

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. 10

Thursday, January 25, 2007

Tenth Day

The House of Representatives meets at the State House in Providence, Thursday, January 25, 2007 and is called to order at 4:20 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, Jacquard, Kennedy, Kilmartin, 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, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 4: Representatives Carter, Crowley, Jackson, Schadone.

INVOCATION

The Honorable Speaker presents Representative Almeida 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 24, 2007 is approved as printed.

NEW BUSINESS**House Bill No. 5197****BY** Gallison, Gablinske, San Bento, Scott, Corvese**ENTITLED**, AN ACT RELATING TO HOLIDAYS AND SPECIAL DAYS OF OBSERVANCE -- HOLIDAYS {LC677/1}

01/25/2007 Introduced, referred to House Constituent Services

House Bill No. 5198**BY** Menard, Petrarca, Ucci, Winfield, Melo**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - WARRANTIES {LC636/1}

01/25/2007 Introduced, referred to House Corporations

House Bill No. 5199**BY** Costantino, Slater, Diaz, Almeida**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS {LC608/1}

01/25/2007 Introduced, referred to House Corporations

House Bill No. 5200**BY** Giannini, Melo, Pacheco, Petrarca, Ucci**ENTITLED**, AN ACT RELATING TO INSURANCE -- ORTHOTIC AND PROSTHETIC SERVICES {LC910/1}

01/25/2007 Introduced, referred to House Corporations

House Bill No. 5201**BY** Menard, Petrarca, Ucci, Winfield, Melo**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - WARRANTIES {LC625/1}

01/25/2007 Introduced, referred to House Corporations

House Resolution No. 5202**BY** Flaherty, Ginaitt, Naughton, McNamara, Gemma**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE STATE AUDITOR GENERAL TO AUDIT THE WARWICK SEWER AUTHORITY {LC787/1}

01/25/2007 Introduced, referred to House Finance

House Bill No. 5203**BY** Lally**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - SOVEREIGN IMMUNITY {LC702/1}

01/25/2007 Introduced, referred to House Finance

House Bill No. 5204**BY** Silva, Vaudreuil, Schadone, Serpa, Melo**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
PROCEDURE GENERALLY - FEES {LC873/1}

01/25/2007 Introduced, referred to House Finance

House Bill No. 5205 (by request)**BY** Pacheco**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES {LC774/1}

01/25/2007 Introduced, referred to House Finance

House Bill No. 5206**BY** Corvese**ENTITLED**, AN ACT RELATING TO EDUCATION {LC899/1}

01/25/2007 Introduced, referred to House H.E.W.

House Bill No. 5207**BY** Church, Pacheco, San Bento, Fellela, Baldelli-Hunt**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL
BUS SAFETY {LC686/1}

01/25/2007 Introduced, referred to House H.E.W.

House Bill No. 5208**BY** Gallison, Gablinske, San Bento, Scott, Corvese**ENTITLED**, AN ACT RELATING TO EDUCATION -- CHARTER PUBLIC SCHOOLS
{LC689/1}

01/25/2007 Introduced, referred to House H.E.W.

House Bill No. 5209**BY** Brien, Baldelli-Hunt, Lewiss, Kilmartin, Gallison**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - RHODE
ISLAND PROTECTION FROM SECONDHAND SMOKE FOR CHILDREN ACT OF 2007
{LC954/1}

01/25/2007 Introduced, referred to House H.E.W.

House Bill No. 5210**BY** Lally, Shanley**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - CAUSES OF
ACTION -- SURETY BONDS {LC715/1}

01/25/2007 Introduced, referred to House Judiciary

House Bill No. 5211**BY** Rice, Lally, Crowley, Giannini, Long**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES {LC832/1}

01/25/2007 Introduced, referred to House Judiciary

House Bill No. 5212**BY** Rice**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC953/1}

01/25/2007 Introduced, referred to House Judiciary

House Bill No. 5213**BY** Ajello, Handy**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC889/1}

01/25/2007 Introduced, referred to House Judiciary

House Bill No. 5214**BY** Melo, Schadone, Sullivan, O'Neill, Jackson**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- BURGLARY AND BREAKING AND ENTERING {LC548/1}

01/25/2007 Introduced, referred to House Judiciary

House Bill No. 5215**BY** Lally**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - POLICE AND FIRE FIGHTERS OPTIONAL RETIREMENT {LC792/1}

01/25/2007 Introduced, referred to House Labor

House Bill No. 5216**BY** Pacheco, Ucci, Church, Melo, Kilmartin**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- MERIT SYSTEM {LC773/1}

01/25/2007 Introduced, referred to House Labor

House Bill No. 5217**BY** Gallison, Rice, Loughlin, Amaral**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,000,000 TO FINANCE THE ACQUISITION AND INSTALLATION OF A WIND TURBINE AT PORTSMOUTH HIGH SCHOOL AND/OR A WIND TURBINE AT PORTSMOUTH MIDDLE SCHOOL {LC691/1}

01/25/2007 Introduced, referred to House Municipal Government

House Bill No. 5218**BY** Lally, Sullivan**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- CODE OF ETHICS {LC700/1}

01/25/2007 Introduced, referred to House Separation of Powers

House Bill No. 5219 (by request)**BY** Winfield**ENTITLED**, AN ACT RELATING TO TAXATION {LC779/1}

01/25/2007 Introduced, referred to House Veterans Affairs

House Resolution No. 5220**BY** San Bento, Rose, Melo, Lewiss**ENTITLED**, HOUSE RESOLUTION HONORING FERNANDO S. CUNHA, ESQUIRE ON THE OCCASION OF HIS 70TH BIRTHDAY {LC1022/1}

Representative San Bento requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative San Bento seconded by Representatives Rose, Rice and many other members of the House by unanimous consent, on a voice vote.

TRANSMITTAL

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

ANNOUNCEMENTS

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

Representative Coderre wishes Representative Roger Picard a Happy 50th Birthday.

Representative Lima wishes Representative Gregory Schadone a Happy 40th Birthday.

Representative Kilmartin wishes Representative Donna Walsh a Happy Birthday.

Representative Jacquard wishes Liz Habershaw, a House page, a Happy 18th Birthday.

Majority Leader Fox announces session will convene on Tuesday, January 30th at 5 o'clock P.M. and the Governor's State of the State at 7:00 o'clock P.M.

ADJOURNMENT

At 4:30 o'clock P.M. on motion of Representative Ucci, and as a further mark of respect to the memory of Marie Monti, seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JOSEPH S. ALMEIDA

Almighty God, we ask that you help us as we try to make Rhode Island a better place. Amen.