

State of Rhode Island and Providence Plantations

JOURNAL -OF THE- **HOUSE OF REPRESENTATIVES**

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the first day of January in the year of Our Lord two thousand and eight.

Volume 135, No. 1

Tuesday, January 1, 2008

First Day

The House of Representatives meets at the State House in Providence, Tuesday, January 1, 2008 and is called to order at 4:18 o'clock P.M., by the Honorable William J. Murphy, Speaker.

INVOCATION

The Honorable Speaker presents Representative Corvese who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

NEW BUSINESS

House Resolution No. 7000

BY Fox, Kilmartin, Lima, Coderre E

ENTITLED, JOINT RESOLUTION OF ADJOURNMENT {LC75/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representative Watson by unanimous consent, on a voice vote.

The 2007 Session is adjourned, Sine Die.

TRANSMITTAL

By unanimous consent, (08-H 7000), on the Clerk's desk is ordered to be transmitted to the Honorable Senate, forthwith.

COMMUNICATION

The Honorable Speaker Murphy announces the receipt of the following communication:

State of Rhode Island and Providence Plantations

A. Ralph Mollis

Secretary of State

December 19, 2007

The Honorable William J. Murphy
Speaker of the House
State House
Providence, R.I. 02903

To the Honorable House of Representatives:

On the nineteenth day of December, 2007, I administered the Oath of Office to Representative Frank G. Ferri of District 22, as prescribed by the Rhode Island General Laws.

Respectfully,

A. Ralph Mollis
Secretary of State

Received and ordered to be placed on file.

The roll is called and a quorum is declared present with 67 members present and 8 members absent as follows:

PRESENT - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coaty, Coderre, Corvese, Costantino, Dennigan, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

ABSENT - 8: Representatives DeSimone, Diaz, Handy, Lewiss, Naughton, Petrarca, Segal, Williams.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Tuesday, October 30, 2007 is approved as printed.

ANNOUNCEMENTS

Representative Grace Diaz is out of the country and will be unable to attend session Tuesday, January 1 through Thursday, January 3, 2008.

Representative Eileen Naughton will be unable to attend session Tuesday, January 1 and Wednesday January 2, 2008 due to illness.

The Honorable Speaker Murphy welcomes the two newest members to the House of Representatives-Representative Steven Coaty and Representative Frank Ferri.

Minority Leader Watson also welcomes to the House, Representative Frank Ferri and Representative Steven Coaty.

NEW BUSINESS**House Bill No. 7001**

BY Malik, Gablinske

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF HERITAGE REMODELING, LTD. {LC249/1}

01/01/2008 Placed on House Calendar

House Resolution No. 7002

BY Carter, Gallison, Moffitt, Scott

ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO UNDERTAKE A COMPREHENSIVE STUDY OF THE VETERANS HOME IN BRISTOL AND DEVELOP A MASTER PLAN FOR THE OVERALL FUTURE DIRECTION OF THE FACILITY {LC85/1}

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Carter seconded by Representatives Gallison, Coderre, Rice, Moffitt, Long, and Loughlin by unanimous consent, on a voice vote.

House Resolution No. 7003

BY Carter, Gallison, Moffitt, Scott

ENTITLED, HOUSE RESOLUTION EXTENDING THE EXPIRATION DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY POTENTIAL ADMINISTRATIVE AND FUNCTIONAL IMPROVEMENTS AT THE RHODE ISLAND VETERANS HOME {LC84/1}

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Carter seconded by Representatives Moffitt, Scott, Coderre, Gallison and Giannini by unanimous consent, on a voice vote.

House Resolution No. 7004

BY Malik, Gablinske

ENTITLED, HOUSE RESOLUTION HONORING ANISSA POLANDO ON THE OCCASION OF HER RETIREMENT {LC230/1}

Representative Malik requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Malik seconded by Representatives Gallison and Carter by unanimous consent, on a voice vote.

House Resolution No. 7005

BY Williamson, Serpa, Murphy, Ucci, Kilmartin

ENTITLED, HOUSE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF SALLY JANE RAINVILLE {LC242/1}

Representative Serpa requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Serpa seconded by Representatives Williamson and Watson by unanimous consent, on a rising vote.

House Bill No. 7006

BY Costantino, Williamson, Coderre E, Kilmartin, Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS (allow any magistrate of the superior court as of 1/1/08 who serves /presiding justice of the superior court/magistrate of the family court in service as of 1/1/08 who serves/chief judge of the family court to be appointed for a term of 10 years) {LC251/1}
01/01/2008 Introduced, referred to House Finance

House Bill No. 7007

BY Williamson, Serpa

ENTITLED, AN ACT APPROVING PROJECT STATUS FOR SHIPWRECK FALLS RESORT/RHODE ISLAND L.P., A HOTEL AND INDOOR WATERPARK LOCATED IN THE TOWN OF WEST WARWICK {LC244/1}
01/01/2008 Introduced, referred to House Finance

House Resolution No. 7008**BY** Gemma, Dennigan**ENTITLED**, HOUSE RESOLUTION PROCLAIMING THE SECOND TUESDAY IN JANUARY IN PERPETUITY TO BE "PROFESSIONAL PET ASSISTED THERAPY AWARENESS DAY" IN THE STATE OF RHODE ISLAND {LC181/1}

Representative Gemma requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gemma seconded by Representative Picard by unanimous consent, on a voice vote.

House Bill No. 7009**BY** Costantino, Fox, Shanley, Kilmartin, Jackson**ENTITLED**, AN ACT RELATING TO EDUCATION -- PAUL W. CROWLEY RHODE ISLAND STUDENT INVESTMENT INITIATIVE (rename the Rhode Island Student Investment Initiative in honor of Representative Paul W. Crowley) {LC246/1}

Representative Costantino requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Costantino seconded by Representatives Fox, Coaty, Carter, Fellela, Serpa, Melo, Ajello, Pacheco, Kilmartin, Baldelli-Hunt, Brien, Rice, Schadone, Almeida, Menard, Scott, McCauley, Coderre, Church, Trillo, Long, Loughlin, Mumford, Savage, Story, Sullivan, Ucci, Moffitt, Silva, Jackson, O'Neill, Vaudreuil, Lally, Shanley, Gablinske, Rose, Malik, Dennigan, Palumbo, McNamara, Wasylyk, Kennedy, Williamson, Singleton, Slater, Corvese, Flaherty, San Bento, Walsh, Jacquard, Gemma and Picard on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coaty, Coderre, Corvese, Costantino, Dennigan, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

NAYS - 0.

House Resolution No. 7010**BY** Murphy, Fox, Coderre E, Lima, Church**ENTITLED**, JOINT RESOLUTION HONORING MARION DEPALMA ON THE OCCASION OF HER RETIREMENT {LC232/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representatives Watson Smith Palumbo, Corvese, Lima, Wasylyk, Kilmartin, Carter, and Giannini by unanimous consent, on a voice vote.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith.

ANNOUNCEMENTS

Representative Lima congratulates Tom Cole (doorman), and his wife Christine on their 25th wedding anniversary.

Representative Kilmartin announces Representative Coderre is the new Dean of the Democrats and Representative Long is the Dean of the House.

Representative Ehrhardt welcomes to the House his new colleagues.

Majority Leader Fox congratulates Representative Ginaitt and his future endeavors at Lifespan. Majority Leader Fox also welcomes Representatives Coaty and Ferri and announces that Representative Coderre is now the Dean of the Democrats.

Representative Long pays tribute to the late Representative Paul Crowley and welcomes new members to the House.

Representative Trillo recognizes his wife and announces she was his chief political advisor.

Representative Gorham welcomes the new members to the House and discusses the new session.

GUESTS

Representative Williamson welcomes to the House Chamber as guests former State Representative William "Bud" Alves and his wife Ann. Representative Williamson and the Honorable Speaker Murphy express their condolences to former Representative Alves and his family.

Minority Leader Watson welcomes to the House as guests former Representative Bud Alves and his family.

The Honorable Speaker Murphy welcomes to the House, General Officers- Frank Caprio- General Treasurer and Ralph Mollis-Secretary of State.

Representative Kilmartin welcomes to the Chamber the Coderre Family. Representative Coderre's husband Raymond Coderre, her son Robert Coderre her grandchildren Hannah, John and David and her family friend Dave McWilliams.

Representative Lima welcomes to the House Chamber Marilyn Cocozza Trillo, wife of Representative Trillo.

Representative Jacquard welcomes to the House, Representative Ferri's family and friends- Anthony Caparco-spouse, Ann Bonetti and Edward Bonetti-chair and co-chair of his campaign.

Representative McManus welcomes to the Chamber Susan Arico wife of cameraman Anthony Arico.

Representative Ehrhardt welcomes to the House Chamber, Representative Coaty's family his wife Mary, his son Jack, his daughters Carly and Annie.

Representative Caprio welcomes to the Chamber Donna Smith, wife of Representative Steven Smith.

MOMENT OF SILENCE

Majority Leader Fox requests a moment of silence for the late Representative Paul Crowley.

PERSONAL PRIVILEGE

Representative Palumbo rises on a point of personal privilege in regards to a newspaper article in the Providence Journal.

ADJOURNMENT

At 5:06 o'clock P.M. on motion of Representatives Serpa, Williamson the Honorable Speaker Murphy and the entire House of Representatives , and as a further mark of respect to the memory of Sally Alves Rainville; on motion of Representative Rose, and as a further mark of respect to the memory of Jacqueline M. DaCosta; on motion of Representative Story and as a further mark of respect to the memory of Jon Converse; on motion of Representative McManus, and as a further mark of respect to the memory of Robert W. Black; on motion of Representative Sullivan, and as a further mark of respect to the memory of Gilbert Rathbun; on motion of Representative Amaral, and as a further mark of respect to the memory of Robert "Bobby" Doyle; on motion of Representative Mumford, and as a further mark of respect to the memories of Angelo Caramadre; Maryanne Flanagan, David Smith, Jean Spenard, Charles Burdett on motion of Representative Rice, and as a further mark of respect to the memory of Mary "Bebe" Amado and Bertha Reposa seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE ARTHUR CORVESE

Thank you God for your presence here with us and your blessings on this assembly today and every day. Amen

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, JANUARY 2, 2008:

1 2008-H 7001

BY Malik

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF HERITAGE REMODELING, LTD.

Ordered on the Calendar

Francis P. McCabe
Clerk of the House

Tuesday, January 1, 2008