

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. 34

Wednesday, April 2, 2008

Thirty-fourth Day

The House of Representatives meets at the State House in Providence, Wednesday, April 2, 2008 and is called to order at 4:21 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, Caprio, Carter, Church, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Long, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 7: Representatives Jacquard, Lima, Loughlin, Naughton, Petrarca, San Bento, Singleton.

INVOCATION

The Honorable Speaker presents Representative Rose 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 Tuesday, April 1, 2008 is approved as printed.

ANNOUNCEMENTS

Representative Robert B. Jacquard is attending a conference in Atlanta, Georgia for work and therefore unable to attend session Wednesday, April 2 and Thursday, April 3, 2008.

Representative Charlene M. Lima will be unable to attend session Wednesday, April 2, 2008.

REPORTS OF COMMITTEE**COMMITTEE ON JUDICIARY**

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

House Bill No. 7822 SUB A (by request)

BY Vaudreuil, Silva

ENTITLED, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS (expand the instances when a local board of canvassers is empowered to combine two or more voting districts) {LC2128/1/A}

04/02/2008 Placed on House Calendar

House Bill No. 7906 SUB A

BY Fox

ENTITLED, AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION (make technical adjustments to various statutes as recommended by the Law Revision Office of the Joint Committee on Legislative Services) {LC1091/1/A}

04/02/2008 Placed on House Calendar

NEW BUSINESS

House Bill No. 8107

BY Lally

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF TAU OMEGA CHAPTER OF TAU EPSILON PHI FRATERNITY, INC. {LC2585/1}

04/02/2008 Introduced, referred to House Constituent Services

House Bill No. 8108

BY Brien, Story, Almeida

ENTITLED, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTION AND VOTING EQUIPMENT AND SUPPLIES {LC2634/1}

04/02/2008 Introduced, referred to House Judiciary

House Bill No. 8109**BY** Kilmartin**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- OPEB TRUSTS

{LC2520/1}

04/02/2008 Introduced, referred to House Municipal Government

ANNOUNCEMENTS

Representative Diaz announces that the Committee on Health, Education and Welfare 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 Slater announces that the Committee on Finance will meet at the rise of the House, in Room 35 of the State House.

Representative Rice announces that the Committee on Environment and Natural Resources will meet at the rise of the House, in Room 201 of the State House.

GUESTS

At 4:22 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to Representative Shanley.

By unanimous consent, Representative Shanley addresses the members of the House and welcomes to the House the URI newest small choral concert group "Lively Experiment". Representative Shanley introduces the choral group as follows-Mark Conley-Director; Beth Clarke, Jamestown-Representative Bruce Long; Katherine Kleyla, Rumford-Representative Henry Rose; Kayla Babcock, Charlestown-Representative Donna Walsh; William Grueb, North Kingstown-Representative Laurence Ehrhardt; Ryan Cranston, North Kingstown-Representative Kenneth Carter; Michael Ottaviano, Hope Valley-Representative Brian Patrick Kennedy; Joshua Gonzalez, Charlestown-Representative Joseph Scott; Carey Shunskis, Upper Darby, Pa along with President Robert Carothers.

By unanimous consent, the Lively Experiment sings the National Anthem.

At 4:27 o'clock P.M. the Honorable Speaker Murphy returns to the rostrum.

Representative Lewiss welcomes to the House Chamber as a guest Sarah Hammond, our RI Liaison, from the National Conference of State Legislatures.

Representative McManus welcomes to the House as a guest Ted Sullivan from Lincoln.

Representative Pacheco congratulates and welcomes to the Chamber as guests the Division 1A Boys Hockey Champions 2007-2008 from Burrillville High School as follows-Kristopher Plante,

Kyle Keegan, Cole Caron, Cameron Marcotte, Josh Durand, Brian Molloy, Craig Koprusak, John Hanley, Jared Rouleau, Daniel Mattera, Justin Misiaszek, Andrew Morin, Kory Nadeau, Tyler Hopkins, Jared Bebeau, Bryan Gallant, Dan Wilson, along with their Head Coach Stephen Daigle, Assistant Coaches-Michael Keable and Joseph Mattera

The Honorable Speaker Murphy and Representative Church also join Representative Pacheco in congratulating and welcoming the Burrillville High School Hockey Champions to the House Chamber.

ADJOURNMENT

At 4:35 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

REPRESENTATIVE HENRY C. ROSE

Lord may it be Thy will, not our own, which governs our deliberations this day. 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, 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

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.

10 2008-H 7822 SUB A**BY Vaudreuil**

ENTITLED, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS

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

IN ORDER FOR TUESDAY, APRIL 8, 2008:

1 2008-H 7906 SUB A

BY Fox

**ENTITLED, AN ACT RELATING TO STATUTES AND STATUTORY
CONSTRUCTION**

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

Francis P. McCabe
Clerk of the House

Wednesday, April 2, 2008