

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. 2

Wednesday, January 2, 2008

Second Day

The House of Representatives meets at the State House in Providence, Wednesday, January 2, 2008 and is called to order at 4:20 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 71 members present and 4 members absent as follows:

PRESENT - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 4: Representatives Diaz, Naughton, O'Neill, Petrarca.

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Tuesday, January 1, 2008 is approved as printed.

NEW BUSINESS**House Bill No. 7011****BY** Malik, Gablinske**ENTITLED,** AN ACT RELATING TO ANIMALS -- DOGS {LC243/1}

01/02/2008 Introduced, referred to House Municipal Government

House Resolution No. 7012**BY** Gemma, Fox, Costantino, McCauley, Church**ENTITLED,** JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (OF THE EXECUTIVE POWER) {LC170/1}

01/02/2008 Introduced, referred to House Separation of Powers

House Bill No. 7013**BY** Gemma, Singleton, Rice, Schadone, Slater**ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- SCHOOL TEACHER ARBITRATION {LC27/1}

01/02/2008 Introduced, referred to House Labor

House Bill No. 7014**BY** Gemma, Schadone, Singleton, Picard, Rice**ENTITLED,** AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS {LC26/1}

01/02/2008 Introduced, referred to House H.E.W.

House Bill No. 7015**BY** McNamara, Malik, Corvese, Palumbo**ENTITLED,** AN ACT RELATING TO INSURANCE - - ACCIDENT AND SICKNESS INSURANCE POLICIES {LC136/1}

01/02/2008 Introduced, referred to House Corporations

House Bill No. 7016**BY** Melo**ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC102/1}

01/02/2008 Introduced, referred to House Judiciary

House Resolution No. 7017**BY** Gemma, Carter**ENTITLED,** HOUSE RESOLUTION RESPECTFULLY URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO FULLY SUPPORT HOUSE BILL 808 {LC31/1}

01/02/2008 Introduced, referred to House Constituent Services

House Bill No. 7018**BY** Gemma, Schadone, Slater, Singleton, Picard**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES - REGISTRATION OF MOTOR VEHICLES - BREAST CANCER SUPPORT LICENSE PLATES {LC180/1}

01/02/2008 Introduced, referred to House Finance

House Bill No. 7019**BY** Mumford, Kilmartin, Ehrhardt, Savage, Moffitt**ENTITLED**, AN ACT RELATING TO TAXATION -- ESTATE AND TRANSFER TAXES -- COMPUTATION {LC91/1}

01/02/2008 Introduced, referred to House Finance

House Bill No. 7020**BY** Mumford, Savage, Kilmartin, Ehrhardt, Moffitt**ENTITLED**, AN ACT RELATING TO TAXATION -- INHERITANCE TAX {LC89/1}

01/02/2008 Introduced, referred to House Finance

House Bill No. 7021**BY** Carter, Gallison, Gemma, Moffitt, Trillo**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- FAMILY INDEPENDENCE ACT {LC123/1}

01/02/2008 Introduced, referred to House Finance

House Bill No. 7022**BY** Church**ENTITLED**, AN ACT RELATING TO TAXATION {LC209/1}

01/02/2008 Introduced, referred to House Finance

House Bill No. 7023**BY** Gemma, Brien, Singleton, Wasylyk, Lima**ENTITLED**, AN ACT RELATING TO FAMILY COURT -- JURISDICTION {LC86/1}

01/02/2008 Introduced, referred to House Finance

House Bill No. 7024**BY** Carter, Gallison, Trillo, Gemma, Moffitt**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND ENGLISH LANGUAGE AFFIRMATION ACT OF 2008 {LC40/1}

01/02/2008 Introduced, referred to House Constituent Services

House Bill No. 7025**BY** Gemma, Brien, Trillo, Corvese, Carter**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT-- IDENTIFICATION OF CITIZENS {LC179/1}

01/02/2008 Introduced, referred to House Judiciary

House Resolution No. 7026**BY** Pacheco, Church**ENTITLED**, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL HOUSE COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING AN INSTITUTION OF HIGHER LEARNING AT THE ZAMBARANO HOSPITAL FACILITY {LC277/1}

Representative Pacheco requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Pacheco seconded by Representative Church and many other members of the House by unanimous consent, on a voice vote.

Representative Gorham requests unanimous consent for immediate consideration.

There is objection.

House Resolution No. 7027**BY** Murphy, Fox, Malik, Watson, Kilmartin**ENTITLED**, HOUSE RESOLUTION HONORING REPRESENTATIVE PETER T. GINAITT FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND {LC301/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representatives Coderre, Menard, McCauley, Savage, Watson, Story, Ucci, Palumbo, Wasylyk, Williamson, Kilmartin, Walsh, Amaral, Rice, Pacheco, Kennedy, Gemma, Picard and many other members of the House by unanimous consent, on a voice vote.

House Resolution No. 7028**BY** Palumbo, Long, Jackson**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE AND AMENDING THE MEMBERSHIP OF THE SPECIAL HOUSE COMMISSION TO STUDY THE EDUCATION OF CHILDREN WITH AUTISM IN THE STATE OF RHODE ISLAND {LC265/1}

Representative Palumbo requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Palumbo seconded by Representatives McNamara, McCauley and Giannini by unanimous consent, on a voice vote.

House Resolution No. 7029

BY Dennigan, Carter, Coderre E, Kilmartin, Lally

ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO REVIEW THE PROPOSAL TO MERGE LIFESPAN AND CARE NEW ENGLAND

{LC268/1}

01/02/2008 Placed on House Calendar

COMMUNICATION

The Honorable Speaker announces the receipt of the following communication:

December 28, 2007

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

To the Honorable House of Representatives:

On the twenty-eighth day of December, 2007, the Oath of Office was administered to Representative Steven J. Coaty of District 75, as prescribed by the Rhode Island General Laws.

Respectfully,
A. Ralph Mollis
Secretary of State

Received and placed on file.

APPOINTMENTS

I hereby appoint:

Representative Jan P. Malik

as Chairman of the House Committee on Environment & Natural Resources.

I hereby appoint:

Representative J. Russell Jackson

VICE

Representative Jan P. Malik

to the House Committee on Finance.

I hereby appoint:

Representative Eileen Naughton

as chair of the Finance Committee's; Sub-Committee on Health, Environment and Advocates.

I hereby appoint:

Representative John P. Shanley

as chair of the Finance Committee's Sub-Committee on Transportation.

I hereby appoint:

Representative Amy Rice

as Secretary of the House Committee on Environment & Natural Resources.

William J. Murphy
Speaker

CALENDAR

From the Calendar are taken:

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

Representative Malik moves passage of the act, seconded by Representatives Rose, Gablinske and Gallison.

Read and passed on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Carter, Church, Coaty, Coderre, Corvese, Costantino, DeSimone, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Pacheco, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Williamson, Winfield.

NAYS - 0.

TRANSMITTAL

By unanimous consent, (08-H 7001), on the Clerk's desk is ordered to be transmitted to the Honorable Senate, forthwith.

ANNOUNCEMENT

Representative Schadone wishes doorman, Frank DiPaolo a Happy 101st birthday on Christmas Eve.

ADJOURNMENT

At 4:43 o'clock P.M. on motion of Representative Lima, and as a further mark of respect to the memory of Norton Salk; on motion of Representative Rice, and as a further mark of respect to the memory of Ruth Ratcliffe-Chrupcala; on motion of Representative Giannini and as a further mark of respect to the memory of Etta Shevlin; on motion of Representatives Lima and Amaral, and as a further mark of respect to the memory of Harvey Simms Jr.; on motion of Representative Jackson, and as a further mark of respect to the memory of Hugo Genga seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE STEPHEN R. UCCI

Heavenly Father, look with favor on our deliberation and assist us by your grace to do what is just and wise. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JANUARY 3, 2008:

1 2008-H 7029

BY Dennigan

ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE
COMMISSION TO REVIEW THE PROPOSAL TO MERGE
LIFESPAN AND CARE NEW ENGLAND

Ordered on the Calendar

Francis P. McCabe
Clerk of the House

Wednesday, January 2, 2008