under the provisions of Section 68 of Chapter 233 of the Acts of 1983) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for the fourth quarter of the year 2003;

Severally were placed on file.

Reports of Committees.

By Mr. Scaccia of Boston, 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 James E. Vallee relative to the use of an audiovisual recording device in movie theaters. To the committee on Criminal Justice.

Petition (accompanied by bill) of Marie J. Parente for legislation to repeal the surcharges imposed on consumers for certain energy activities and projects. To the committee on Energy.

Petition (accompanied by bill) of Eugene L. O'Flaherty for legislation to regulate the duration of time for the payment of alimony in certain divorce proceedings; and

Petition (accompanied by bill) of Eugene L. O'Flaherty that the Probate Court be authorized to issue temporary orders for alimony during modification proceedings;

Severally to the committee on the Judiciary.

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

By Mr. Rogers of Norwood, for the committee on Ways and Means, on a message from His Excellency the Governor, a Bill making technical corrections to the Medical Security Trust Fund. (printed in House, No. 4433). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

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

Under suspension of the rules, on motion of Mr. O'Brien of Kingston, the bill (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, its title having been changed by said committee to read: "An Act relative to the Medical Security Trust Fund.". The bill (printed in House, No. 4433) then was sent to the Senate for concurrence.

By Mr. Toomey of Cambridge, for the committee on Public Safety, on House, No. 2853, a Bill to create a citizen review board (House, No. 4457). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Rodrigues of Westport, for the committee on Commerce and Labor, on Senate, No. 94 and House, No. 2734, a Bill relative to written majority authorization cards (House, No. 2734).

By the same member, for the same committee, on Senate, No. 49 and House, Nos. 1241, 2197, 2205, 2382 and 2930, a Bill relative to workers' compensation (House, No. 4458).

By the same member, for the same committee, on House, No. 2198, a Bill relative to workers' compensation (House, No. 4459).

By the same member, for the same committee, on House, No. 2206, a Bill to prevent the fraudulent misclassification of employees (House, No. 4460).

By the same member, for the same committee, on Senate, No. 66 and House, Nos. 495 and 2918, a Bill relative to consumer protection (House, No. 4461).

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

By Mr. Rodrigues of Westport, for the committee on Commerce and Labor, on House, No. 3479, a Bill relative to self-service storage facilities (House, No. 4462). Read; and referred, under Rule 33D, to the committee on Homeland Security and Federal Affairs.

By Mr. Rodrigues of Westport, for the committee on Commerce and Labor, on a petition, a Bill relative to retail sales (House, No. 299).

By the same member, for the same committee, on a petition, a Bill further regulating two-for-one sales of retail merchandise (House, No. 300).

Medical Security Trust Fund.

Citizen review board.

Majority authorization cards.

Workers compensation.

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Employees misclassification.

Consumer protection.

Storage facilities.

Retail sales.

Two-for-one sales.

Teachers Retirement System.

Division of Community Antennae Television, appeals.

Commission on Indian Affairs.

Water Pollution Abatement Trust.

Unemployment Insurance Trust Fund.

Movie theaters, recording.

Electric bills, surcharges.

Alimony, flexibility.

Alimony, temporary orders.

Product
pricing.

By the same member, for the same committee, on a petition, a Bill further regulating certain consumer products pricing practices (House, No. 490).

Consumers and
merchants.

By the same member, for the same committee, on a petition, a Bill relative to consumer and merchant protection (House, No. 492).

Food products,
sale.

By the same member, for the same committee, on a petition, a Bill relative to the sale of food products (House, No. 862).

Adulterated
products,
labeling.

By the same member, for the same committee, on a petition, a Bill relative to the labeling of certain food products and dietary supplements (House, No. 2565).

Slotting
allowances.

By the same member, for the same committee, on a petition, a Bill prohibiting slotting allowances (House, No. 3113).

Unit
pricing.

By the same member, for the same committee, on House, Nos. 491 and 2916, a Bill pertaining to unit pricing (House, No. 4463).

Computer
information
transaction

By the same member, for the same committee, on House, No. 1622, a Bill relative to the Uniform Computer Information Transaction Act (House, No. 4464).

Industrial
Accidents,
judges.

By the same member, for the same committee, on House, Nos. 2380 and 2924, a Bill relative to the administrative judges of the Division of Industrial Accidents (House, No. 4465).

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

Orders of the Day.

Senate bills

Third
reading
bills.

Designating a certain overpass in the city of Newburyport as the Raymond F. Welch Memorial Overpass (Senate, No. 1854) (its title having been changed by the committee on Bills in the Third Reading); and

Authorizing the town of Tewksbury or the Tewksbury Conservation Commission to convey certain easements to Tennessee Gas Pipeline Company in the town of Tewksbury (Senate, No. 1938, changed);

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, in concurrence.

Third
reading
bill.

The House Bill relative to parking fines in the town of Chatham (House, No. 4078), 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.

Recess.

Recess.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Speliotis of Danvers (Miss Reinstein of Revere being in the Chair), the House recessed until half past one o'clock P.M.; and at twenty-five minutes before two o'clock the House was called to order with Miss Reinstein in the Chair.

Emergency Measure.

The engrossed Bill relative to the Medical Security Trust Fund (see House bill printed in House, No. 4433), 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.

Medical
Security
Trust Fund.

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. Finneran of Boston,—

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

Next
sitting.

At five minutes before two o'clock P.M., on motion of Mr. Peterson of Grafton (Miss Reinstein of Revere being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.