

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. 30

Tuesday, March 25, 2008

Thirtieth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 25, 2008 and is called to order at 4:22 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 72 members present and 3 members absent as follows:

PRESENT - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, 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, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson.

ABSENT - 3: Representatives Coaty, Schadone, Winfield.

INVOCATION

The Honorable Speaker presents Father Anthony Evangelatos 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 19, 2008 is approved as printed.

REPORTS OF COMMITTEES**COMMITTEE ON CONSTITUENT SERVICES**

Representative Giannini, for the Committee on Constituent Services, reports back the following measures, with recommendation of passage:

House Bill No. 7683

BY Shanley, Naughton, Walsh, Lally, Scott

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (rename URI Independence Hall as Swan Hall) {LC2206/1}
03/25/2008 Placed on House Calendar

COMMITTEE ON FINANCE

Representative Costantino, for the Committee on Finance, reports back the following measures, with recommendation of passage:

House Bill No. 8036 SUB A

BY Costantino

ENTITLED, AN ACT RELATING TO TAXATION -- DEPRECIATION OF ASSETS (allow the bonus depreciation for purpose of depreciating assets and expensing in lieu of depreciation of assets by the Jobs and Growth Tax Relief Reconciliation Act of 2003 to apply to any subsequent federal enactment of this act) {LC2432/1/A}
03/25/2008 Placed on House Calendar

COMMITTEE ON JUDICIARY

Representative Lally, for the Committee on Judiciary, reports back the following measure, with recommendation of passage:

House Bill No. 8058

BY Malik

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2508/1}
03/25/2008 Placed on House Calendar

NEW BUSINESS**House Bill No. 8066**

BY Kennedy, Lewiss, Naughton, Church, Coderre E

ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS (offer guidance to health insurance commissioner in approving producer compensation plans/extend authority of approval nonprofit medical/hospital service corp to include health maintenance organizations and nonprofit dental service corporations) {LC1971/1}
03/25/2008 Introduced, referred to House Corporations

House Bill No. 8067**BY** Kennedy, Lewiss, Naughton, Church, Coderre E**ENTITLED**, AN ACT RELATING TO INSURANCE -- PRODUCER LICENSING ACT

(remove the requirement for a business entity license/individual license, for surplus line brokers but would allow the dept to issue business entity licenses for all license types if a resident needs license to obtain nonresident licenses in other states) {LC2530/1}

03/25/2008 Introduced, referred to House Corporations

House Bill No. 8068**BY** McCauley**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CANNON & BROWN, INC. {LC2481/1}

03/25/2008 Introduced, referred to House Constituent Services

House Bill No. 8069**BY** Schadone, Corvese**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION (increase property exemptions in North Providence from ten thousand dollars (\$10,000) to twelve thousand dollars (\$12,000) for residents over the age of sixty-five (65) {LC2513/1}

03/25/2008 Introduced, referred to House Municipal Government

House Resolution No. 8070**BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2612/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 8071**BY** Fox, Long, Watson**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2611/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

With the agreement of the majority and the minority, Representative Ehrhardt requests to place (08-H 8072) on the top of tomorrow's Calendar. There is no objection.

House Resolution No. 8072**BY** Ehrhardt, Rose, Murphy, Fox**ENTITLED**, HOUSE RESOLUTION PROCLAIMING APRIL, 2008 AS "PARKINSON'S DISEASE AWARENESS MONTH" IN THE STATE OF RHODE ISLAND {LC2472/1}

03/25/2008 Placed on House Calendar

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2414 as amended**BY** Alves, Algiere, Goodwin, Paiva-Weed, Levesque C**ENTITLED**, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE -- COPAYMENTS (would require health insurance carriers to reimburse hospitals for certain uncollected member copayments and deductibles/It would also place conditions upon the variation of adjusted community rates applied by small employer carriers) {LC1627/1}

03/25/2008 Referred to House Corporations

Senate Bill No. 2265 as amended**BY** Walaska, Blais**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - INTEREST AND USURY (exempt certain loans to or by a commercial entity from the usury laws if the loan exceeds one million dollars (\$1,000,000) and where repayment is not secured by a mortgage against the principal residence of any borrower) {LC989/1}

03/25/2008 Referred to House Corporations

Senate Bill No. 2793 as amended (Secretary of State)**BY** Cote, Metts**ENTITLED**, AN ACT RELATING TO LIBRARIES -- STATE PUBLICATIONS CLEARING HOUSE (amend the state publications clearinghouse law to provide for the filing of state publications in electronic form) {LC1722/1}

03/25/2008 Referred to House Finance

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, MARCH 25, 2008:**1 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, March 27, 2008.

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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, March 27, 2008.

ANNOUNCEMENTS

Majority Leader Fox announces tomorrow at the rise of the House, RI Supreme Court Chief Justice Frank Williams will deliver the annual State of the Judiciary address to the General Assembly

Representative Rice announces that the Committee on Environment and Natural Resources will meet at the rise of the House, in Room 135 of the State House.

Representative Lally announces that the Committee on Judiciary will meet at the rise of the House, in Room 205 of the State House.

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

GUEST

Representative Melo welcomes to the House Chamber as a guest his daughter, Victoria Melo.

ADJOURNMENT

At 4:30 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****FATHER ANTHONY EVANGELATOS**

In the name of the Father, and the Son, and the Holy Spirit-One God, O Lord, we beseech your holy name on this great feast of the Annunciation of the Virgin Mary, and the annual commemoration of the declaration of the struggle for independence by the Greek nation against the Ottoman Turkish Oppressors. With the first feast we celebrate our deliverance from the oppression of sin and death through the powers of evil, by the coming of God into the world; and with the second commemoration we celebrate the deliverance of both the Greek people and all oppressed peoples of the world who have regained their God given dignity and freedom. May you grant all of those gathered here together, every blessing and your divine guidance in all things. Amen

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 26, 2008:

1 2008-H 8072**BY Ehrhardt****ENTITLED,** HOUSE RESOLUTION PROCLAIMING APRIL, 2008 AS
"PARKINSON'S DISEASE AWARENESS MONTH" IN THE STATE
OF RHODE ISLAND

Ordered on the Calendar

2 2008-H 8024**BY Story****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

IN ORDER FOR THURSDAY, MARCH 27, 2008:

1 2008-H 7751 SUB A**BY Shanley****ENTITLED,** AN ACT RELATING TO CRIMINALS -- CORRECTIONAL
INSTITUTIONS -- PAROLECommittee on Judiciary recommends indefinite postponement of the original bill and
passage of Substitute A.**2 2008-H 7057 SUB A****BY Lewiss****ENTITLED,** AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE --
COPAYMENTSCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**3 2008-H 7683****BY Shanley****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT
JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS,
BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Judiciary recommends passage.

4 2008-H 8058

BY Malik

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

5 2008-H 8036 SUB A

BY Costantino

ENTITLED, AN ACT RELATING TO TAXATION -- DEPRECIATION OF
ASSETS

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

Francis P. McCabe
Clerk of the House

Tuesday, March 25, 2008