

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. 20

Wednesday, February 27, 2008

Twentieth Day

The House of Representatives meets at the State House in Providence, Wednesday, February 27, 2008 and is called to order at 4:25 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, Church, Coaty, Corvese, Costantino, Dennigan, DeSimone, Diaz, 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, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 4: Representatives Carter, Coderre, San Bento, Trillo.

INVOCATION

The Honorable Speaker presents Representative Brien 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, February 26, 2008 is approved as printed.

ANNOUNCEMENT

Representative Joseph A. Trillo is out of state on business and therefore unable to attend session Tuesday, February 26 through Thursday, February 28, 2008.

REPORTS OF COMMITTEE**COMMITTEE ON CORPORATIONS**

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of passage:

House Resolution No. 7376

BY Almeida, Fox, Diaz, Williams, Coderre E

ENTITLED, HOUSE RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO TAKE EMERGENCY ACTION TO PROTECT HOMEOWNERS AND BANKS {LC602/1}

02/27/2008 Placed on House Calendar

Senate Bill No. 2346

BY Jabour, Tassoni

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF N.A.H. INVESTMENTS, INC. {LC1473/1}

02/27/2008 Placed on House Calendar

NEW BUSINESS**House Resolution No. 7991**

BY Lewiss, Rice, Slater, Williams, Lima

ENTITLED, HOUSE RESOLUTION RECOGNIZING THE CELEBRATION OF THE CHINESE NEW YEAR "THE YEAR OF THE RAT" {LC1568/1}

Representative Lewiss requests unanimous consent for immediate consideration.

There is no objection.

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

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, FEBRUARY 27, 2008:

1 2008-H 7268**BY Kennedy****ENTITLED,** HOUSE RESOLUTION IN SUPPORT OF H.R. 506 ENTITLED
"THE HEALTH PARTNERSHIP THROUGH CREATIVE
FEDERALISM ACT"

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Lewiss, McNamara, Church, Kilmartin and Gemma.

Representatives Watson and Gorham discuss the resolution.

Read and passed on a roll call vote, 61 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coaty, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Long, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 4: Representatives Gorham, Loughlin, Mumford, Watson.

2 2008-H 7269**BY Kennedy****ENTITLED,** HOUSE RESOLUTION OPPOSING THE AMENDMENT OR
REPEAL OF THE MCCARRAN-FERGUSON ACT

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Picard, Kilmartin and many other members of the House.

Read and passed on a roll call vote, 55 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coaty, Corvese, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Long, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Serpa, Shanley, Silva, Slater, Story, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson.

NAYS - 3: Representatives Loughlin, Mumford, Watson.

TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to the Honorable Secretary of State, forthwith.

GUESTS

At 4:27 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Joanne Giannini. .

By unanimous consent, Representative Giannini addresses the members of the House and welcomes to the House guests from the Make A Wish Foundation, Corinna's Angels and Janny, Montgomery and Scott.

By unanimous consent, Representative Giannini presents citations to Stephen Pitassi from Janny, Montgomery and Scott, for his commitment and support of the Make A Wish Foundation and Corrina's Angels; Michael Calise who created Corrina's Angels and his father Robert Calise; Dr. Diane Hackney and Alexandra Welch-Zelba from the Make A Wish Foundation.

At 4:32 o'clock P.M. the Honorable Speaker returns to the rostrum.

At 4:33 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Grace Diaz and Senator Juan M. Pichardo.

By unanimous consent, Representative Diaz and Senator Pichardo address the members of the House on the 164th Anniversary of the Dominican Independence.

Senator Pichardo and Representative Diaz welcome to the House Chamber-Jose Batista-ReMax; Jose Ovalles-District Court Judge; Antonio Aquino-New England Church; Marilyn Cepeda-Quisqueya in Action; Everin Perez-DNRT and Rafael Martinez.

At 4:45 o'clock P.M. the Honorable Speaker returns to the rostrum.

Representative Story welcomes to the House Emily Croke, a student from Bayview Academy.

ANNOUNCEMENTS

Representative Silva announces that the Committee on Health, Education and Welfare will meet at the rise of the House, in Room 135 of the State House.

ADJOURNMENT

At 4:56 o'clock P.M. on motion of Representative Watson, and as a further mark of respect to the memories of Walter F. Spencer and William F. Buckley; on motion of Representative Fellela, and as a further mark of respect to the memory of Mona Corrara; on motion of Representative Savage and as a further mark of respect to the memories of Eugene Amaral and Mildred Sullivan; on motion of Representative McManus, and as a further mark of respect to the memory of Elizabeth Alexander; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JON D. BRIEN

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, FEBRUARY 28, 2008:

1 2008-H 7011

BY Malik

ENTITLED, AN ACT RELATING TO ANIMALS -- DOGS

Committee on Municipal Government recommends passage.

IN ORDER FOR TUESDAY, MARCH 4, 2008:

1 2008-H 7376

BY Almeida

ENTITLED, HOUSE RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO TAKE EMERGENCY ACTION TO PROTECT HOMEOWNERS AND BANKS

Committee on Corporations recommends passage.

2 2008-S 2346

BY Jabour

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF N.A.H. INVESTMENTS, INC.

Committee on Corporations recommends passage in concurrence.

Francis P. McCabe
Clerk of the House

Wednesday, February 27, 2008