

**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. 28

Wednesday, March 21, 2007

Twenty-eighth Day

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The House of Representatives meets at the State House in Providence, Wednesday, March 21, 2007 and is called to order at 4:17 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

**PRESENT - 70:** The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, Melo, Menard, Moffitt, Mumford, McNamara, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

**ABSENT - 5:** Representatives Brien, Crowley, Ginaitt, San Bento, Watson.

**INVOCATION**

The Honorable Speaker presents Representative Gablinske 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, March 20, 2007 is approved as printed.

**REPORTS OF COMMITTEES****COMMITTEE ON CORPORATIONS**

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of passage:

**House Resolution No. 6092**

**BY** Crowley, Shanley, Walsh, Naughton, Caprio D

**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE EFFECTS NATURAL DISASTERS HAVE ON PROPERTY INSURANCE COSTS AND REQUIREMENTS IN THE STATE OF RHODE ISLAND {LC1770/1}  
03/21/2007 Placed on House Calendar

**House Bill No. 6158**

**BY** Trillo

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF APPONAUG AREA IMPROVEMENT ASSOCIATION {LC2597/1}  
03/21/2007 Placed on House Calendar

**Senate Bill No. 848**

**BY** Levesque C

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF RICHMOND EQUIPMENT CO., INC. {LC2585/1}  
03/21/2007 Placed on House Calendar

**Senate Bill No. 849**

**BY** Levesque C

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF HOME CREDIT CORPORATION OF RHODE ISLAND {LC2584/1}  
03/21/2007 Placed on House Calendar

**Senate Bill No. 850**

**BY** Revens

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF APPONAUG AREA IMPROVEMENT ASSOCIATION {LC2601/1}  
03/21/2007 Placed on House Calendar

**Senate Bill No. 851**

**BY** Fogarty P

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SAND DAM RESERVOIR ASSOCIATION {LC2620/1}  
03/21/2007 Placed on House Calendar

**COMMITTEE ON MUNICIPAL GOVERNMENT**

Representative Gallison, for the Committee on Municipal Government, reports back the following measure, with recommendation of passage:

**House Bill No. 5189****BY** Walsh, Scott**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE AFFORDABLE HOUSING INITIATIVES IN THE TOWN CONSISTENT WITH THE APPROVED CHARLESTOWN AFFORDABLE HOUSING PLAN**BY** THE ISSUANCE OF NOT MORE THAN \$1,000,000 BONDS AND/OR NOTES THEREFOR {LC167/1}

03/21/2007 Placed on House Calendar

**House Bill No. 5728** as amended**BY** Lima, Jacquard, Mattiello, Ucci, McNamara**ENTITLED**, AN ACT RELATING TO CITIES AND TOWNS -- ZONING BOARDS {LC2164/1}

03/21/2007 Placed on House Calendar

**NEW BUSINESS****House Bill No. 6176****BY** Jacquard, Gemma, Palumbo**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DEALERS' LICENSES (prevent cities and towns from applying for licenses to buy or sell used motor vehicles) {LC2617/1}

03/21/2007 Introduced, referred to House Corporations

**House Bill No. 6177****BY** Serpa, Lima, Gallison, Lewiss, Trillo**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE -- FUR-BEARING ANIMALS (eliminate special permits for the use of steel jawed leghold animal traps) {LC2664/1}

03/21/2007 Introduced, referred to House Environment and Natural Resources

**House Bill No. 6178****BY** Ucci, Petrarca, Fellela, Caprio D, McCauley**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY (mandate all proceeds from the state lottery to be placed in a restricted receipts account to be used only for state aid to education) {LC2624/1}

03/21/2007 Introduced, referred to House Finance

**House Bill No. 6179****BY** Crowley, Shanley, Slater**ENTITLED**, AN ACT RELATING TO EDUCATION -- UNIVERSAL BREAKFAST PROGRAM (establish a Universal Breakfast Program for all Rhode Island school students regardless of family income) {LC2499/1}

03/21/2007 Introduced, referred to House Finance

**House Bill No. 6180****BY** Crowley, Carter, Fellela, Gorham, Melo**ENTITLED**, AN ACT RELATING TO EDUCATION -- STATEWIDE UNIFORM PUBLIC TEACHERS' CONTRACTS (authorize the commissioner and board of regents of elementary and secondary education to create a statewide uniform public teachers' contract) {LC2607/1}

03/21/2007 Introduced, referred to House Finance

**House Resolution No. 6181****BY** Fox**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE GENERAL LAWS AND REGULATIONS RELATING TO ALCOHOLIC BEVERAGE SALES AND LICENSING IN RHODE ISLAND {LC1891/1}

03/21/2007 Introduced, referred to House Finance

**House Bill No. 6182****BY** Fox**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - LABOR AND PAYMENT OF DEBTS**BY** CONTRACTORS (establish bidding requirements for contractors bidding on public works contracts) {LC2606/1}

03/21/2007 Introduced, referred to House Labor

**House Resolution No. 6183****BY** Gablinske, Gallison**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INSTITUTE IMMEDIATE CORRECTIVE MEASURES TO ALLEVIATE THE FLOODING OF HOPE STREET IN THE SILVER CREEK AREA IN THE TOWN OF BRISTOL {LC2657/1}

03/21/2007 Introduced, referred to House Municipal Government

**House Resolution No. 6184****BY** Murphy, Fox, Lima, Kilmartin, Coderre E**ENTITLED**, HOUSE RESOLUTION CONGRATULATING AMICA MUTUAL INSURANCE COMPANY ON THE OCCASION OF THEIR 100TH ANNIVERSARY {LC2642/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representatives Menard, McNamara, Naughton, Williamson, Melo, Ajello, Giannini, Gemma, Kennedy, Shanley, Ehrhardt, Singleton, Gorham, Trillo, Coderre, Lima, Carter and Rice by unanimous consent, on a voice vote.

**House Bill No. 6185** (Administration)

**BY** Mumford

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
ADJUDICATION OF TRAFFIC OFFENSES {LC2384/1}

03/21/2007 Introduced, referred to House Finance

**House Bill No. 6186** (Administration)

**BY** Mumford

**ENTITLED**, AN ACT RELATING TO HOSPITALS - REIMBURSEMENT RATES  
{LC2379/1}

03/21/2007 Introduced, referred to House Finance

**House Bill No. 6187** (Administration)

**BY** Mumford

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- PHARMACEUTICALS  
{LC2381/1}

03/21/2007 Introduced, referred to House Finance

**House Bill No. 6188**

**BY** Menard, McManus, Petrarca, Kennedy, Williamson

**ENTITLED**, HOUSE RESOLUTION CONGRATULATING AMICA MUTUAL  
INSURANCE COMPANY ON THE OCCASION OF THEIR 100TH  
ANNIVERSARY {LC2689/1}

Representative Menard requests unanimous consent for immediate consideration.

There is no objection.

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

**House Bill No. 6189**

(Administration)

**BY** Mumford

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- STATE  
DEPARTMENTS -- DEPARTMENT OF REVENUE {LC2612/1}

03/21/2007 Introduced, referred to House Finance

**TRANSMITTAL**

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

**RULE 17****The following bills were received pursuant to Rule 17:**

Representative Jacquard-An Act relating to Motor Vehicles

Representative Ucci-An Act relating to State Affairs and Government

Representative Serpa-An Act relating to Fish and Wildlife.

Representative Gablinske-A House Resolution relating to D.O.T.-Hope Street

Representative Crowley-An Act relating to Universal Breakfast

Representative Crowley-An Act relating to Statewide Teachers' Contract

Representative Fox-An Act relating to Public Property

Representative Fox-A Resolution relating to House Commission-Alcohol Sales

**COMMUNICATION FROM THE SENATE**

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

**Senate Bill No. 87** (General Treasurer)

**BY** Perry, Metts, Miller, Pichardo, Sosnowski

**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- STATE INVESTMENT COMMISSION -- INVESTMENTS IN SUDAN (limit state investment in the country of Sudan) {LC370/1}

03/21/2007 Referred to House Finance

**Senate Bill No. 55** SUB A

**BY** Walaska

**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- UNIFORM DEBT-MANAGEMENT SERVICES ACT (clarify definition for affiliates) {LC486/1/A}

03/21/2007 Referred to House Corporations

**Senate Bill No. 48****BY** Bates, Cote, McCaffrey, Walaska, Blais**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT (would allow the Family Court to order child support if the child has a severe physical or mental impairment. {LC373/1})

03/21/2007 Referred to House Judiciary

**CALENDAR**

From the Calendar are taken:

**IN ORDER FOR WEDNESDAY, MARCH 21, 2007:****1 2007-H 6156****BY** Lima**ENTITLED**, HOUSE RESOLUTION OPPOSING LINCOLN PARK'S DECISION TO NOT ALLOW RIPTA TO TRANSPORT THEIR RIDERS INTO LINCOLN PARK

Ordered on the Calendar

Representative Lima discusses the resolution.

By unanimous consent, Representative Lima moves to commit to the Committee on Finance, seconded by Representative Fox. There is no objection.

Read and committed to the Committee on Finance.

**2 2007-S 92****BY** Sosnowski**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF SOUTH KINGSTOWN

Committee on Municipal Government recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, March 22, 2007.

**3 2007-S 135****BY** Algieri**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE AFFORDABLE HOUSING INITIATIVES IN THE TOWN CONSISTENT WITH THE APPROVED CHARLESTOWN AFFORDABLE HOUSING PLAN BY THE ISSUANCE OF NOT MORE THAN \$1,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Municipal Government recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, March 27, 2007.

**ANNOUNCEMENTS**

Representative McNamara announces that the Committee on Health, Education and Welfare will meet at the rise of the House, in Room 135 of the State House.

Representative Lally announces that the Committee on Judiciary will meet at the rise of the House, in Room 313 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 Almeida announces that the Committee on Finance will meet at the rise of the House, in Room 35 of the State House.

Representative Corvese announces that the Committee on Labor will meet at the rise of the House, in the House Lounge of the State House.

Representative Gallison announces that the Committee on Municipal Government will meet at the rise of the House, in Room 205 of the State House.

**GUESTS**

Majority Leader Fox and the Honorable Speaker Murphy welcome to the House Chamber as guests from Amica Mutual Insurance-Robert DiMuccio, President & Chief Executive Officer; M. Stuart Towsey, Jr., Executive Vice President; and Robert Suglia, Vice President and General Counsel and congratulates them on the occasion of Amica's 100<sup>th</sup> Anniversary.

At 4:25 o'clock P.M. the Honorable Speaker yields the rostrum to Bob DiMuccio.

By unanimous consent, Bob DiMuccio addresses the members of the House.

At 4:26 o'clock P.M. the Honorable Speaker returns to the rostrum.

Representative Rice, on behalf of the Newport Delegation, thanks Amica Mutual Insurance for being the prime sponsor of the Tall Ships in Newport.

**ADJOURNMENT**

At 4:34 o'clock P.M. on motion of Representative Kennedy, and as a further mark of respect to the memory of Daniel Celico seconded by Representatives Fox and Gorham the House adjourns, on a unanimous rising vote.

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



**APPENDIX**

**INVOCATION**

**REPRESENTATIVE DOUGLAS W. GABLINSKI**

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

## APPENDIX

## CALENDAR

## IN ORDER FOR THURSDAY, MARCH 22, 2007:

**1 2007-H 5189****BY Walsh****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE AFFORDABLE HOUSING INITIATIVES IN THE TOWN CONSISTENT WITH THE APPROVED CHARLESTOWN AFFORDABLE HOUSING PLAN BY THE ISSUANCE OF NOT MORE THAN \$1,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Municipal Government recommends passage.

**2 2007-H 5728 as amended****BY Lima****ENTITLED,** AN ACT RELATING TO CITIES AND TOWNS -- ZONING BOARDS

Committee on Municipal Government recommends passage as amended.

**3 2007-S 16****BY Ciccone****ENTITLED,** JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS

Committee on Finance recommends passage in concurrence.

**4 2007-S 9****BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO TAXATION

Committee on Finance recommends passage in concurrence.

**5 2007-S 92****BY Sosnowski****ENTITLED,** AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF SOUTH KINGSTOWN

Committee on Municipal Government recommends passage in concurrence.

**IN ORDER FOR TUESDAY, MARCH 27, 2007:****1 2007-H 6092****BY Crowley**

**ENTITLED,** HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE EFFECTS NATURAL DISASTERS HAVE ON PROPERTY INSURANCE COSTS AND REQUIREMENTS IN THE STATE OF RHODE ISLAND

Committee on Corporations recommends passage.

**2 2007-H 6158****BY Trillo**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF APPONAUG AREA IMPROVEMENT ASSOCIATION

Committee on Corporations recommends passage.

**3 2007-S 848****BY Levesque C**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF RICHMOND EQUIPMENT CO., INC.

Committee on Corporations recommends passage in concurrence.

**4 2007-S 849****BY Levesque C**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF HOME CREDIT CORPORATION OF RHODE ISLAND

Committee on Corporations recommends passage in concurrence.

**5 2007-S 850****BY Revens**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF APPONAUG AREA IMPROVEMENT ASSOCIATION

Committee on Corporations recommends passage in concurrence.

**6 2007-S 851****BY Fogarty P**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SAND DAM RESERVOIR ASSOCIATION

Committee on Corporations recommends passage in concurrence.

**7 2007-S 135**

**BY Algieri**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE AFFORDABLE HOUSING INITIATIVES IN THE TOWN CONSISTENT WITH THE APPROVED CHARLESTOWN AFFORDABLE HOUSING PLAN BY THE ISSUANCE OF NOT MORE THAN \$1,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Municipal Government recommends passage in concurrence.

**Francis P. McCabe**

**Clerk of the House**

**Wednesday, March 21, 2007**