

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. 7

Tuesday, January 15, 2008

Seventh Day

The House of Representatives meets at the State House in Providence, Tuesday, January 15, 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, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

ABSENT - 4: Representatives Diaz, Moffitt, Scott, Winfield.

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

CORRECTION

By unanimous consent, the House Journal of Thursday, January 10, 2008 is hereby corrected by recording Representative Lima as being present.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, January 10, 2008 is approved as corrected.

ANNOUNCEMENT

Representative Grace Diaz is out of state and unable to attend session Tuesday, January 15, 2008.

NEW BUSINESS**House Bill No. 7112**

BY San Bento, Lewiss, Singleton, Rose, Flaherty

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- RHODE ISLAND FAIR DEBT COLLECTION PRACTICES ACT (provide the statutory scheme for the licensure of debt collectors) {LC195/1}

01/15/2008 Introduced, referred to House Corporations

House Bill No. 7113 (Business Regulation)

BY Carter, Gallison, Rose, Malik, Fellela

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- TRAVEL AGENCIES (repeal the licensing of travel agencies) {LC493/1}

01/15/2008 Introduced, referred to House Corporations

House Bill No. 7114

BY Savage

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONTRACTORS' REGISTRATION AND LICENSING BOARD (require contractors to warrant their work for a period of three (3) years) {LC613/1}

01/15/2008 Introduced, referred to House Corporations

House Bill No. 7115

BY Shanley, Lewiss, San Bento, Scott, Walsh

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES (exempt from the sales and use tax feed for animals (horses) used in commercial farming) {LC552/1}

01/15/2008 Introduced, referred to House Finance

House Bill No. 7116

BY Gallison, Rice, Pacheco, Fellela, Mattiello

ENTITLED, AN ACT RELATING TO EDUCATION -- RESIDENCE OF CHILDREN FOR SCHOOL PURPOSES (increase the reimbursement amount to twenty-five thousand dollars (\$25,000) to cities and towns for group home beds) {LC424/1}

01/15/2008 Introduced, referred to House Finance

House Bill No. 7117**BY** Gallison, Sullivan, Pacheco, Fellela, San Bento**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- LONG-TERM HOME HEALTH CARE {LC427/1}

01/15/2008 Introduced, referred to House Finance

House Bill No. 7118**BY** Melo, Shanley, O'Neill, Serpa, Fellela**ENTITLED**, AN ACT RELATING TO SALES AND USE TAXES - - LIABILITY AND COMPUTATION {LC271/1}

01/15/2008 Introduced, referred to House Finance

House Bill No. 7119 (by request)**BY** Shanley, Lewiss, San Bento, Scott, Walsh**ENTITLED**, AN ACT RELATING TO TAXATION -- THE PERSONAL INCOME TAX {LC555/1}

01/15/2008 Introduced, referred to House Finance

House Bill No. 7120**BY** Rice, Handy, Segal, Palumbo, Pacheco**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ELECTRONIC TELECOMMUNICATION OPEN INFRASTRUCTURE ACT {LC660/1}

01/15/2008 Introduced, referred to House Finance

House Bill No. 7121**BY** Rice, Giannini, Segal, Palumbo, Pacheco**ENTITLED**, AN ACT RELATING TO SEXUAL ASSAULT - FOURTH DEGREE SEXUAL ASSAULT {LC670/1}

01/15/2008 Introduced, referred to House Finance

House Resolution No. 7122**BY** Gallison, Sullivan, Pacheco, Mattiello, Malik**ENTITLED**, HOUSE RESOLUTION URGING THE DEPARTMENT OF ADMINISTRATION TO BEGIN CONSTRUCTION OF A NEW FIRE ACADEMY {LC426/1}

01/15/2008 Introduced, referred to House Finance

House Bill No. 7123**BY** Loughlin, McManus, Story, Long**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES {LC409/1}

01/15/2008 Introduced, referred to House Finance

House Resolution No. 7124**BY** Loughlin, Ehrhardt**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE METHOD OF DETERMINING LOCAL PROPERTY TAXES AND INVESTIGATING ALTERNATIVE METHODS THAT WOULD BE MORE EQUITABLE TO PROPERTY OWNERS {LC396/1}

01/15/2008 Introduced, referred to House Finance

House Bill No. 7125**BY** Petrarca, Giannini, Fellela, Palumbo, Corvese**ENTITLED**, AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS {LC559/1}

01/15/2008 Introduced, referred to House H.E.W.

House Bill No. 7126 (by request)**BY** Fellela, Carter, Ferri, Ucci, McNamara**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY {LC293/1}

01/15/2008 Introduced, referred to House H.E.W.

House Bill No. 7127**BY** Serpa**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC673/1}

01/15/2008 Introduced, referred to House Judiciary

House Bill No. 7128**BY** Story, Coaty, Ehrhardt, Savage, McManus**ENTITLED**, AN ACT RELATING TO ELECTIONS -- ELECTION/VOTING EQUIPMENT AND SUPPLIES -- PARTY LEVERS {LC119/1}

01/15/2008 Introduced, referred to House Judiciary

House Bill No. 7129**BY** Walsh, Long, Lima, Ajello, Menard**ENTITLED**, AN ACT RELATING TO COURTS {LC183/1}

01/15/2008 Introduced, referred to House Judiciary

House Bill No. 7130**BY** Rice, Giannini, Palumbo, Brien, Baldelli-Hunt**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- DNA DETECTION {LC666/1}

01/15/2008 Introduced, referred to House Judiciary

House Bill No. 7131**BY** Rice, Palumbo, Pacheco, Lally, Brien**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULTS {LC671/1}

01/15/2008 Introduced, referred to House Judiciary

House Bill No. 7132**BY** Fellela, Ucci, Gallison, Serpa**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- RETIREMENT OF MUNICIPAL EMPLOYEES {LC548/1}

01/15/2008 Introduced, referred to House Municipal Government

House Resolution No. 7133**BY** Fox, Long**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC765/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 7134**BY** Fox, Long**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC764/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

COMMUNICATION FROM THE SENATE

A message from the Honorable Senate transmits with announcement of passage, of the following measures:

Senate Bill No. 2034**BY** Gibbs**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Kenneth Rosenthal to join Judith Rosenthal and Gordon Johnson in marriage) {LC492/1}

01/15/2008 Placed on House Calendar

Senate Bill No. 2036**BY** Algieri, Montalbano J, Breene, Gibbs, Blais**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (the Honorable Donald L. Carcieri to join Catherine Zadorozny and Stephen J. Zuba in marriage) {LC573/1}

01/15/2008 Placed on House Calendar

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

Happy 1st Anniversary to Representative Edwin Pacheco and his wife Mrs. Claudia Santarara-Pacheco.

Representative Ucci introduces his new legislative intern Andrew Kasanikolis a sophomore at the University of Rhode Island.

Representative Picard announces that the Committee on Corporations will meet at the rise of the House, in Room 203 of the State House

Majority Leader Fox announces there will be no session on Thursday, January 17, 2008. The Majority Leader also announces session on Tuesday, January 22, 2008 will convene at 5 o'clock P.M. break for dinner and reconvene at 7 o'clock for the State of the State.

ADJOURNMENT

At 4:29 o'clock P.M. on motion of Representative Shanley, and as a further mark of respect to the memory of Jean H. Reilly; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE TIMOTHY A. WILLIAMSON

Almighty God, we ask that you help us as we try to make Rhode Island a better place, and protect our troops in Iraq. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JANUARY 17, 2008:

1 2008-S 2034

BY Gibbs

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar

2 2008-S 2036

BY Algieri

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar

Francis P. McCabe
Clerk of the House

Tuesday, January 15, 2008

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 2001

BY Felag

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
CHARTER OF HERITAGE REMODELING, LTD. {LC250/1}