

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 fourth day of January in the year of Our Lord two thousand and five.

Volume 132, No. 26

Tuesday, March 15, 2005

Twenty-sixth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 15, 2005 and is called to order at 4:17 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, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 5: Representatives Coderre, Davey, Ginaitt, Petrarca, Scott.

INVOCATION

The Honorable Speaker presents Representative O'Neill 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 10, 2005 is approved as printed.

ANNOUNCEMENTS

Representative Elaine Coderre will be unable to attend session Tuesday, March 15 through Thursday, March 17, 2005. She will be out of town.

Representative Peter T. Ginaitt will be unable to attend session Tuesday, March 15 through Thursday, March 17, 2005. He will be out of town on business.

As Speaker of the House, I hereby appoint: Representative Joseph A. Trillo to the Special Legislative commission to Study the Lead Hazard Mitigation Law.

NEW BUSINESS**House Bill No. 6219**

BY Faria, Malik, Rose, Laroche

ENTITLED, AN ACT RELATING TO ESTABLISHMENT AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES (sports pool to definition of gambling activities) {LC2751/1}

03/15/2005 Introduced, referred to House Finance

House Bill No. 6220

BY Sullivan, Carter, Gallison, Rice

ENTITLED, AN ACT RELATING TO PROPERTY TAX RELIEF (change definition of "disabled" for those entitled to property tax relief) {LC2783/1}

03/15/2005 Introduced, referred to House Finance

House Bill No. 6221

BY Faria

ENTITLED, AN ACT RELATING TO INSTRUCTION IN JIU-JITSU OR KARATE (increase fee for license in martial arts) {LC2750/1}

03/15/2005 Introduced, referred to House Corporations

House Resolution No. 6222

BY Fox

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2827/1}

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 and by unanimous consent, on a rising vote.

House Resolution No. 6223**BY** Fox**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2826/1}

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 and by unanimous consent, on a voice vote.

House Resolution No. 6224**BY** Sullivan**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF WILLIAM J. VALERIO {LC2831/1}

Representative Sullivan requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Sullivan seconded by Representatives Landroche, Williamson and by unanimous consent, on a rising vote.

(For Resolution (05-H 6224) see Appendix of this Journal.)

House Resolution No. 6225**BY** Costantino**ENTITLED**, HOUSE RESOLUTION CONGRATULATING BROOK WEISMAN-ROSS ON BEING AWARDED THE CITIZENS SPECIAL COMMUNITY SERVICE SABBATICAL {LC2817/1}

Representative Costantino requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6226**BY** Costantino, Moura, Fox**ENTITLED**, HOUSE RESOLUTION HONORING YADI L. GARCIA ON THE OCCASION OF HER 30TH BIRTHDAY {LC2241/1}

Representative Costantino requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6227

BY Gallison, Almeida, Amaral, Long, Moura

ENTITLED, HOUSE RESOLUTION OPPOSING THE EXPANSION OF THE KEYSpan CORPORATION LNG FACILITY AND SIGHTING OF AN LNG FACILITY AT WEAVER'S COVE, FALL RIVER, MASSACHUSETTS AND TRANSPORTATION OF LNG IN AND AROUND NARRAGANSETT BAY AND MT. HOPE BAY {LC2820/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Almeida, Rose, Moura, Loughlin, Story, Long, Mumford, Ajello, Melo, Savage, Carter, McHugh, Jackson, Ucci, Pacheco, Faria, and by unanimous consent, on a voice vote.

Representatives Long and Gallison discuss the resolution.

House Resolution No. 6228

BY Giannini, Trillo, Voccola, Ucci, Kennedy

ENTITLED, HOUSE RESOLUTION PROCLAIMING THE MONTH OF OCTOBER TO BE "ITALIAN HERITAGE MONTH" IN THE STATE OF RHODE ISLAND {LC2283/1}

Representative Giannini requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Giannini seconded by Representatives Corvese, Schadone, Lima and several other members of the House and by unanimous consent, on a voice vote.

House Resolution No. 6229

BY Gallison, Anguilla

ENTITLED, HOUSE RESOLUTION HONORING REVEREND DR. VINCENT L. THOMPSON, JR. FOR HIS THIRTY YEARS OF DEVOTED SERVICE TO THE GOSPEL MINISTRY AND THE CELEBRATION OF HIS FIFTEENTH ANNIVERSARY AT THE COMMUNITY BAPTIST CHURCH {LC2828/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6230**BY** Lewiss, Shanley, Malik, Carter, Costantino**ENTITLED**, HOUSE RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO CONTINUE FUNDING FOR THE RESTORATION OF RHODE ISLAND'S SALT PONDS {LC2847/1}

Representative Lewiss requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Lewiss seconded by Representatives Naughton, Kennedy, Carter, Caprio, McHugh, Shanley, Lally, Savage, Long, Ehrhardt McManus Loughlin, Wasylyk and by unanimous consent, on a voice vote.

CONSENT CALENDAR

From the Consent Calendar is taken:

IN ORDER FOR TUESDAY, MARCH 15, 2005:**1 2005-S 921****BY Breene****ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CENTRAL COVENTRY LAND COMPANY, INC.

Ordered on the Calendar

Read and passed, in concurrence, on a motion of Majority Leader Fox, seconded by Minority Leader Watson, by unanimous consent on a voice vote.

CALENDAR

Representative Kennedy requests to remove #4 (05-H 6163) on the Calendar for Wednesday, March 16, 2005 and send to the Committee on Finance. There is no objection.

Read and referred to the committee on Finance.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, and to the Honorable Secretary of State forthwith.

ANNOUNCEMENTS

Representative Rose announces that the Committee on Finance will meet today, at the rise of the House, in Room 35 of the State House.

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

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

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

Representative Lima and the Honorable Speaker wish Representative Giannini a Happy Birthday.

Representative Moura thanks the Governor, members of the the Finance Sub-Committee-Representatives Slater, Naughton, Lewiss, Williams, Carter, Mumford, Savage and Shanley the Chair of Finance-Representative Costantino, and the Senate Finance Chair for their support of the Katie Beckett Program. Also, Representative Williams and Moura commend and congratulate Representative Naughton for all her efforts regarding this program.

Representative Naughton wishes a Happy 18th Birthday to Brittany Joyal.

Representative Kilmartin announces there will be a celebration of Saint Patrick's Day and Saint Joseph's Day on Thursday, March 17th. All families of Representatives are welcome.

ADJOURNMENT

At 4:40 o'clock P.M. on motion of Representative Sullivan, and as a further mark of respect to the memory of William J. Valerio; on motion of Representative Shanley, and as a further mark of respect to the memory of Sarah E. McClarnon; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE J. PATRICK O'NEILL

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 WEDNESDAY, MARCH 16, 2005:

1 2005-H 5587 as amended

BY McHugh

ENTITLED, HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT THE DIRECTOR OF BUSINESS REGULATIONS INVESTIGATE AND AUDIT BROKERAGE FIRMS AND BANKS THAT OFFER VARIABLE ANNUITIES

Committee on Corporations recommends passage as amended.

2 2005-H 6143

BY Pacheco

ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Corporations recommends passage.

3 2005-H 6148

BY Watson

ENTITLED, AN ACT RELATING TO HOMESTEAD EXEMPTION IN THE TOWN OF WEST GREENWICH

Committee on Corporations recommends passage.

Louis D'Antuono
Clerk of the House

Tuesday, March 15, 2005

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 921

BY Breene, Blais

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
CHARTER OF CENTRAL COVENTRY LAND COMPANY, INC. {LC2734/1}

APPENDIX

STATE OF RHODE ISLAND

2005-H 6224

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2005

HOUSE RESOLUTION

EXPRESSING CONDOLENCES ON THE PASSING OF WILLIAM J. VALERIO

Introduced By: Representative Raymond J. Sullivan

Date Introduced: March 15, 2005

Referred To: House read and passed

WHEREAS, It is with great sadness that this House has learned of the passing of William J. Valerio; and

WHEREAS, Born in Providence, Rhode Island to the late Margaret Avelar and the late John Valerio, William Valerio was the devoted husband of thirty-three years to Margaret, and the loving father of two children, John and Vicki; and

WHEREAS, Mr. Valerio received his diploma from East Providence High School. Upon graduating, he served with honor and distinction in the United States Army, stationed in Korea. After leaving the service, he began his career teaching auto repair at the Warwick Career and Technical Center. William also served as the school's assessment coordinator; and

WHEREAS, William devoted much of his time to young people and sports, enthusiastically working as both a coach and an official. He coached junior varsity football in both Seekonk and Warwick,

and was a high school swimming official and president of the Rhode Island Board of Approved Interscholastic Officials. In addition, for more than twenty-five years William was active in the Rumford Little League. The league recognized his hard work and commitment to the children and the sport by dedicating a new field as the "Bill and Peggy Valerio Field"; and

WHEREAS, Mr. Valerio was active in a number of community organizations including serving on the Board of Directors for the East Providence Boys and Girls Club, and as a member of the Rumford Lions Club; and

WHEREAS, Even though we are diminished by this loss and mourn the passing of William Valerio, so must we celebrate the spirit, generosity and courage with which he lived everyday of his life; now, therefore be it

RESOLVED, That this House of Representatives of the State of Rhode Island and Providence Plantations hereby expresses our deepest sympathies to the entire Valerio family on the passing of William J. Valerio; and be it further

RESOLVED, That the Secretary of State be and he hereby is authorized and directed to transmit duly certified copies of this resolution to Margaret Valerio and Family.