

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. 31

Wednesday, March 28, 2007

Thirty-first Day

The House of Representatives meets at the State House in Providence, Wednesday, March 28, 2007 and is called to order at 4:27 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 66 members present and 9 members absent as follows:

PRESENT - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Winfield.

ABSENT - 9: Representatives Corvese, Gemma, Ginaitt, Jackson, Moffitt, Naughton, Scott, Williams, Williamson.

INVOCATION

The Honorable Speaker presents Representative Rice 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 27, 2007 is approved as printed.

ANNOUNCEMENTS

Representative Peter Ginaitt is attending a conference and is unable to attend session Wednesday, March 28, 2007.

Representative Arthur Corvese will be unable to attend session Wednesday, March 28, 2007.

NEW BUSINESS**House Resolution No. 6200**

BY Kilmartin, Coderre E, Dennigan, Rose, San Bento

ENTITLED, HOUSE RESOLUTION CONGRATULATING FRANCIS R. DIETZ ON BEING THE RECIPIENT OF THE 2007 PAWTUCKET FOUNDATION HERITAGE AWARD {LC2702/1}

03/28/2007 Introduced, referred to House Constituent Services

House Resolution No. 6201

BY Kilmartin, Coderre E, O'Neill, Dennigan, Rose

ENTITLED, HOUSE RESOLUTION CONGRATULATING PATRICIA S. ZACKS ON BEING SELECTED AS A 2007 PAWTUCKET FOUNDATION PERSON OF THE YEAR {LC2705/1}

03/28/2007 Introduced, referred to House Constituent Services

House Resolution No. 6202

BY Kilmartin, Coderre E, Dennigan, Rose, San Bento

ENTITLED, HOUSE RESOLUTION CONGRATULATING CONSUELO SHERBA ON BEING SELECTED AS A 2007 PAWTUCKET FOUNDATION PERSON OF THE YEAR {LC2703/1}

03/28/2007 Introduced, referred to House Constituent Services

House Bill No. 6203

BY Kilmartin

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES {LC2503/1}

03/28/2007 Introduced, referred to House Corporations

House Bill No. 6204

BY Carter

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - HEAVY DUTY DIESEL VEHICLE EMISSION INSPECTIONS {LC2730/1}

03/28/2007 Introduced, referred to House Corporations

House Bill No. 6205 (by request)

BY Long

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- LICENSING {LC2660/1}

03/28/2007 Introduced, referred to House Municipal Government

House Bill No. 6206**BY** Trillo, Scott, Long, Carter, Gablinske**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE CODE RELIEF {LC2634/1}

03/28/2007 Introduced, referred to House Corporations

House Bill No. 6207 (Health)**BY** Moffitt, Ginaitt, Sullivan, Gemma, Serpa**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - PUBLIC DRINKING WATER SUPPLIES {LC1824/1}

03/28/2007 Introduced, referred to House Environment and Natural Resources

House Bill No. 6208**BY** Naughton, McNamara, Ginaitt, Gemma, Lewiss**ENTITLED**, AN ACT RELATING TO AERONAUTICS - AIR QUALITY MONITORING ACT {LC2684/1}

03/28/2007 Introduced, referred to House Environment and Natural Resources

House Bill No. 6209**BY** Jacquard**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- RELIEF OF FIRE FIGHTERS AND POLICE OFFICER {LC2668/1}

03/28/2007 Introduced, referred to House Finance

House Bill No. 6210**BY** Coderre E, Slater, Naughton, Dennigan, Ginaitt**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ALL KIDS HEALTH INSURANCE PROGRAM {LC2711/1}

03/28/2007 Introduced, referred to House Finance

House Bill No. 6211**BY** Menard, Ucci, Picard, Winfield, Scott**ENTITLED**, AN ACT RELATING TO RHODE ISLAND RESOURCE RECOVERY CORPORATION {LC2719/1}

03/28/2007 Introduced, referred to House Finance

House Resolution No. 6212**BY** Slater, Diaz, Lewiss, Naughton, Almeida**ENTITLED**, HOUSE RESOLUTION URGING THE GOVERNOR TO PROVIDE MEANINGFUL ASSISTANCE TO HELP IDENTIFY AND ENROLL CHILDREN WHO QUALIFY FOR MEDICAID AND RITECARE PROGRAMS {LC2649/1}

03/28/2007 Introduced, referred to House Finance

House Resolution No. 6213**BY** Ucci, Schadone, Lally, Dennigan**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE JAMES R. LAWTON {LC2712/1}

Representative Ucci requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ucci seconded by Representatives Brien, Picard and many other members of the House by unanimous consent, on a rising vote.

House Bill No. 6214**BY** Gemma, Trillo, Kilmartin, Petrarca, Loughlin**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- RACIAL PROFILING PREVENTION ACT OF 2004 {LC2672/1}

03/28/2007 Introduced, referred to House Judiciary

House Bill No. 6215**BY** Pacheco, Picard, Rice, Diaz, Handy**ENTITLED**, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS {LC324/1}

03/28/2007 Introduced, referred to House Judiciary

House Bill No. 6216**BY** Ginatt**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2682/1}

03/28/2007 Introduced, referred to House Judiciary

House Bill No. 6217 (State Police)**BY** Winfield**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- LIGHTING EQUIPMENT AND REFLECTORS {LC1143/1}

03/28/2007 Introduced, referred to House Judiciary

House Bill No. 6218 (Business Regulation)**BY** Winfield**ENTITLED**, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS - BOXING AND WRESTLING {LC1156/1}

03/28/2007 Introduced, referred to House H.E.W.

House Resolution No. 6219**BY** Ehrhardt, Loughlin, Savage, Rose, Murphy**ENTITLED**, HOUSE RESOLUTION PROCLAIMING APRIL, 2007 AS "PARKINSON'S DISEASE AWARENESS MONTH" IN THE STATE OF RHODE ISLAND {LC2752/1}

Representative Ehrhardt requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ehrhardt seconded by Representatives Loughlin, Singleton, Carter, Rose and Slater by unanimous consent, on a voice vote.

RULE 17

The following bills were received pursuant to Rule 17:

Representative Gemma-An Act relating to Racial Profiling

Representative Pacheco-An Act relating to Elections

Representative Ginaitt-An Act relating to Solemnization of Marriages

Representative Winfield-An Act relating to Motor Vehicles

Representative Winfield-An Act relating to Boxing and Wrestling

Representative Slater-An Act relating to Medicaid for Children

Representative Naughton-An Act relating to Aeronautics

Representative Jacquard-An Act relating to Towns and Cities

Representative Kilmartin-An Act relating to Motor and Other Vehicles

Representative Carter-An Act relating to Motor and Other Vehicles

Representative Kilmartin-An Resolution relating to Francis R. Dietz

Representative Kilmartin-A Resolution relating to Consuelo Sherba

Representative Kilmartin-An Resolution relating to Patricia S. Zacks

Representative Coderre-An Act relating to State Affairs and Government

Representative Menard-An Act relating to Rhode Island Resource Recovery

Representative Moffitt-An Act relating to Waters and Navigation

Representative Trillo-An Act relating to Health and Safety

Representative Long-An Act relating to Fish and Wildlife

COMMUNICATION FROM THE SENATE

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

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}

03/28/2007 Placed on House Calendar

Senate Bill No. 896

BY Gallo, Connors, Fogarty P, Levesque C, Felag

ENTITLED, AN ACT RELATING TO EDUCATION -- EDUCATION EQUITY AND PROPERTY TAX RELIEF ACT {LC2595/1}

03/28/2007 Placed on House Calendar

CALENDAR

From the Calendar are taken:

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.

Representative Kennedy moves passage of the resolution, seconded by Representatives Crowley, Malik, Lima, Caprio, Walsh, Long, Loughlin, Ehrhardt, Rice, Shanley, Carter, Picard, Lewiss and many other members of the House.

By unanimous consent, Representative Gorham, seconded by Representatives Crowley, Long and Ehrhardt offers a written motion to amend.

**FLOOR AMENDMENT
TO
2007 -- H 6092**

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

Mr. Speaker:

I hereby move to amend 2007 -- H 6092, 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", as follows:

(1) On page one, line 3, by deleting the word and numeral "thirteen (13) and inserting in place thereof the words and numeral "twelve (12)".

Respectfully submitted,

REPRESENTATIVE GORHAM

=====
LC01770/2

Representative Gorham discusses the amendment.

The motion to amend prevails 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, Brien, Caprio, Carter, Church, Coderre, Crowley, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lima, Long, Loughlin, Malik, Mattiello, McManus, Melo, Menard, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, San Bento, Savage, Segal, Serpa, Shanley, Silva, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Winfield.

NAYS - 0.

Representatives Crowley, Long and Lewiss discuss the act, as amended.

Read and passed, as amended, on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Giannini, Gorham, Handy, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Mumford, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Winfield.

NAYS - 0.

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, with the exception of (07-S 850, in concurrence), being held on the desk.

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.

Representative Gallison moves to recommit to the Committee on Finance. There is no objection.

Read and recommitted to the Committee on Finance.

3 2007-H 6147**BY Walsh**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Carter, Almeida, Walsh and Shanley.

Read and passed, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Giannini, Gorham, Handy, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Mumford, O'Neill, Pacheco, Palumbo, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Winfield.

NAYS - 0.

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, with the exception of (07-S 850, in concurrence), being held on the desk.

Representative Gallison requests item #1 on tomorrow's Calendar (07-S 135) be placed on the Calendar for Tuesday, April 3, 2007. There is no objection.

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

GUESTS

Representative Rice welcomes to the House Chamber as guests the youth from D.C.Y.F.

ADJOURNMENT

At 4:47 o'clock P.M. on motion of Representative Ucci, and as a further mark of respect to the memories of Marie Furia-Ferrara, Dando W. "Danny" DiManna and Jannette Blinkhorn; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE AMY G. RICE

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 29, 2007:

1 2007-S 896

BY Gallo

ENTITLED, AN ACT RELATING TO EDUCATION -- EDUCATION EQUITY
AND PROPERTY TAX RELIEF ACT

Ordered on the Calendar

IN ORDER FOR TUESDAY, APRIL 3, 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.

2 2007-S 55 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS --
UNIFORM DEBT-MANAGEMENT SERVICES ACT

Committee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A in concurrence.

Francis P. McCabe
Clerk of the House

Wednesday, March 28, 2007