

**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 second day of January in the year of Our Lord two thousand and seven.

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Volume 134, No. 2

Wednesday, January 3, 2007

Second day

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The House of Representatives meets at the State House in Providence, Wednesday January 3, 2007 and is called to order at 4:34 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, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, 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, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

**ABSENT - 6:** Representatives Carter, Crowley, Kilmartin, Vaudreuil, Williams, Williamson.

**INVOCATION**

The Honorable Speaker presents Representative Sullivan 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, January 2, 2007 is approved as printed.

**ANNOUNCEMENTS**

Representative Peter Kilmartin will be unable to attend session on Wednesday, January 3, 2007. He will be in Washington DC.

Representative Kenneth Vaudreuil will be unable to attend session on Wednesday, January 3, 2007. He will be in Washington DC.

**NEW BUSINESS****House Resolution No. 5004**

**BY** Melo, Silva, Amaral, Rose, San Bento

**ENTITLED**, JOINT RESOLUTION OPPOSING THE CLOSING OF THE PORTUGUESE CONSULATE IN THE CITY OF PROVIDENCE {LC281/1}

Representative Melo requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Melo seconded by Representatives Rose, Lima, Amaral, San Bento, Gemma and many other members of the House on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, 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, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Walsh, Wasyluk, Watson.

NAYS - 0.

**TRANSMITTAL**

By unanimous consent, (07-H 5004), on the Clerk's desk is ordered to be transmitted to the Honorable Senate, forthwith.

**House Bill No. 5005**

**BY** Fox, Watson

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC275/1}

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 on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

NAYS - 0.

#### TRANSMITTAL

By unanimous consent, (07-H 5005), on the Clerk's desk is ordered to be transmitted to the Honorable Senate, forthwith.

#### **House Resolution No. 5006**

**BY** Gemma, Dennigan, Ginaitt, Trillo, Serpa

**ENTITLED**, HOUSE RESOLUTION PROCLAIMING JANUARY 9, 2007 TO BE "PROFESSIONAL PET ASSISTED THERAPY AWARENESS DAY" IN THE STATE OF RHODE ISLAND {LC266/1}

Representative Gemma requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gemma seconded by Representatives Lewiss, Dennigan and many other members of the House by unanimous consent, on a voice vote.

#### **House Resolution No. 5007**

**BY** Fox, Murphy, Watson, Menard, Ajello

**ENTITLED**, HOUSE RESOLUTION CONGRATULATING FRANK DIPAOLO, JR. ON THE JOYOUS OCCASION OF HIS 100TH BIRTHDAY {LC233/1}

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. 5008****BY** Ginaitt, Gemma, Naughton, Watson, Trillo**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND DEPARTMENT OF EDUCATION IN CONJUNCTION WITH THE RHODE ISLAND DEPARTMENT OF HEALTH TO DEVELOP A STANDARDIZED SYNDROMIC SCHOOL-BASED SURVEILLANCE REPORTING SYSTEM {LC278/1}

Representative Ginaitt requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ginaitt seconded by Representatives Gemma, Naughton, Trillo and many other members of the House by unanimous consent, on a voice vote.

**COMMUNICATION**

The Honorable Speaker announces the receipt of the following communication:

January 3, 2007

A. Ralph Mollis  
Secretary of State  
Room 217, State House  
Providence, R.I. 02903

To the Honorable House of Representatives:

On the third day of January, 2007, I administered the Oath of Office to Representative Arthur Handy of District 18, as prescribed by the Rhode Island General Laws.

Respectfully

A. Ralph Mollis  
Secretary of State

ARM/prl

Received and placed on file.

**COMMUNICATION FROM THE SENATE**

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

**House Resolution No. 5003** as amended**BY** Fox, Watson**ENTITLED**, JOINT RESOLUTION OF ADJOURNMENT {LC227/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, as amended, in concurrence, on a motion of Representative Fox seconded by Representative Watson on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Walsh, Wasyluk, Watson.

NAYS - 0.

#### **TRANSMITTAL**

By unanimous consent, all matters, on the Clerk's desk are ordered to be transmitted to the Honorable Secretary of State, forthwith.

#### **BIRTHDAY CELEBRATION**

The Honorable Speaker Murphy and Majority Leader Fox congratulate Frank DiPaolo, Jr., a doorkeeper in the House, on his 100<sup>th</sup> Birthday. The Honorable Speaker welcomes his family to the House as follows: his son Thomas DiPaolo, his daughter Claire Birkmaier, his grandchildren-Lynn Forlini and her husband Ernest Forlini, their children Jacqueline and Nicholas Forlini, also Frank's great-grandchildren Damian Perrotta and Gian Perrotta, and his grandson-in-law Lt. Timothy Lee. The Speaker announces Frank has four children, 15 grandchildren and 16 great grandchildren.

At 4:45o'clock P.M. the Honorable Speaker yields the rostrum to Frank DiPaolo, Jr..

By unanimous consent, Frank DiPaolo, Jr. addresses the members of the House.

At 4:50 o'clock P.M. the Honorable Speaker returns to the rostrum.

The Honorable Speaker Murphy requests Representative Naughton to lead the membership in singing Happy Birthday to Frank.

#### **ANNOUNCEMENTS**

Representative Coderre and the Honorable Speaker Murphy wish Representative Brian Kennedy a Happy Birthday.

Representative Rice congratulates Representative J. Russell Jackson on being appointed Municipal Court Judge of Newport.

Majority Leader Fox announces there will be no session on Thursday, January 4, 2007.

Majority Leader Fox also announces Happy 44<sup>th</sup> Birthday to Speaker Murphy on Thursday, January 4<sup>th</sup>.

### REQUEST

Representative Handy requests the journal to reflect that if he was present yesterday for the vote on Speaker of the House he would have voted for Speaker William Murphy.

### GUEST

Representative Gemma welcomes to the House Chamber as a guest former Representative George Zainyeh.

### ADJOURNMENT

At 5:02 o'clock P.M. on motion of Representative McManus, and as a further mark of respect to the memories of William E. Myers, and Gabriele Mollicone; on motion of Representative Gemma, and as a further mark of respect to the memories of Dylan Charles Gleavey and Corrine Zainyeh (mother of former Representative George Zainyeh); on motion of Representative Rice, and as a further mark of respect to the memory of Rita D. Sellar,(grandmother of Sandra Whitehouse), seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

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

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE RAYMOND J. SULLIVAN JR.**

Thank you God for Your presence here with us and Your blessings on this Assembly today and every day. Amen.