

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. 12

Wednesday, January 31, 2007

Twelfth Day

The House of Representatives meets at the State House in Providence, Wednesday, January 31, 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, 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, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Winfield.

ABSENT - 4: Representatives Carter, Naughton, Wasylyk, Williamson.

INVOCATION

The Honorable Speaker presents Representative Palumbo 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 30, 2007 is approved as printed.

ANNOUNCEMENT

Representative Eileen Naughton will be unable to attend session Wednesday, January 31, 2007. She is out of state.

NEW BUSINESS**House Bill No. 5249**

BY Schadone, Gemma

ENTITLED, AN ACT RELATING TO INSURANCE - LIABILITY INSURANCE
{LC560/1}

01/31/2007 Introduced, referred to House Corporations

House Bill No. 5250

BY Schadone, Church, McCauley, Silva

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
ECONOMIC DEVELOPMENT {LC551/1}

01/31/2007 Introduced, referred to House Corporations

House Bill No. 5251

BY Ajello, Giannini, Walsh, Naughton, Serpa

ENTITLED, AN ACT RELATING TO INSURANCE {LC644/1}

01/31/2007 Introduced, referred to House Corporations

House Bill No. 5252

BY Lewiss, Shanley, Ginaitt, Malik, Walsh

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE
PURCHASE {LC818/1}

01/31/2007 Introduced, referred to House Finance

House Bill No. 5253

BY Amaral, Long, Silva, Lewiss, Gablinske

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR FUEL
TAX {LC1037/1}

01/31/2007 Introduced, referred to House Finance

House Bill No. 5254

BY Moffitt, Long, Loughlin, Amaral, Rose

ENTITLED, AN ACT RELATING TO TAXATION {LC1064/1}

01/31/2007 Introduced, referred to House Finance

House Bill No. 5255

BY Amaral, Silva, Moffitt, Savage, Loughlin

ENTITLED, AN ACT RELATING TO TAXATION -- RESIDENT INDIVIDUAL
{LC1008/1}

01/31/2007 Introduced, referred to House Finance

House Bill No. 5256**BY** Savage, Long, Story, Melo, Dennigan**ENTITLED**, AN ACT RELATING TO TAXATION {LC1045/1}

01/31/2007 Introduced, referred to House Finance

House Bill No. 5257**BY** Lewiss, Ginaitt, Dennigan, Corvese, Malik**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY {LC1041/1}

01/31/2007 Introduced, referred to House H.E.W.

House Bill No. 5258**BY** Gemma, Kilmartin, Coderre E, Slater, Vaudreuil**ENTITLED**, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS {LC915/1}

01/31/2007 Introduced, referred to House H.E.W.

House Bill No. 5259**BY** Moffitt, Serpa, Gallison, McNamara, Sullivan**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - PUBLIC SAFETY - SCHOOL AIR QUALITY {LC634/1}

01/31/2007 Introduced, referred to House H.E.W.

House Bill No. 5260**BY** Schadone, Gemma, Winfield, Melo**ENTITLED**, AN ACT RELATING TO DEATH BY WRONGFUL ACT {LC554/1}

01/31/2007 Introduced, referred to House Judiciary

House Bill No. 5261**BY** Schadone, Melo, Brien, Slater, Fellela**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- FETAL PROTECTION ACT {LC549/1}

01/31/2007 Introduced, referred to House Judiciary

House Bill No. 5262**BY** Amaral, Savage, Malik, Rose, Loughlin**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSE -- WEAPONS {LC1010/1}

01/31/2007 Introduced, referred to House Judiciary

House Bill No. 5263**BY** Ehrhardt, Carter, Lally**ENTITLED**, AN ACT CONCERNING TAX RELIEF FOR THE ELDERLY CITIZENS OF NORTH KINGSTOWN {LC918/1}

01/31/2007 Introduced, referred to House Municipal Government

House Bill No. 5264 (by request)**BY** Loughlin**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES-ACTIONS BY AND AGAINST TOWNS {LC260/1}

01/31/2007 Introduced, referred to House Municipal Government

House Bill No. 5265**BY** Silva, Vaudreuil, O'Neill, Coderre E, Kilmartin**ENTITLED**, AN ACT RELATING TO THE PAWTUCKET WATER SUPPLY BOARD {LC685/1}

01/31/2007 Introduced, referred to House Municipal Government

House Bill No. 5266**BY** Schadone, Almeida, Ucci, Gemma, Melo**ENTITLED**, AN ACT RELATING TO THE GENERAL ASSEMBLY -- ESTABLISHING A LEGISLATIVE OVERSIGHT COMMITTEE FOR THE DEPARTMENT OF BUSINESS REGULATION {LC552/1}

01/31/2007 Introduced, referred to House Separation of Powers

House Bill No. 5267**BY** Carter, Moffitt, Gallison, Ucci, Malik**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DISABLED VETERANS {LC752/1}

01/31/2007 Introduced, referred to House Veterans Affairs

House Bill No. 5268**BY** Rice, Gallison**ENTITLED**, AN ACT RELATING TO TAXATION {LC1025/1}

01/31/2007 Introduced, referred to House Finance

House Resolution No. 5269**BY** Gallison, Gablinske**ENTITLED**, HOUSE RESOLUTION CONGRATULATING MATTHEW WILSON ON ATTAINING THE RANK OF EAGLE SCOUT {LC1223/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Ucci, Corvese, Palumbo, Gablinske and many other members of the House by unanimous consent, on a voice vote.

House Resolution No. 5270**BY** Costantino, Fox, Slater, Mumford, Dennigan**ENTITLED**, HOUSE RESOLUTION HONORING RONALD A. LABEL ON THE OCCASION OF HIS RETIREMENT {LC1129/1}

Representative Costantino requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Costantino seconded by Representatives Savage, Diaz, Coderre, Shanley, Slater and Mumford by unanimous consent, on a voice vote.

House Resolution No. 5271**BY** Serpa, Melo, Fellela, Ajello, Picard**ENTITLED**, HOUSE RESOLUTION PROCLAIMING JANUARY AS "NATIONAL MENTORING MONTH" IN THE STATE OF RHODE ISLAND {LC1021/1}

Representative Serpa requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Serpa seconded by Representatives Ajello, Gemma, Gorham, Rose and Fox by unanimous consent, on a voice vote.

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.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 22**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC5/1}
01/31/2007 Referred to House Judiciary**Senate Bill No. 25****BY** Sheehan, Cote, Sosnowski, Paiva-Weed**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC339/1}
01/31/2007 Referred to House Judiciary

Senate Bill No. 26**BY** Sheehan, Cote, Sosnowski, Paiva-Weed**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC341/1}

01/31/2007 Referred to House Judiciary

Senate Bill No. 27**BY** Cote**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC342/1}

01/31/2007 Referred to House Judiciary

Senate Bill No. 50**BY** Montalbano J, McCaffrey, McBurney, Maselli, Jabour**ENTITLED**, AN ACT RELATING TO COURTS -- COLLECTION OF FINES AND COSTS {LC316/1}

01/31/2007 Referred to House Finance

Senate Bill No. 78**BY** Bates**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC525/1}

01/31/2007 Referred to House Judiciary

Senate Bill No. 146**BY** Sosnowski**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF WAKEFIELD BUILDING & INVESTMENT CORP. {LC895/1}

01/31/2007 Referred to House Corporations

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

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

Representative Coderre wishes Representative Al Gemma a Happy Birthday (Saturday, January 27, 2007).

Representative Ajello announces that the Joint Committee to Establish a Permanent Education Foundation Aid Formula will meet at the rise of the House, in Room 211.

Representative Kilmartin reminds the members of pictures being taken in the Senate Lounge until 5 o'clock P.M.

Also, Representative Kilmartin wishes Representative Ray Sullivan a Happy 30th Birthday.

GUESTS

Representatives Serpa and Jackson welcome to the House Chamber as guests the coordinators of the Rhode Island Mentoring Partners as follows: Arlene McNulty, Jo-Ann Schofield, Susan Thomas, Val Sinesi, Karen Gager, Tammy Beaudreault, Nina Mackta, Lynda Horenstein, Elizabeth Evans, Louise Dias, Tara Chace, Ashley Miller, Phyllis Porcelli, Janice Caianiello, R.N., Kristin Waugh-Hempel, Arthur Pitt, LonTega Morris, Pamela Leonhardt and Mary Midge McPeak.

ADJOURNMENT

At 4:34 o'clock P.M. on motion of the Honorable Speaker Murphy and the entire House of Representatives, and as a further mark of respect to the memory of Reverend John Clay Agnew, Representative from Newport (1959-61); on motion of Representative Melo, and as a further mark of respect to the memory of Sabino "Sam" DeChristofaro; on motion of Representative Lima and as a further mark of respect to the memory of Mary Lutrario; on motion of Representative Shanley for Representative Carter and Representative Ehrhardt and as a further mark of respect to the memory of Wallace B. Broome; on motion of Representative Mattiello, and as a further mark of respect to the memory of Diane Lang; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE PETER G. PALUMBO

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 THURSDAY, FEBRUARY 1, 2007:

1 2007-H 5143 SUB A

BY Costantino

ENTITLED, AN ACT RELATING TO TAXATION

Committee on Finance recommends indefinite postponement of the original bill and passage of Substitute A.

Francis P. McCabe
Clerk of the House

Wednesday, January 31, 2007