

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. 28

Tuesday, March 18, 2008

Twenty-eighth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 18, 2008 and is called to order at 4:37 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, Carter, Church, Coaty, Coderre, 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, Palumbo, Petrarca, Rice, Rose, Savage, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 5: Representatives Pacheco, Picard, San Bento, Schadone, Sullivan.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, March 13, 2008 is approved as printed.

ANNOUNCEMENTS

Representative Edwin R. Pacheco is not feeling well and therefore unable to attend session Tuesday, March 18, 2008.

Representative William San Bento will be unable to attend session Tuesday, March 18, 2008.

NEW BUSINESS**House Bill No. 8051****BY** Gallison, Rice, Amaral, Loughlin**ENTITLED,** AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$1,100,000 BONDS**BY** THE TOWN OF PORTSMOUTH TO FINANCE CAPITAL IMPROVEMENTS AT PORTSMOUTH HIGH SCHOOL INCLUDING SUCH IMPROVEMENTS AS ARE NECESSARY TO COMPLY WITH STATE MANDATED FIRE CODE REGULATIONS, INCLUDING BUT NOT LIMITED TO BONDS AND NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION {LC2285/1}

03/18/2008 Introduced, referred to House Finance

House Bill No. 8052**BY** Lewiss, Carter, Naughton, Dennigan, McNamara**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (require the department of elderly affairs to coordinate the elderly/disabled transportation program at no cost to the users) {LC2501/1}

03/18/2008 Introduced, referred to House Finance

House Bill No. 8053**BY** Gallison, Rose, Serpa, Fellela, Carter**ENTITLED,** AN ACT RELATING TO VETERANS' AFFAIRS -- BENEFITS (increase the benefits for military veterans for tax purposes, such as motor vehicle excise taxes, educational tuition, job purposes, state parking, hunting and fishing licenses and sale of goods, wares and other merchandise owned by the veteran) {LC2450/1}

03/18/2008 Introduced, referred to House Finance

House Bill No. 8054 (by request)**BY** Carter, Ehrhardt**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- STATE AID (include state owned real property in determining the appropriations to cities and towns for payment in lieu of property taxes) {LC2303/1}

03/18/2008 Introduced, referred to House Finance

House Bill No. 8055**BY** Almeida, Williams, Diaz**ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- MINORITY BUSINESS ENTERPRISE (include women-owned business enterprises in all state procurements and construction projects and award these enterprises a minimum of ten percent (10%) of the dollar value of the entire project) {LC2393/1}

03/18/2008 Introduced, referred to House Finance

House Bill No. 8056**BY** Almeida, Williams, Diaz, Ajello**ENTITLED**, AN ACT RELATING TO TAXATION -- CIGARETTE TAX (clarify the definition of cigarettes for purposes of taxation) {LC2431/1}

03/18/2008 Introduced, referred to House Finance

House Bill No. 8057**BY** Almeida, Williams, Diaz, Ajello**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY CODE-GENERAL PROVISIONS (require private dwellings occupied by one and/or two (2) families to be equipped with smoke and carbon monoxide detectors in accordance with standards established by the fire safety code board of appeal and review) {LC2430/1}

03/18/2008 Introduced, referred to House H.E.W.

House Bill No. 8058**BY** Malik**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (allow Cheryl L. Rodrigues to join Ashley L. Mello and Brandon Blain) {LC2508/1}

03/18/2008 Introduced, referred to House Judiciary

House Bill No. 8059**BY** Almeida, Williams**ENTITLED**, AN ACT RELATING TO EDUCATION - MAINTENANCE OF ORDER ON CAMPUS (delineate and expand both the powers and the training required of campus police officers at colleges and universities) {LC2433/1}

03/18/2008 Introduced, referred to House Judiciary

House Bill No. 8060**BY** Vaudreuil, Menard**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- SEWER CHARGES (provide for a real estate lien in the town of Cumberland for all properties which have unpaid sewer charges and would allow the town council to set and enforce sewer fees) {LC2485/1}

03/18/2008 Introduced, referred to House Municipal Government

House Resolution No. 8061**BY** Shanley**ENTITLED**, HOUSE RESOLUTION COMMEMORATING THE CELEBRATION OF ST. PATRICK'S DAY {LC2568/1}

Representative Shanley requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Shanley seconded by Representatives Lally and Watson by unanimous consent, on a voice vote.

House Resolution No. 8062**BY** Petrarca**ENTITLED**, HOUSE RESOLUTION COMMEMORATING THE CELEBRATION OF ST. JOSEPH'S DAY {LC2567/1}

Representative Petrarca requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Petrarca seconded by Representatives Trillo and Costantino by unanimous consent, on a voice vote.

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

Representative Almeida -An Act relating to Taxation/Cigarette Tax

Representative Almeida-An Act relating to Education/Maintenance of Order on Campus

Representative Almeida-An Act relating to Health & Safety/Fire Safety Code

Representative Almeida-An Act relating to Public Property and Works/Minority Business Enterprise

CALENDAR

From the Calendar is taken:

IN ORDER FOR TUESDAY, MARCH 18, 2008:**1 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, March 25, 2008.

ST. JOSEPH'S AND ST. PATRICK'S DAY OBSERVANCE

Words of Welcome	William J. Murphy, Speaker of the House
Opening Prayer	Rev. James T. Ruggieri, Pastor, St. Patrick Church, Providence (for Opening Prayer see Appendix of this Journal)
Pledge of Allegiance	Representative Laurence W. Ehrhardt
Italian Toast	Representative Peter John Petrarca
Greetings	Donald L. Carcieri, Governor
Italian Heritage Address	Ernie DiGregorio, Former Providence College and NBA Basketball Star
Irish Toast	Representative John Patrick Shanley, Jr.
Irish Poem	Representative Joseph M. McNamara
Irish Heritage	Representative Amy (Kelly) Gizzarelli Rice
Irish Heritage Address	Colonel Brendan P. Doherty, Superintendent, R.I. State Police
"Danny Boy"	Representative Richard W. Singleton
Italian Music Selection	Mike Dutra
Irish Musical Selection	Lieutenant Darren Delaney, R.I. State Police
Closing Prayer	Reverend Bernard Healey, Pastor, St. Ambrose, Church, Lincoln (for Closing Prayer see Appendix of this Journal)

GUESTS

The Honorable Speaker Murphy welcomes to the House Chamber Chef Louis from Venda Ravioli and Bob Burke from Pot au feu.

ADJOURNMENT

A 5:25 o'clock P.M. on motion of Representative Fox seconded by Representative Watson the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX**INVOCATION****REVEREND JAMES T. RUGGIERI**

Gracious and loving God, today, as this body of public servants gathers, we remember the life and witness of St. Joseph, foster-father of Jesus and husband of Mary. "He is that just man, that wise and loyal servant, whom you placed at the head of your family. With a husband's love he cherished Mary; with fatherly care he watched over Jesus." Joseph was obedient to God's plan, "even when he had every reason to doubt." Help us to be just; help us to be faithful to our responsibilities; help us, O God, to be obedient to your truth.

On this day when we remember O good St. Joseph, bless this legislative body; may they follow the example of Joseph and embody humility, justice, and valor as they seek to fulfill their responsibilities as public servants. We ask all this with faith and gratitude. Amen.

CLOSING PRAYER**REVEREND BERNARD HEALEY, PASTOR, ST. AMBROSE CHURCH, LINCOLN**

In the spirit of beloved Saint Patrick we now offer this irish blessing upon all gathered here today: May you have good friends aplenty, and may they be as faithful and reliable as the morning's sunrise each day. May you have warm words on a cold evening, a full moon on a dark night and a road downhill all the way to your door. May ever hair on your head turn into a candle to light your way to heaven; and may god and his mother take the harm of years away from you. And may you have no frost on your spuds, no worms on your cabbage; may your goat have plenty of milk, and if you should buy a donkey, please, God may she be pregnant.

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 19, 2008:

1 2008-H 8042**BY Handy**

ENTITLED, HOUSE 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

Ordered on the Calendar

2 2008-H 8049**BY Lima**

ENTITLED, HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO APPOINT AN INDEPENDENT COUNSEL TO INVESTIGATE THE PRISONER OF WAR-MISSING IN ACTION ISSUE

Ordered on the Calendar

3 2008-H 7199**BY Shanley**

ENTITLED, AN ACT RELATING TO THE KINGSTON WATER DISTRICT - BONDS

Committee on Municipal Government recommends passage.

4 2008-H 7295 SUB A**BY Shanley**

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

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

5 2008-H 7751 SUB A**BY Shanley**

ENTITLED, AN ACT RELATING TO CRIMINALS -- CORRECTIONAL INSTITUTIONS -- PAROLE

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

6 2008-H 7367**BY Lally****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

7 2008-H 7502**BY Lally****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Committee on Judiciary recommends passage.

8 2008-H 7838**BY Murphy****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

9 2008-H 7903**BY Gallison****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

10 2008-H 8005**BY Amaral****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

11 2008-S 2239**BY Sosnowski****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

12 2008-S 2083**BY Felag****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

13 2008-S 2028**BY Sheehan****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

IN ORDER FOR TUESDAY, MARCH 25, 2008:

1 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

Tuesday, March 18, 2008