

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

Volume 134, No. 3

Tuesday, January 9, 2007

Third Day

The House of Representatives meets at the State House in Providence, Tuesday January 9, 2007 and is called to order at 4:12 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 71 members present and 4 members absent as follows:

PRESENT - 71: 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, Kilmartin, Lally, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 4: Representatives Carter, Crowley, Lewiss, Palumbo.

INVOCATION

The Honorable Speaker presents Representative Church 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, January 3, 2007 is approved as printed.

NEW BUSINESS**House Resolution No. 5009****BY** Moffitt, Sullivan**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY THE FEASIBILITY OF SELLING ALL OR ANY PORTION OF THE BIG RIVER MANAGEMENT AREA BACK TO THE PRIOR OWNERS OR THEIR HEIRS {LC84/1}

01/09/2007 Placed on House Calendar

House Resolution No. 5010**BY** Moffitt, Long, Amaral**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY LAWS AND REGULATIONS RELATING TO HUNTING AND FISHING IN RHODE ISLAND AND THE LICENSING TO PARTICIPATE THEREIN {LC85/1}

01/09/2007 Placed on House Calendar

House Bill No. 5011**BY** Rose, Melo**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF M.T.J., INC. {LC96/1}

01/09/2007 Introduced, referred to House Corporations

House Bill No. 5012**BY** Shanley, Lally, Walsh, Caprio D**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF WAKEFIELD BUILDING & INVESTMENT CORP. {LC42/1}

01/09/2007 Introduced, referred to House Corporations

House Bill No. 5013**BY** Shanley, Lally, Walsh, Caprio D**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF SOUTH KINGSTOWN {LC81/1}

01/09/2007 Introduced, referred to House Corporations

House Bill No. 5014**BY** Corvese**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS {LC39/1}

01/09/2007 Introduced, referred to House Corporations

House Resolution No. 5015**BY** Corvese**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT THE RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT KEEP LINCOLN WOODS STATE PARK OPEN YEAR ROUND {LC101/1}

01/09/2007 Introduced, referred to House Environment and Natural Resources

House Bill No. 5016**BY** Corvese**ENTITLED**, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION {LC103/1}

01/09/2007 Introduced, referred to House Finance

House Bill No. 5017**BY** Church, Jackson, Dennigan, Gablinske, Sullivan**ENTITLED**, AN ACT RELATING TO TAXATION {LC37/1}

01/09/2007 Introduced, referred to House Finance

House Bill No. 5018**BY** Fellela, Ucci, Corvese, Winfield, Walsh**ENTITLED**, AN ACT MUTUAL BETTING AND LICENSE FEES {LC59/1}

01/09/2007 Introduced, referred to House Finance

House Bill No. 5019**BY** Moffitt, Amaral, Long, Savage, Mumford**ENTITLED**, AN ACT STATE AFFAIRS AND GOVERNMENT -- VIDEO LOTTERY TERMINALS {LC69/1}

01/09/2007 Introduced, referred to House Finance

House Bill No. 5020**BY** Gemma, Ginaitt, Lally, Scott, Serpa**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES - SCHOOL BUS SAFETY {LC172/1}

01/09/2007 Introduced, referred to House H.E.W.

House Bill No. 5021**BY** Naughton, McNamara, Giannini, Ginaitt**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF REHABILITATION COUNSELORS {LC88/1}

01/09/2007 Introduced, referred to House H.E.W.

House Bill No. 5022**BY** Corvese**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- UNIFORM LAW ON PATERNITY {LC104/1}

01/09/2007 Introduced, referred to House H.E.W.

House Bill No. 5023**BY** Gemma, Ginaitt, Lally, Scott, Serpa**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLES REPARATIONS ACT {LC168/1}

01/09/2007 Introduced, referred to House Judiciary

House Bill No. 5024**BY** Corvese, Schadone, Winfield, Malik**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - TRESPASS AND VANDALISM {LC226/1}

01/09/2007 Introduced, referred to House Judiciary

House Bill No. 5025**BY** Melo, Silva, Picard, Petrarca, Baldelli-Hunt**ENTITLED**, AN ACT RELATING TO PROPERTY -- FENCES {LC270/1}

01/09/2007 Introduced, referred to House Judiciary

House Bill No. 5026**BY** Moffitt, Loughlin, Gallison**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT {LC95/1}

01/09/2007 Introduced, referred to House Veterans Affairs

House Resolution No. 5027**BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC423/1}

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. 5028**BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC422/1}

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. 5029**BY** Fox, Watson, Kilmartin, Naughton**ENTITLED**, HOUSE RESOLUTION AMENDING THE 2005-2006 RULES OF THE HOUSE OF REPRESENTATIVES PENDING THE ADOPTION OF NEW RULES FOR THE 2007-2008 SESSION {LC429/1}

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. 5030**BY** Murphy, Fox, Kilmartin, Lima, Coderre E**ENTITLED**, HOUSE RESOLUTION CONGRATULATING JULIA HART REED AND SENATOR JOHN FRANCIS "JACK" REED ON THE JOYOUS OCCASION OF THE BIRTH OF THEIR DAUGHTER EMILY HART REED {LC418/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 5031**BY** Giannini, Walsh, Williams, Ajello, Serpa**ENTITLED**, HOUSE RESOLUTION CONGRATULATING NEWLY ELECTED SPEAKER OF THE UNITED STATES HOUSE OF REPRESENTATIVES NANCY PELOSI {LC381/1}

Representative Giannini requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Giannini seconded by Representatives Naughton, Fox, and Williams by unanimous consent, on a voice vote.

House Resolution No. 5032**BY** Naughton, Coderre E, Lima, Diaz, Rice**ENTITLED**, HOUSE RESOLUTION PROCLAIMING JANUARY 9, 2007 TO BE "WOMEN'S CANCER SCREENING PROGRAM AWARENESS DAY" IN THE STATE OF RHODE ISLAND {LC419/1}

Representative Naughton requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Naughton seconded by Representatives Coderre, Giannini, Diaz, Williams, Serpa, Baldelli-Hunt, Ajello, Mumford, Story, Lima, Walsh, Rice, Fellela, and Picard, 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 Resolution No. 1**BY** DaPonte, Alves, Moura, Paiva-Weed, Metts**ENTITLED**, JOINT RESOLUTION OPPOSING THE CLOSING OF THE PORTUGUESE CONSULATE IN THE CITY OF PROVIDENCE {LC282/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on a motion of Representative Fox seconded by Representatives Melo, Gallison, Savage, Rose, Dennigan and Ginaitt 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, 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, Kilmartin, Lally, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson.

NAYS - 0.

TRANSMITTAL

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

ANNOUNCEMENTS

Majority Leader Fox announces seating assignments will be available after session by seeing Senior Deputy Leader Williamson.

Majority Leader Fox announces committee assignments will be given at the beginning of session tomorrow.

Majority Leader Fox also announces there will be no session on Thursday, January 11th.

Representative Fellela congratulates newly elected Mayor Polisena of Johnston.

Representative Serpa congratulates newly elected James Williamson, of the West Warwick School Committee.

Representative Coderre commends Representative Ginaitt on an article that appeared in the Providence Journal for his resolution which was passed last week on the tracking of infectious diseases for school children.

GUESTS

Representative Handy welcomes to the House Chamber as a guest his son Alexander, who will be 3 in April.

Representative Menard welcome to the House as a guest Mia Ackerman of the Cumberland Town Council, District 5.

Representative Naughton welcomes to the Chamber the three survivors featured in the Cancer Survivors Calendar-Elaine Isom, Cranston; Diane Miner, Wood River Junction, Armeather Gibbs, Providence; and her constituent Cheryl Allbright, who developed the Calendar and Liz Gemski, Director of American Cancer Society Government Relations and Advocacy.

ADJOURNMENT

At 4:35 o'clock P.M. on motion of Representative Watson, and as a further mark of respect to the memory of Ruth Chamberland; on motion of Representative Mattiello, and as a further mark of respect to the memory of Beatrice Giannotti; on motion of Representative Giannini and as a further mark of respect to the memory of Domenico "Tom" Grieco; on motion of Representative Walsh, and as a further mark of respect to the memory of Gloria Bingley; on motion of Representative Gallison, and as a further mark of respect to the memory of Gary Amaral and Kathleen L. Benevides seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE RAYMOND C. CHURCH

Heavenly Father, look with favor on our deliberation and assist us by your grace to do what is just and wise. Amen.

APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, JANUARY 16, 2007:

1 2007-H 5009

BY Moffitt

ENTITLED, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY THE FEASIBILITY OF SELLING ALL OR ANY PORTION OF THE BIG RIVER MANAGEMENT AREA BACK TO THE PRIOR OWNERS OR THEIR HEIRS

Ordered on the Calendar

2 2007-H 5010

BY Moffitt

ENTITLED, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY LAWS AND REGULATIONS RELATING TO HUNTING AND FISHING IN RHODE ISLAND AND THE LICENSING TO PARTICIPATE THEREIN

Ordered on the Calendar

Francis P. McCabe
Clerk of the House

Tuesday, January 9, 2007