

# **State of Rhode Island and Providence Plantations**

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

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**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.

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Volume 135, No. 21

Thursday, February 28, 2008

Twenty-first Day

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The House of Representatives meets at the State House in Providence, Thursday, February 28, 2008 and is called to order at 4:35 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 68 members present and 7 members absent as follows:

PRESENT - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Church, Coaty, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

ABSENT - 7: Representatives Caprio, Carter, Coderre, Lima, Sullivan, Trillo, Ucci.

### **INVOCATION**

The Honorable Speaker presents Representative Melo 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 Wednesday, February 27, 2008 is approved as printed.

**NEW BUSINESS****House Bill No. 7992****BY** Williamson**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --

AUTOMOBILE BODY REPAIR SHOPS (allow the department of business regulation to deny, suspend or revoke the license of a body shop which does not provide 72 hours advanced notice to an insurer who is adjusting a claim prior to dismantling said automobile) {LC2256/1}

02/28/2008 Introduced, referred to House Corporations

**House Bill No. 7993****BY** Williamson**ENTITLED,** AN ACT RELATING TO INSURANCE -- MOTOR VEHICLE DAMAGE

APPRAISERS (authorize the director of the department of business regulation to require re-inspection of ten percent (10%) of all auto insurer carrier claims before, during and after collision damage is repaired) {LC2261/1}

02/28/2008 Introduced, referred to House Corporations

**House Bill No. 7994****BY** Williamson**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -

AUTOMOBILE BODY REPAIR SHOPS {LC2257/1}

02/28/2008 Introduced, referred to House Corporations

**House Bill No. 7995****BY** Williamson**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --

AUTOMOBILE BODY REPAIR SHOPS {LC2258/1}

02/28/2008 Introduced, referred to House Corporations

**House Bill No. 7996****BY** Williamson**ENTITLED,** AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION AND PRACTICES {LC2259/1}

02/28/2008 Introduced, referred to House Corporations

**House Bill No. 7997****BY** Williamson**ENTITLED,** AN ACT RELATING TO INSURANCE - UNFAIR COMPETITION AND PRACTICES {LC2260/1}

02/28/2008 Introduced, referred to House Corporations

**House Bill No. 7998****BY** Williamson**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --

UNDERGROUND UTILITY CONTRACTORS {LC2262/1}

02/28/2008 Introduced, referred to House Corporations

**House Bill No. 7999****BY Church****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
ELECTRICIANS {LC2360/1}

02/28/2008 Introduced, referred to House Corporations

**House Bill No. 8000****BY Church****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS - WORKERS  
COMPENSATION - GENERAL PROVISIONS {LC2361/1}

02/28/2008 Introduced, referred to House Finance

**House Bill No. 8001****BY Lima****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE  
PURCHASES -- PUBLIC BUILDINGS {LC2201/1}

02/28/2008 Introduced, referred to House Finance

**House Bill No. 8002****BY Malik****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE  
CHARTER OF T.M. ENT. INC. {LC2398/1}

Representative Malik requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Malik seconded by Representative Wasylyk on  
a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as  
follows:YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-  
Hunt, Brien, Church, Coaty, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Fellela, Ferri,  
Flaherty, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kilmartin,  
Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt,  
Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Scott,  
Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Vaudreuil, Walsh, Wasylyk,  
Watson, Williams, Winfield.

NAYS - 0.

**RULE 17**

**The following bills were received pursuant to Rule 17:**

Representative Amaral-An Act relating to Solemnization of Marriage

Representative Amaral-An Act relating to Teachers Tenure

Representative Gemma-An Act relating to Airport and Landing Fields

**APPOINTMENTS**

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Roberta Feather

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Susan Story

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Joseph Amaral

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative John Savage

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Richard Singleton

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Victor Moffitt

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Deborah Fellela

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Patricia Serpa

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Thomas Slater

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Joanne Giannini

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Al Gemma

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Joseph Scott

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008



TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Joseph Almeida

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Peter Lewiss

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Patrick Shanley

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Donald Lally

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Kenneth Carter

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

February 27, 2008

TO THE HONORABLE SECRETARY OF STATE:

I have the honor to inform you that pursuant to 2008-H 7029, I hereby appoint:

Representative Elizabeth Dennigan

to the Special House Commission to Review the Proposal to Merge Lifespan and Care  
New England

Sincerely,

William J. Murphy  
Speaker of the House

Received and placed on file.

### COMMUNICATION FROM THE SENATE

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

**Senate Resolution No. 2098**

**BY** Pichardo, Ruggerio, Miller, DaPonte, Gallo

**ENTITLED**, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE FAMILY INCOME AND ASSET-BUILDING COMMISSION {LC772/1}  
02/28/2008 Referred to House Constituent Services

**Senate Resolution No. 2121**

**BY** Metts, Pichardo

**ENTITLED**, JOINT RESOLUTION CALLING UPON THE GOVERNMENTS OF KUWAIT, THE UNITED STATES OF AMERICA AND THE STATE OF RHODE ISLAND TO FORM A STATE RELATIONSHIP BETWEEN RHODE ISLAND AND KUWAIT {LC898/1}  
02/28/2008 Referred to House Constituent Services

**Senate Resolution No. 2099**

**BY** Moura, Sosnowski, Goodwin, Ruggerio, Algieri

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ECONOMIC OPPORTUNITIES RELATING TO PORT DEVELOPMENT IN THE STATE OF RHODE ISLAND {LC694/1}  
02/28/2008 Referred to House Finance

**Senate Bill No. 2778**

**BY** Ruggerio

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF INTERCITY AMBULANCE SERVICE, INC. {LC2380/1}  
02/28/2008 Referred to House Constituent Services

**Senate Bill        No. 2253****BY** Blais

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SPECIAL REGISTRATION PLATE -- COVENTRY -- POLICE CHIEF EMERITUS (authorize a special registration plate for former Coventry police chief, Bruce Germani) {LC993/1}  
02/28/2008 Referred to House Finance

**Senate Bill        No. 2093****BY** Felag, Issa, Doyle, McBurney

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (permit the registrar of motor vehicles to issue a war veteran sticker to eligible vehicles, commercial vehicles or motorcycles less than 10,000 pounds) {LC490/1}  
02/28/2008 Referred to House Veterans Affairs

**CALENDAR**

From the Calendar is taken:

**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.

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

Read and passed, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Church, Coaty, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**TRANSMITTAL**

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

**ANNOUNCEMENTS**

Representative Ehrhardt congratulates Representative John Loughlin on his birthday on Monday, March 3<sup>rd</sup>.

Representative Dennigan announces Representative Peter Kilmartin will be the Grand Marshal in the Pawtucket Saint Patrick's Day Parade.

Representative Costantino announces that the Committee on Finance will meet at the rise of the House, in Room 35 of the State House.

**GUESTS**

Representative Lewiss welcomes to the House Chamber his intern, Christian Potter, grandson of former Representative Mary Ross.

Representative Slater welcomes to the House his legislative intern, Eric Sullivan, former intern for Congressman Scott Garrett, N.J. District 5 and member of the Study Panel for Bristol Town Planner.

Representative Lally welcomes to the Chamber Hanna Maron O'Neill, 6 month old daughter of Representative Patrick O'Neill and his wife Sheri.

Representative Melo welcomes to the House Chamber David Medeiros, former Vice-Chair of the East Providence School Committee.

**ADJOURNMENT**

At 4:50 o'clock P.M. on motion of Representative Slater, and as a further mark of respect to the memory of Sgt. Michael E. Cortellessa, USMC; on motion of Representative Walsh, and as a further mark of respect to the memory of Vito "Billy" Lucia; on motion of Representatives Williamson, Serpa and the Honorable Speaker Murphy and as a further mark of respect to the memory of Gabrielle Dessert; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
**Recording Clerk**

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE HELIO MELO**

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 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

Thursday, February 28, 2008