

# JOURNAL OF THE HOUSE.

Tuesday, February 26, 2008.

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:

Prayer.

Gracious God, we try to begin each day with a prayer and the right intention of serving You, our families and our constituents to the best of our ability. In Your goodness, help us to be successful in achieving these goals which offer us personal happiness and give meaning to our daily lives. We also pray for Your gift of wisdom which enables us to comprehend more clearly the often complex and emotional items on the day's agenda. In this age of vast amounts of information and great technological knowledge, help us to sift through the data carefully in our search for truth and accuracy. Inspire us to be mindful of the many needs of the people in our own districts who look to us for leadership in addressing both the present and future economic and societal challenges.

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

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.

### Petitions.

Revere, fire and police stations.

Mr. DeLeo of Winthrop presented a petition (accompanied by bill, House, No. 4555) of Kathi-Anne Reinstein and others (with the approval of the mayor and city council) relative to the terms of certain bonds of the city of Revere to be issued to finance the construction of a new police headquarters and an east fire station in said city; and the same was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Voters, privacy.

By Mr. deMacedo of Plymouth (by request), petition (subject to Joint Rule 12) of Irene Spellman relative to protecting the privacy of voters at polling places.

Don Harrigan, sick leave.

By Mr. Eldridge of Acton, petition (subject to Joint Rule 12) of James B. Eldridge for legislation to establish a sick leave bank for Don Harrigan, an employee of the Department of Correction.

Pets, renting.

By Mr. Frost of Auburn, joint petition (subject to Joint Rule 12) of Paul K. Frost and Edward M. Augustus, Jr., for legislation to prohibit the leasing or renting of dogs and cats.

Concrete, sales tax.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli relative to exempting precast concrete materials and supplies from the sales tax.

By Representative Murphy of Burlington and Senator Baddour, joint petition (subject to Joint Rule 12) of Charles A. Murphy and others relative to trial by jury for certain persons accused of sex offenses.

Sex offenders, jury trials.

By Mr. Sánchez of Boston, petition (subject to Joint Rule 12) of Jeffrey Sánchez relative to the effective date of the tax exemption for certain real property assessing at full and fair cash valuation.

Property taxes, exemption.

Severally, under Rule 24, to the committee on Rules.

### Paper from the Senate.

A Bill authorizing the town of Orleans to operate a sewer system (Senate, No. 2452) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Orleans, sewer system.

### Reports of Committees.

By Mr. Mariano of Quincy, for the committee on Financial Services, on a petition, a Bill relative to rental vehicle and replacement vehicle transactions and services (House, No. 933).

Rental and replacement vehicles.

By the same member, for the same committee, on a petition, a Bill relative to rental vehicle and replacement vehicle transactions and services (House, No. 934).

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By the same member, for the same committee, on House, Nos. 973 and 1000, a Bill relative to modification of the safe driver insurance plan (House, No. 1000).

Safe driver insurance plan.

By the same member, for the same committee, on a petition, a Bill relative to certain actions by and transactions before the Board of Bank Incorporation and the Commissioner of Banks (House, No. 1061).

Board of Bank Incorporation.

By the same member, for the same committee, on a petition, a Bill prohibiting auto glass insurance claims third party billers from participating as vendors of auto glass replacement and/or repair services for the same insurance carrier (House, No. 1102).

Auto glass claims.

By the same member, for the same committee, on a petition, a Bill relative to the conversion by a Massachusetts chartered credit union to a federal charter (House, No. 1106).

Credit unions, federal charters.

By the same member, for the same committee, on Senate, No. 246 and House, No. 3737, a Bill relative to home service contracts (House, No. 3737).

Home service contracts.

By the same member, for the same committee, on House, Nos. 1046 and 1051, a Bill relative to the repair of damaged motor vehicles (House, No. 4553).

Motor vehicles, repair.

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

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the Bill regulating certain insurance benefits for elected officials of the town of Easton (Senate, No. 1525) ought to pass [Local Approval Received]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Easton, insurance.

Bank branches.

By Mr. Mariano of Quincy, for the committee on Financial Services, on a joint petition, a Bill relative to bank branches (House, No. 962).

Limited purpose trust companies.

By the same member, for the same committee, on a joint petition, a Bill to clarify the law relative to the supervision of limited purpose trust companies by the Commissioner of Banks (House, No. 965).

Passenger vehicles, insurance.

By the same member, for the same committee, on a petition, a Bill relative to private passenger automobile insurance (House, No. 1022).

Banking laws.

By the same member, for the same committee, on a petition, a Bill clarifying certain banking laws (House, No. 1044).

Vehicle appraisers.

By the same member, for the same committee, on a petition, a Bill relative to automobile insurers and appraisers (House, No. 1049).

Auto insurance, death benefits.

By the same member, for the same committee, on a petition, a Bill to add a compulsory death benefit to automobile liability insurance (House, No. 1056, changed by adding at the end thereof the following sentence: "Said coverage would be made available to any estate, which at the time of death of the decedent, was survived by a minor child, a spouse, or dependent parents.").

Banks, regulate.

By the same member, for the same committee, on a petition, a Bill improving the efficiencies of banks (House, No. 1082).

Auto insurance discounts.

By the same member, for the same committee, on a petition, a Bill relative to group auto discounts on bank account balances under the safe driver insurance plan (House, No. 1086).

Credit union insurance.

By the same member, for the same committee, on a petition, a Bill relative to the Massachusetts Credit Union Share Insurance Corporation (House, No. 1090, changed by adding at the end thereof the following sentence: "Any such repayment, compromise or settlement shall be approved by the Commissioner.").

Commercial vehicles, insurance.

By the same member, for the same committee, on House, Nos. 911 and 1107, a Bill increasing the mandatory minimum bodily injury insurance requirements for commercial vehicles (House, No. 1107).

Safe driver insurance plan.

By the same member, for the same committee, on a petition, a Bill relative to the safe driver insurance plan (House, No. 1802, changed by striking out, in line 6, the figure: "7" and inserting in place thereof the figure: "6", and in line 8 by inserting after the word "step" the words "and driver experience").

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

Life sciences.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, on so much of the message from His Excellency the Governor recommending legislation relative to providing for the investment in and expansion of the life sciences industry in the Commonwealth (House, No. 4234) (as relates to sections 2, 3, 4 and 7 and 14 to 23, inclusive) and the Bill providing for the investment in and expansion of the life sciences industry in the Commonwealth (House, No. 4539), that the bill (House, No. 4539) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4554)

[Estimated Cost:	\$ 250,000,000.00
Tax Incentives:	\$ 250,000,000.00
Bond Authorization:	\$ 500,000,000.00
Total:	\$1,000,000,000.00 ]

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling with the amendment pending.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting the question, being on ordering to a third reading, with the amendment pending.

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

The Senate Bill further regulating intermunicipal agreements (Senate, No. 2401); and House bills

Intermunicipal agreements.

To protect the public health by banning the public distribution of free smoking or tobacco products for commercial purposes (House, No. 2272);

Free tobacco products, prohibit.

Relative to provision of health insurance to surviving spouses of long term employees of the town of Wareham (House, No. 3987) [Local Approval Received];

Wareham, employees.

Regarding municipal retiree health insurance in the town of Lanesborough (House, No. 4060) [Local Approval Received];

Lanesborough, insurance.

To promote the safety of victims of violence (House, No. 4348);

Violence victims.

Authorizing the city of Lynn to grant an additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 4378) [Local Approval Received];

Lynn, Salyv the Florist.

Authorizing the town of Topsfield to issue a license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 4428) [Local Approval Received];

Topsfield, liquor license.

Authorizing the city of Salem to grant an additional liquor license to Upper Crust (House, No. 4456) [Local Approval Received];

Salem, Upper Crust.

Authorizing the city of Salem to issue additional liquor licenses for the sale of alcoholic beverages to Gulu-Gulu Cafe (House, No. 4457) and [Local Approval Received];

Salem, Gulu-Gulu Cafe.

Facilitating regional school borrowing (House, No. 4503); Severally placed in the Orders of the Day for the next sitting for a second reading.

Regional school borrowing.

By Mr. Mariano of Quincy, for the committee on Financial Services, ought NOT to pass, on the petition (accompanied by bill, House, No. 80) of Bruce J. Ayers that banking and lending institutions be required to issue certain information on monthly statements to mortgage loan customers.

Banking statements.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 918) of Antonio F. D. Cabral that the Commissioner of Insurance be directed to establish a competitive rate system for non-compulsory motor vehicle insurance coverage.

Non-compulsory vehicle insurance.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 943) of Robert F. Fennell and Cleon H. Turner relative to motor vehicle insurance surcharges.

Vehicle insurance, surcharges.

Joint bank  
accounts.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 954) of Joanne Wheeler relative to the regulation of joint bank accounts.

Insurance  
surcharges.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 978) of Louis L. Kafka and others relative to motor vehicle insurance surcharges.

Bank  
statements.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 979) of Louis L. Kafka relative to periodic statements of banks regarding transactions made in a foreign currency.

Automobile  
insurance,  
reform.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1023) of Ronald Mariano and others relative to reforming private passenger automobile insurance in the Commonwealth.

Mortgage  
lenders and  
brokers.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1059) of John F. Quinn relative to mortgage lenders and mortgage brokers.

Motor vehicle  
insurance  
surcharges.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1064) of Kathi-Anne Reinstein relative to motor vehicle insurance surcharges.

Mortgage  
loans.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1070) of John H. Rogers relative to the registration of mortgage loan originators.

Mortgage  
fraud.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1105) of Joyce A. Spiliotis and others relative to further regulating mortgage brokers and lenders.

Community  
reinvestment  
obligations.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1109) of Marie P. St. Fleur and others for legislation to establish community reinvestment obligations for certain mortgage lenders.

Auto  
insurance,  
rates.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1114) of James E. Vallee relative to clarifying the authority of the Commissioner of Insurance under the motor vehicle insurance competitive rating law.

Auto  
insurance,  
rate  
subsidies.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1116) of James E. Vallee relative to disclosure of subsidies in motor vehicle insurance rate setting.

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

Mr. Donato of Medford, for said committee, 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, the question, in each instance, being on acceptance.

*Order.*

On motion of Mr. DiMasi of Boston,—

*Ordered.* That when the House adjourns today, it adjourn to meet tomorrow at half past one o'clock P.M.

Next  
sitting.

At eighteen minutes after eleven o'clock A.M., on motion of Mr. Lepper of Attleboro (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at half past one o'clock P.M.