

# **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. 33

Tuesday, April 1, 2008

Thirty-third Day

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The House of Representatives meets at the State House in Providence, Tuesday, April 1, 2008 and is called to order at 4:16 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 69 members present and 6 members absent as follows:

**PRESENT** - 69: 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, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Mumford, Naughton, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

**ABSENT** - 6: Representatives Jackson, Moffitt, O'Neill, Palumbo, San Bento, Scott.

### **INVOCATION**

The Honorable Speaker presents Representative Fellela 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 Thursday, March 27, 2008 is approved as printed.

**REPORTS OF COMMITTEES****COMMITTEE ON CONSTITUENT SERVICES**

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

**House Resolution No. 8044**

**BY** Serpa, Silva, Vaudreuil, Melo, Fellela

**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE FLOODING IN WEST WARWICK {LC74/1}

04/01/2008 Placed on House Calendar

**House Resolution No. 7501**

**BY** Rice, Loughlin, Gallison, Mumford, Story

**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY RENAMING THE NEW SAKONNET BRIDGE AS THE "ANNE HUTCHINSON BRIDGE" {LC2187/1}

04/01/2008 Placed on House Calendar

**House Bill No. 8043**

**BY** Corvese

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE RHODE ISLAND ASSOCIATION OF PHYSICIAN ASSISTANTS {LC2482/1}

04/01/2008 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. 7040 SUB A**

**BY** San Bento, Rose, Singleton, Shanley, Slater

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT ( would require the operation of video lottery games on a twenty-four hour basis at the Twin River and Newport Grand facilities. The revenue gained from the additional hours of operation would be deposited in the general fund) {LC259/3/A}

04/01/2008 Placed on House Calendar

**COMMITTEE ON MUNICIPAL GOVERNMENT**

Representative Gallison, for the Committee on Municipal Government, reports back the following measures, with recommendation of passage:

**House Bill No. 7369 SUB A****BY** Vaudreuil, Silva**ENTITLED**, AN ACT RELATING TO THE 10A VALUATION AND RATIFICATION OF THE CITY CHARTER OF THE CITY OF CENTRAL FALLS {LC859/1/A}

04/01/2008 Placed on House Calendar

**House Bill No. 8030****BY** Fellela, Petrarca, Smith, Ucci**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF JOHNSTON TO FINANCE THE DESIGN AND CONSTRUCTION OF SANITARY SEWERS FOR THE MEMORIAL PLAT SEWER PROJECT WHICH INCLUDES ALL OR A PORTION OF MILLS DRIVE, POCOTTE DRIVE, ANROLD DRIVE, MONGONE DRIVE, RICHARDSON DRIVE, HARRINGTON DRIVE, CORRINE DRIVE, PINWOOD AVENUE AND CENTRAL AVENUE; AND FOR THE CHERRY HILL SEWER PROJECT WHICH INCLUDES ALL OR A PORTION OF CHERRY HILL ROAD, OLD CHERRY HILL ROAD, CHRYSANTHY COURT, SETIAN CIRCLE, KERN ACRE DRIVE, CAVALCADE BOULVDARD, BALSAM COURT, HEMLOCK COURT, WOODCREST DRIVE, CYNTHIA DRIVE, WORCESTER AVENUE, PRESCOTT AVENUE, HOLLAND AVENUE, ROWENA DRIVE, BIRCHWOOD DRIVE AND TO ISSUE NOT MORE THAN \$7,100,000 BONDS AND NOTES THEREFOR (financing by the Town of Johnston to authorize the town of Johnston to finance the design and construction of sanitary sewers for the Memorial Plat Sewer Project) {LC2253/1}

04/01/2008 Placed on House Calendar

**House Bill No. 7485****BY** Petrarca, Winfield**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ESTABLISH **BY** ORDINANCE A TAX EXEMPTION FOR REAL AND PERSONAL PROPERTY OWNED BY THE GRODEN CENTER, INC., LOCATED IN THE TOWN OF SMITHFIELD {LC1388/1}

04/01/2008 Placed on House Calendar

**NEW BUSINESS****House Bill No. 8101****BY** Gablinske, Malik, Gallison**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (David Farrell to join Josiah Herbert and Angela Hudon) {LC2529/1}

04/01/2008 Introduced, referred to House Judiciary

**House Bill No. 8102****BY** Gablinske, Malik, Gallison, Sullivan**ENTITLED**, AN ACT RELATING TO AIR POLLUTION - WOOD BOILERS (authorize the department of environmental management to adopt rules regulating the use of outdoor wood boilers) {LC2528/1}

04/01/2008 Introduced, referred to House Environment and Natural Resources

**House Bill     No. 8103****BY** Naughton, Murphy, Ferri, Williamson, Lally**ENTITLED**, AN ACT RELATING TO NAMING THE NEW KENT COUNTY COURTHOUSE (name the new Kent County Courthouse "The Governor Philip W. Noel Judicial Complex.") {LC2512/1}

04/01/2008 Introduced, referred to House Constituent Services

**House Resolution     No. 8104****BY** Fox, Gorham**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2678/1}

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. 8105****BY** Fox, Gorham**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2677/1}

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.

**House Resolution     No. 8106****BY** Gallison, Gablinske**ENTITLED**, HOUSE RESOLUTION HONORING COLONEL RUSSELL S. SERPA ON THE OCCASION OF HIS RETIREMENT AS CHIEF OF THE BRISTOL POLICE DEPARTMENT {LC2673/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Gablinske, Malik and many other members of the House 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. 2317****BY** McCaffrey**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- SOLEMNIZATION OF MARRIAGES ( would empower administrative clerks of the district court to join persons in marriage.) {LC1128/1}

04/01/2008 Referred to House Judiciary

**Senate Bill No. 2026****BY** Bates, Blais, Breene, Cote, Walaska**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT (allow the Family Court to order child support if the child has a severe physical or mental impairment, beyond the child's emancipation event) {LC38/1}

04/01/2008 Referred to House Judiciary

**Senate Bill No. 2614****BY** Sosnowski, Issa, Miller, Alves, Pichardo**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (rename Independence Hall at the University of Rhode Island to the "M. Beverly Swan Hall) {LC2227/1}

04/01/2008 Referred to House Constituent Services

**Senate Resolution No. 2222** (Lieutenant Governor)**BY** Tassoni, Perry, Paiva-Weed, Montalbano J**ENTITLED**, JOINT RESOLUTION CREATING A JOINT TASK FORCE TO STUDY ALL ASPECTS OF HEALTH CARE REFORM RELATING TO THE HEALTHY RHODE ISLAND REFORM ACT OF 2008 - PART VIII {LC1361/1}

04/01/2008 Referred to House H.E.W.

**CALENDAR**

From the Calendar is taken:

**IN ORDER FOR TUESDAY, APRIL 1, 2008:****1 2008-H 8100****BY** Carter**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar

Representative Carter moves passage of the act, seconded by Representative Ehrhardt.

By unanimous consent, Representative Carter, seconded by Representative Ehrhardt offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2008 -- H 8100**

**AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Mr. Speaker:

I hereby move to amend 2008 -- H 8100, entitled "AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES", as follows:

1. On page 1, line 2, by deleting the name "Nosrat Rahimi" and inserting in place thereof the name "Nusrat O. Brown"; and

2. On page 1, line 3, by deleting the name "Nosrat Rahimi" and inserting in place thereof the name "Nusrat O. Brown".

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE CARTER

=====  
LC02653/2  
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The motion to amend prevails on a roll call vote 55 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Mumford, Naughton, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Serpa, Shanley, Silva, Slater, Story, Sullivan, Trillo, Vaudreuil, Walsh, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Read and passed, as amended, on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Handy, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Mumford, Naughton, Pacheco, Picard, Rice, Rose, Savage, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Vaudreuil, Walsh, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**FROM THE DESK IS TAKEN****Senate Bill No. 2028****BY** Sheehan, Connors, Levesque C**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Katherine Anne Robertson and Ethan Frederick French) {LC34/1}

04/01/2008 Transmitted to Governor

**Senate Bill No. 2239****BY** Sosnowski**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (allow The Honorable Murry B. Cohen to join Shayna Meredith Cohen and James Peter Verinis) {LC1321/1}

04/01/2008 Transmitted to Governor

**Senate Bill No. 2083****BY** Felag, Levesque C, Bates**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Alayne White to join Sara Jean Faria and Justin Bernard Walsh) {LC767/1}

04/01/2008 Transmitted to Governor

**ANNOUNCEMENTS**

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 5:00 P.M at the Department of Business Regulation, 233 Richmond Street Providence.

**GUESTS**

Representative Williamson welcomes to the House Chamber as guests the West Warwick Basketball Division B 11-12 year olds Champions as follows-Alex Buckley, Ross Coffua, Aaron Desrosiers, Devin DiPetrillo, James Kaplan, Austin Paygai; Antonio Raimondo, Paul Roy and his son, Connor Williamson. Representative Williamson thanks Lynn DiPetrillo, Chris Coffua, Russ Buckley and his wife MaryAnne Williamson for bringing the boys to the State House.

The Honorable Speaker Murphy welcomes to the House MaryAnne Williamson and her sons Connor and Avery; Lynn DiPetrillo and her sons Devin and Taylor; Alex and Russ Buckley; Ross and Chris Coffua and all the boys of the team.

Also, Representative Williamson welcomes to the House as guests the West Bay Islanders Girls U12 Hockey Team "Rhode Island State Champions and New England Tier II Champions" as

follows-Rachel Simoneau, Danielle Stevens, Jamie Coyle, Lindsay Hadfield, Rachel Ball, Karoline Inman, Kelsey Wright, Katelyn Trask, Alyssa DiMaio, Nadine Rogowski, Victoria Piccirillo, Taylor Peltier, Samantha Patti, Lauren Abbenante, Allison Tessier along with their coaches Greg Inman, Head Coach; Bob Hardman, Assistant Coach; Dave Piccirillo, Assistant Coach; Will Wright, Assistant Coach; James Simoneau, Assistant Coach and Renee Hadfield, Team Parent.

Also, Representative Williamson welcomes to the Chamber as guests the West Bay Islanders Girls U14 Hockey Team “New England Tier II Champions” as follows-Ariana Beauregard; Mary Kate Stimpson; Kaitlyn Paiva; Stephanie Casale; Bethany Fogerty; Lauren Ledoux; Kiley Colucci; Samantha Smith; Cassandra Sherman; Nicole Wilbur; Harmony Tillison; Meaghan Murphy along with their coaches Jim Hopgood, Head Coach; Nick Mattera, Assistant Coach; Steve Boyle, Assistant Coach and Cate Colucci, Student Coach.

Representative Williamson congratulates all the teams.

The Honorable Speaker Murphy also welcomes to the House Chamber Steve Boyle, Greg Inman and Judge Hardman.

Representative Lima welcomes to the Chamber Vanessa Gilbert, Artistic Director at Perishable Theatre is downtown Providence, and Nicole Conlon, a Master of Fine Arts candidate at Rhode Island College.

#### **ADJOURNMENT**

At 4:36 o'clock P.M. on motion of Representative Rice, and as a further mark of respect to the memory of Robert Kempenarr; on motion of Representative Coaty, and as a further mark of respect to the memory of William Nagle; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

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



**APPENDIX**

**INVOCATION**

**REPRESENTATIVE DEBORAH A. FELLELA**

Lord, we have been sent to these positions of responsibility by the people. Make us mindful that we are their servants. Give us the wisdom and energy to serve them honestly and well. Amen.

## APPENDIX

## CALENDAR

## IN ORDER FOR THURSDAY, APRIL 3, 2008:

**1 2008-H 7659****BY DeSimone****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES**

Committee on Corporations recommends passage.

**2 2008-H 7866 SUB A****BY Segal****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL  
LICENSES**Committee on Corporations recommends indefinite postponement of the original bill  
and passage of Substitute A.**3 2008-H 8044****BY Serpa****ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE  
COMMISSION TO STUDY THE FLOODING IN WEST WARWICK**

Committee on Constituent Services recommends passage.

**4 2008-H 7501****BY Rice****ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE  
COMMISSION TO STUDY RENAMING THE NEW SAKONNET  
BRIDGE AS THE "ANNE HUTCHINSON BRIDGE"**

Committee on Constituent Services recommends passage.

**5 2008-H 8043****BY Corvese****ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE CHARTER OF THE RHODE ISLAND ASSOCIATION OF  
PHYSICIAN ASSISTANTS**

Committee on Constituent Services recommends passage.

**6 2008-H 7369 SUB A****BY Vaudreuil****ENTITLED, AN ACT RELATING TO THE 10A VALUATION AND**

RATIFICATION OF THE CITY CHARTER OF THE CITY OF  
CENTRAL FALLS

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

**7 2008-H 8030****BY Fellela**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF JOHNSTON TO FINANCE THE DESIGN AND CONSTRUCTION OF SANITARY SEWERS FOR THE MEMORIAL PLAT SEWER PROJECT WHICH INCLUDES ALL OR A PORTION OF MILLS DRIVE, POCOTTE DRIVE, ANROL D DRIVE, MONGONE DRIVE, RICHARDSON DRIVE, HARRINGTON DRIVE, CORRINE DRIVE, PINWOOD AVENUE AND CENTRAL AVENUE; AND FOR THE CHERRY HILL SEWER PROJECT WHICH INCLUDES ALL OR A PORTION OF CHERRY HILL ROAD, OLD CHERRY HILL ROAD, CHRYSANTHY COURT, SETIAN CIRCLE, KERN ACRE DRIVE, CAVALCADE BOULVDARD, BALSAM COURT, HEMLOCK COURT, WOODCREST DRIVE, CYNTHIA DRIVE, WORCESTER AVENUE, PRESCOTT AVENUE, HOLLAND AVENUE, ROWENA DRIVE, BIRCHWOOD DRIVE AND TO ISSUE NOT MORE THAN \$7,100,000 BONDS AND NOTES THEREFOR

Committee on Municipal Government recommends passage.

**8 2008-H 7040 SUB A****BY San Bento**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

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

**9 2008-H 7485****BY Petrarca**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ESTABLISH BY ORDINANCE A TAX EXEMPTION FOR REAL AND PERSONAL PROPERTY OWNED BY THE GRODEN CENTER, INC., LOCATED IN THE TOWN OF SMITHFIELD

Committee on Municipal Government recommends passage.

**Francis P. McCabe**  
**Clerk of the House**

**Tuesday, April 1, 2008**

APPENDIX

TRANSMITTED TO THE GOVERNOR

**Senate Bill No. 2028**

**BY** Sheehan, Connors, Levesque C

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Katherine Anne Robertson and Ethan Frederick French) {LC34/1}

**Senate Bill No. 2239**

**BY** Sosnowski

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