

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. 24

Thursday, March 6, 2008

Twenty-fourth Day

The House of Representatives meets at the State House in Providence, Thursday, March 6, 2008 and is called to order at 4:23 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

PRESENT - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coaty, Coderre, Corvese, Costantino, 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, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 5: Representatives Carter, Dennigan, Pacheco, Savage, Silva.

INVOCATION

The Honorable Speaker presents Representative Mumford 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, March 5, 2008 is approved as printed.

ANNOUNCEMENTS

Representative Edwin R. Pacheco will be unable to attend session Thursday, March 6, 2008.

Representative Kilmartin was out of state on Tuesday, March 4, 2008, therefore unable to attend session.

REPORTS OF COMMITTEE**COMMITTEE ON CORPORATIONS**

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

House Bill No. 7057 SUB A

BY Lewiss, Shanley, Kennedy, Picard, McNamara

ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE -- COPAYMENTS (require health insurance carriers to reimburse hospitals for certain uncollected member copayments and deductibles/also place conditions upon the variation of adjusted community rates applied by small employer carriers) {LC140/1/A}
03/12/2008 Placed on House Calendar

House Resolution No. 7510

BY Kennedy, Lewiss, Shanley, Church, Picard

ENTITLED, JOINT RESOLUTION IN OPPOSITION TO THE NATIONAL INSURANCE ACT OF 2007 {LC2158/1}
03/12/2008 Placed on House Calendar

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

Representative Amaral-An Act relating to Health and Safety-Emergency Medical Transportation Services

Representative Brien-A Joint Resolution to Approve and Publish and Submit to the Electors a Proposition of Amendments to the Constitution of the State (Marriage)

Representative Fox-An Act relating to Insurance

Representative Rice-An Act relating to Energy Assistance-Tax Holiday

Representative Fox-An Act relating to An Act Relating to Taxation -- Historic Structures -- Tax Credits

NEW BUSINESS**House Bill No. 8014****BY** Fox

ENTITLED, AN ACT RELATING TO INSURANCE (provide that every individual or group health insurance contract, plan/policy delivered, issued for delivery, or renewed/not provide for a co-payment and/or deductible for licensed ambulance service in excess of fifty dollars (\$50.00) {LC2402/1}

03/06/2008 Introduced, referred to House Corporations

House Bill No. 8015**BY** Rice, Segal, Ferri, Schadone, Giannini

ENTITLED, AN ACT RELATING TO ENERGY ASSISTANCE -- TAX HOLIDAY (provide a ôtax holidayö period for the sale of energy efficient heating, glazing, and weatherization products) {LC2408/1}

03/06/2008 Introduced, referred to House Finance

House Bill No. 8016**BY** Fox, Murphy, McCauley, Coderre E, Slater

ENTITLED, AN ACT RELATING TO TAXATION -- HISTORIC STRUCTURES -- TAX CREDITS (several amendments to the historic structures tax credits) {LC2420/1}

03/06/2008 Introduced, referred to House Finance

House Resolution No. 8017**BY** Brien, Singleton, Palumbo, Menard, Mattiello

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENTS TO THE CONSTITUTION OF THE STATE (MARRIAGE) {LC1192/1}

03/06/2008 Introduced, referred to House Judiciary

House Bill No. 8018 (by request)**BY** Amaral

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- EMERGENCY MEDICAL TRANSPORTATION SERVICES (allow a patient to require an ambulance service to transport the patient to the hospital of their choice upon the execution of a waiver) {LC2435/1}

03/06/2008 Introduced, referred to House H.E.W.

House Resolution No. 8019**BY** Lewiss, Rice, Scott

ENTITLED, HOUSE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL HOUSE COMMISSION TO STUDY FIRE AND LIFE SAFETY IN ANIMAL HOUSING FACILITIES {LC2423/1}

Representative Lewiss requests unanimous consent for immediate consideration.

There is no objection.

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

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2783

BY Felag

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF T.M. ENT. INC. {LC2428/1}

03/06/2008 Referred to House Constituent Services

Senate Resolution No. 2784

BY Paiva-Weed, Gibbs, Levesque C

ENTITLED, JOINT RESOLUTION CELEBRATING THE CONTRIBUTIONS OF NATIONAL SIGNIFICANCE MADE BY JOHN CLARKE AND THE RHODE ISLAND KING CHARLES CHARTER OF 1663 TO THE COLONY AND STATE OF RHODE ISLAND {LC2417/1}

03/06/2008 Referred to House Constituent Services

CALENDAR

From the Calendar is taken:

IN ORDER FOR THURSDAY, MARCH 6, 2008:

1 2008-H 7548

BY Mumford

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- STATE BUDGET

Committee on Finance recommends passage.

Representative Costantino moves passage of the act, seconded by Representatives Mumford, Moffitt, Shanley, Church, Fox, Almeida, Gemma and Williams.

Representative Watson discusses the act.

Read and passed on a roll call vote, 63 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Church, Coaty, Coderre, Corvese, Costantino, Diaz, Ehrhardt, Fellela, Ferri,

Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 3: Representatives Gorham, Loughlin, Watson.

TRANSMITTAL

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

ANNOUNCEMENTS

Representative Giannini announces that the Committee on Constituent Services will meet at the rise of the House, in Room 135 of the State House.

Representative Corvese announces that the Committee on Labor will meet at the rise of the House, in Room 201 of the State House.

Representative Gorham congratulates Representative Caprio on being the top vote getter from the General Assembly state wide in the primary on Tuesday.

Representative Costantino announces that the budget analysis from the House Fiscal Staff is being passed out to everyone.

Representative Lewiss announces that the Committee on Finance will meet 20 minutes after the rise of the House, in Room 35 of the State House.

Representative Fox announces that Representative Dennigan could not be here today because her daughter is being honored at the Lincoln Center. Representative Fox congratulates her and wishes her the best.

GUESTS

Representative Sullivan welcomes to the House Chamber as guests the College Democrats of Rhode Island.

Representative McNamara welcomes to the House as a guest Michael Fernandez, who will be attending CCRI in the fall.

Representative Diaz welcomes to the Chamber Dr. Mator Pambai, President of Liberian Association in Rhode Island and Araminta Mcshmtosh, Vice Chair.

ADJOURNMENT

At 4:42lock P.M. on motion of Representative Lewiss and as a further mark of respect to the memories of Joyce Ahern and Thomas L. Quattromani, Sr.; on motion of Representative Mattiello and as a further mark of respect to the memory of his uncle, Giuseppe Mattiello; on motion of Representative Ferri, and as a further mark of respect to the memory of Betty Ortiz; on motion of Representative San Bento, and as a further mark of respect to the memory of Leonel Bernardino; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE CAROL A. MUMFORD

Almighty God, whose statutes are good and gracious and whose law is truth, grant that we may enact only such just and equitable laws as are pleasing to thee. Amen.

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 12, 2008:

1 2008-H 7510

BY Kennedy

ENTITLED, JOINT RESOLUTION IN OPPOSITION TO THE NATIONAL
INSURANCE ACT OF 2007

Committee on Corporations recommends passage.

2 2008-H 7057 SUB A

BY Lewiss

ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE --
COPAYMENTS

Committee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.

Francis P. McCabe
Clerk of the House

Thursday, March 6, 2008