

# 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. 6

Wednesday, January 17, 2007

Sixth Day

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The House of Representatives meets at the State House in Providence, Wednesday, January 17, 2007 and is called to order at 4:25 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 72 members present and 3 members absent as follows:

**PRESENT - 72:** The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, 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, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Winfield.

**ABSENT - 3:** Representatives Palumbo, Trillo, Williamson.

### **INVOCATION**

The Honorable Speaker presents Representative Scott 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 16, 2007 is approved as printed.

**NEW BUSINESS****House Bill No. 5082****BY** McNamara, Ginaitt, Malik, Giannini**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (empower the administrator of the division of motor vehicles to make available a special vehicle registration plate that would generate revenue to fund the RI cancer prevention task force) {LC517/1}

01/17/2007 Introduced, referred to House Constituent Services

**House Bill No. 5083****BY** Corvese**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- UNIFORM DEBT-MANAGEMENT SERVICES ACT (would amend a section of the Uniform Debt-Management Services Act to provide clarification of the definition for "affiliates" as used in this act) {LC496/1}

01/17/2007 Introduced, referred to House Corporations

**House Bill No. 5084****BY** Flaherty, Ginaitt, McNamara, Gemma, Naughton**ENTITLED**, AN ACT RELATING TO AERONAUTICS (would require the Rhode Island Airport Corporation to appropriate five million dollars (\$5,000,000) to the city of Warwick annually with a three percent (3%) increase annually) {LC465/1}

01/17/2007 Introduced, referred to House Finance

**House Bill No. 5085****BY** Walsh, Crowley, Ginaitt, Kennedy, McNamara**ENTITLED**, AN ACT RELATING TO EDUCATION (would require the state to annually pay for the tuition and related costs for students attending a state elementary or secondary vocational education school. The payments would be made directly to the respective schools) {LC323/1}

01/17/2007 Introduced, referred to House Finance

**House Bill No. 5086****BY** Malik, Gablinske**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- VITAL RECORDS (would allow for the issuance of certificates of birth resulting in stillbirth) {LC500/1}

01/17/2007 Introduced, referred to House H.E.W.

**House Bill No. 5087****BY** Lima, Serpa, Coderre E, Kennedy, Picard**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- SOCIAL SECURITY NUMBER PRIVACY ACT (would create the Social Security Number Privacy Act, and would provide guidelines and penalties for violation) {LC77/1}

01/17/2007 Introduced, referred to House Judiciary

**House Bill No. 5088****BY** Wasylyk, Lima

**ENTITLED**, AN ACT RELATING TO ELECTIONS -- NOMINATION SIGNATURES (would disqualify all the signatures contained on a nomination paper if it is determined that one voter has signed more than just his or her own signature on a nomination sheet) {LC514/1}  
01/17/2007 Introduced, referred to House Judiciary

**House Bill No. 5089****BY** Jackson

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Dr. Marc S. Weinberg to join Rachael Aria Omansky and Jonathan Yuhan Chou in marriage) {LC523/1}  
01/17/2007 Introduced, referred to House Judiciary

**House Bill No. 5090****BY** San Bento, Petrarca

**ENTITLED**, AN ACT RELATING TO LABOR -- ARBITRATION (allow a labor arbitrator to consider the existence of past practice when the union contract contains a provision that preserves existing rights, benefits or practices between the parties) {LC488/1}  
01/17/2007 Introduced, referred to House Labor

**House Bill No. 5091****BY** Sullivan, Carter, Gallison, Caprio D, Loughlin

**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - PAY AND ALLOWANCES ( authorize the town council of the town of Westerly to convey and/or require cities and towns to continue to provide health care benefits to National Guard and Reserve members called to active duty for more than 90 days) {LC521/1}  
01/17/2007 Introduced, referred to House Municipal Government

**House Bill No. 5092****BY** Lewiss, Walsh, Kennedy

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS ( authorize the town council of the town of Westerly to convey and/or transfer certain municipal real estate without payment of consideration into the Westerly Municipal Land Trust) {LC555/1}  
01/17/2007 Introduced, referred to House Municipal Government

**House Bill No. 5093****BY** Petrarca, Menard, McManus

**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION (increase the tax exemption for veteran residents of the town of Lincoln) {LC515/1}  
01/17/2007 Introduced, referred to House Veterans Affairs

**House Bill No. 5094****BY** Petrarca, Menard, McManus**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION (increase the tax exemption for disabled veteran residents of the town of Lincoln) {LC519/1}

01/17/2007 Introduced, referred to House Veterans Affairs

**House Resolution No. 5095****BY** Corvese, Schadone, Petrarca, Gemma, Rose**ENTITLED**, HOUSE RESOLUTION COMMENDING DR. FRANK W. DICHIARA ON HIS MYRAID CONTRIBUTIONS IN THE PROFESSION OF OPTOMETRY AND FOR EXPANDING THE QUALITY OF EYE CARE IN THE STATE OF RHODE ISLAND {LC574/1}

Representative Corvese requests unanimous consent for immediate consideration.

There is no objection.

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

Representative Corvese discusses the resolution.

**House Resolution No. 5096****BY** Serpa, Lima, Fellela, Carter, Melo**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS TO OPPOSE CUTS IN MEDICAID REIMBURSEMENTS FOR RHODE ISLAND SCHOOLS {LC662/1}

01/17/2007 Placed on House Calendar

**House Resolution No. 5097****BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC577/1}

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. 5098****BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC578/1}

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 Bill No. 5099****BY** Gallison, McNamara, Kilmartin, Corvese, Lima**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - - HEALTH CARE FACILITIES STAFFING {LC16/1}

01/17/2007 Introduced, referred to House Labor

**AT EASE**

At 4:35 o'clock P.M. the Honorable Speaker Murphy declares the House to be at ease.

**ORDER**

At 4:43 o'clock P.M. the Honorable Speaker Murphy calls the House to order.

**House Bill No. 5100****BY** Watson, Fox**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- STATE BUDGET {LC676/1}

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, 65 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, 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, Rose, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Winfield.

NAYS - 2: Representatives Rice, San Bento.

**REQUESTS**

Representative San Bento requests the journal to reflect that he had voted incorrectly on (07H 5100), he should have voted in the affirmative.

Representative Lewiss requests the journal to reflect that if he had voted on (07H 5100), he would have voted in the affirmative.

**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.

**CALENDAR**

From the Calendar is taken:

**IN ORDER FOR WEDNESDAY, JANUARY 17, 2007:****1 2007-H 5081****BY Lima****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
CONTRACTORS REGISTRATION**

Ordered on the Calendar

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, January 24, 2007.

**ANNOUNCEMENTS**

The Honorable Speaker Murphy welcomes Representative Pacheco back.

Representative Lima congratulates Representative Pat Serpa on receiving the Excellent In Mentoring Award from the Rhode Island Mentoring Partnership.

**ADJOURNMENT**

At 4:47 o'clock P.M. on motion of Representative Amaral, and as a further mark of respect to the memory of Ray Durfee; on motion of Representative Shanley, and as a further mark of respect to the memory of Mary Cochran Lynch, seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

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

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE JOSEPH H. SCOTT**

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

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JANUARY 18, 2007:

1 2007-H 5096

BY Serpa

ENTITLED, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE  
UNITED STATES CONGRESS TO OPPOSE CUTS IN MEDICAID  
REIMBURSEMENTS FOR RHODE ISLAND SCHOOLS

Ordered on the Calendar

IN ORDER FOR WEDNESDAY, JANUARY 24, 2007:

1 2007-H 5081

BY Lima

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
CONTRACTORS REGISTRATION

Ordered on the Calendar

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

Wednesday, January 17, 2007