

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. 30

Tuesday, March 27, 2007

Thirtieth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 27, 2007 and is called to order at 4:18 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 74 members present and 1 member absent as follows:

PRESENT - 74: 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, 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, Wasylk, Watson, Williams, Williamson, Winfield.

ABSENT - 1: Representative Naughton.

INVOCATION

The Honorable Speaker presents Representative Mumford 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 Thursday, March 22, 2007 is approved as printed.

ANNOUNCEMENT

Representative Eileen Naughton is out of state and will be unable to attend session Tuesday, March 27 and Wednesday, March 28, 2007.

NEW BUSINESS**House Resolution No. 6196**

BY Fellela, Smith, Petrarca, Ucci

ENTITLED, HOUSE RESOLUTION CELEBRATING THE GRAND OPENING OF THE NEWLY BUILT JOHNSTON SENIOR CENTER {LC2729/1}

Representative Fellela requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fellela seconded by Representatives Ucci, Petrarca, DeSimone and many other members of the House by unanimous consent, on a voice vote.

House Resolution No. 6197

BY Costantino, Church, Moffitt, Lewis, Schadone

ENTITLED, HOUSE RESOLUTION DESIGNATING APRIL, 2007 AS "FINANCIAL LITERACY MONTH" IN THE STATE OF RHODE ISLAND {LC2751/1}

Representative Costantino requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Costantino seconded by Representatives Lewis, Moffitt, Loughlin, Church, Carter and many other members of the House by unanimous consent, on a voice vote.

House Resolution No. 6198

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2742/1}

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 Resolution No. 6199**BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2743/1}

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.

COMMUNICATION FROM THE SENATE

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

Senate Resolution No. 804**BY** Issa, Jabour, Gallo**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY YOUTH FINANCIAL EDUCATION {LC2398/1}

03/27/2007 Referred to House H.E.W.

Senate Resolution No. 224**BY** Bates**ENTITLED**, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES AND AMENDING THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CURRENT STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN THE STATE OF RHODE ISLAND {LC1350/1}

03/27/2007 Referred to House H.E.W.

Senate Resolution No. 39 SUB A**BY** Walaska, McCaffrey, Issa, Bates**ENTITLED**, JOINT RESOLUTION SUPPORTING THE APPLICATION OF THE REPUBLIC OF CHINA (TAIWAN) FOR OBSERVER STATUS AT THE WORLD HEALTH ORGANIZATION {LC296/1/A}

03/27/2007 Referred to House H.E.W.

Senate Resolution No. 520**BY** Sosnowski, Breene, Felag, Raptakis, Walaska**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE TAXATION OF FARM, FOREST, AND OPEN SPACE LAND {LC2050/1}

03/27/2007 Referred to House Finance

CALENDAR

From the Calendar are taken:

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.

Representative Kennedy moves passage of the resolution, seconded by Representatives Crowley, Walsh, Shanley, Loughlin, Jackson, Lewiss, Scott, Caprio, Rice, Church, Gorham, Trillo, Vaudreuil, Carter, Fellela and many other members of the House.

Representatives Watson and Gorham discuss the resolution.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, March 28, 2007.

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.

Representative Kennedy moves passage of the act, seconded by Representatives Trillo, Gemma, Ginaitt, Flaherty and many other members of the House.

Read and passed, on a roll call vote, 54 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Caprio, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Fellela, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lewiss, Lima, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Silva, Singleton, Slater, Story, Trillo, Ucci, Vaudreuil, Watson.

NAYS - 0.

REQUESTS

Representatives Shanley and Brien request the journal to reflect that if they had voted on (07H 6158), they would have voted in the affirmative.

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.

Representative Kennedy moves passage of the act, seconded by Representative Rice and many other members of the House.

Read and passed, in concurrence, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lewiss, Lima, Loughlin, Malik, Mattiello, 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, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson.

NAYS - 0.

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.

Representative Kennedy moves passage of the act, seconded by Representative O'Neill.

Read and passed, in concurrence, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lewiss, Lima, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Winfield.

NAYS - 0.

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.

Representative Kennedy moves passage of the act, seconded by Representatives Gemma, Trillo, Ginaitt and Flaherty.

Read and passed, in concurrence, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lewiss, Lima, Loughlin, Mattiello, 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, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Winfield.

NAYS - 0.

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.

Representative Kennedy moves passage of the act, seconded by Representative Kilmartin.

Read and passed, in concurrence, on a roll call vote, 59 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lewiss, Lima, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Silva, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Winfield.

NAYS - 0.

REQUEST

Representative Shanley requests the journal to reflect that if he had voted on (07S 851, in concurrence), he would have voted in the affirmative.

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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, March 29, 2007.

HOLD ON THE DESK

Representative Trillo requests to hold Calendar item #5 (07-S 850, in concurrence) on the desk. There is no objection.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor and the Honorable Senate forthwith, with the exception of item #5 (07-S 850).

ANNOUNCEMENTS

Representative Carter 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 Room 201 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 Schadone announces that the Committee on Judiciary will meet at the rise of the House, in Room 205 of the State House.

Representative Carter announces that the Committee on Veterans Affairs will meet briefly at the rise of the House.

Representative Kilmartin wishes Representative Peter Palumbo a Happy Birthday.

Representative Petrarca congratulates his sister and brother-in-law, on the birth of a baby girl 6lbs. 14oz.

Representative Carter announces that Representative Gemma will be entering the hospital on Friday for an operation and wishes him well.

Representative Mumford wishes a Happy "90th" Birthday to Helen Pratt, of Scituate.

GUEST

Representative Lewiss welcomes to the House Chamber as a guest Sara Hammond, RI liaison from National Conference of State Legislators.

ADJOURNMENT

At 4:41 o'clock P.M. on motion of Representative Moffitt, and as a further mark of respect to the memory of Father Leo R. Anctil; on motion of Representative Williamson, and as a further mark of respect to the memories of Darien Plass and Andrew Coit; on motion of Representative Pacheco and as a further mark of respect to the memory of Raymond Belisle seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE CAROL A. MUMFORD

Almighty God, whose statutes are good and gracious and whose law is truth, grant that we may enact only such just and equitable laws as are pleasing to thee. Amen.

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 28, 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 6149**BY Brien****ENTITLED,** AN ACT AUTHORIZING THE CITY OF WOONSOCKET TO FINANCE THE ACQUISITION OF LAND FOR SCHOOL FACILITIES, INCLUDING THE DEMOLITION OF EXISTING BUILDINGS AND SITE PREPARATION, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF TWO NEW MIDDLE SCHOOLS AND RELATED SCHOOL FACILITIES AND THE REHABILITATION OF APPURTENANT HISTORIC BUILDINGS, IF ANY, IN THE CITY AND TO ISSUE NOT MORE THAN \$80,000,000 BONDS AND/OR NOTES THEREFOR INCLUDING, BUT NOT LIMITED TO, ANY BONDS OR NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Committee on Municipal Government recommends passage.

3 2007-H 6147**BY Walsh****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

IN ORDER FOR THURSDAY, MARCH 29, 2007:

1 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

Tuesday, March 27, 2007

TRANSMITTED TO THE GOVERNOR

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}

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}

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}