

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. 33

Tuesday, April 3, 2007

Thirty-third Day

The House of Representatives meets at the State House in Providence, Tuesday, April 3, 2007 and is called to order at 4:30 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 69 members present and 6 members absent as follows:

PRESENT - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

ABSENT -6: Representatives DeSimone, Gemma, Long, Scott, Singleton, Williams.

INVOCATION

The Honorable Speaker yields the rostrum to Representative Lewiss who presents Rabbi Serena Eisenberg (Associate Chaplain at Brown University and Director of the Brown/RISD Hillel Center) to deliver the Invocation. Representative Lewiss leads the membership in the Pledge of Allegiance to the Flag.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, March 29, 2007 is approved as printed.

ANNOUNCEMENTS

Representative Al Gemma has had surgery and will be unable to attend session Tuesday, April 3 through Thursday April 5, 2007.

Representative Richard Singleton will be unable to attend session on Tuesday, April 3, 2007.

Representative Anastasia Williams is unable to attend session Tuesday, April 3, 2007 due to a medical issue.

Representative Al Gemma has completed his procedure. He is resting, doing well, and appreciates all of your thoughts and prayers.

I hereby appoint the following persons to the **Special House Commission to Study the Effects Natural Disasters have on Property Insurance Costs and Requirements in the State of Rhode Island.**

Representative Paul W. Crowley
Representative John Patrick Shanley
Representative Donna Walsh
Representative Brian Patrick Kennedy
Representative Donald J. Lally, Jr.
Representative Peter Lewiss
Representative David Caprio
Representative J. Russell Jackson
Representative Amy Rice
Representative Eileen Naughton
Representative Jan Malik
Representative Raymond Gallison
Representative Lawrence Ehrhardt
Representative John J. Loughlin, II
Representative Bruce J. Long

William J. Murphy
Speaker of the House

REPORTS OF COMMITTEE**COMMITTEE ON FINANCE**

Representative Costantino, for the Committee on Finance, reports back the following measures, with recommendation of passage:

House Bill No. 6149**BY** Brien, Baldelli-Hunt, Picard**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

{LC2600/1}

04/03/2007 Placed on House Calendar

House Bill No. 5142 (General Treasurer)**BY** Almeida, Ajello, Church, Diaz, Slater**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- STATE INVESTMENT COMMISSION -- INVESTMENTS IN SUDAN {LC470/1}

04/03/2007 Placed on House Calendar

NEW BUSINESS**House Resolution No. 6234****BY** Shanley, Walsh**ENTITLED**, HOUSE RESOLUTION CONGRATULATING RICHARD AND DEBRA SIRAVO ON ESTABLISHING THE MATTHEW SIRAVO MEMORIAL FOUNDATION

{LC2799/1}

Representative Shanley requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6235**BY** Church, Costantino, Schadone, Sullivan, Lewiss**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY YOUTH FINANCIAL EDUCATION {LC2767/1}

04/03/2007 Introduced, referred to House Finance

House Bill No. 6236 (Environmental Management)**BY** Amaral, Long, Silva, Sullivan, Lewiss**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE {LC1790/1}

04/03/2007 Introduced, referred to House Environment and Natural Resources

House Resolution No. 6237**BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2804/1}

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.

House Resolution No. 6238**BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2805/1}

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. 6239**BY** Costantino, Crowley, Lewiss, Naughton, Mumford**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND BOARD OF GOVERNORS FOR HIGHER EDUCATION TO CONDUCT A COMPREHENSIVE STUDY ON THE FEASIBILITY OF ESTABLISHING AN ACCREDITED DISTANCE LEARNING PROGRAM {LC2765/1}

Representative Costantino requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Costantino seconded by Representative Naughton, Carter and many other members of the House by unanimous consent, on a voice vote.

House Bill No. 6240 (Business Regulation)**BY** Petrarca**ENTITLED**, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS {LC1154/1}

04/03/2007 Introduced, referred to House Corporations

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

Representative Church-An Act relating to Commission To Study Youth Financial Education

Representative Amaral-An Act relating to Health and Safety

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 468

BY McBurney, Jabour, Levesque C

ENTITLED, AN ACT RELATING TO FAMILY COURT (delete a reference to classified service of an employee in the judicial branch pursuant to the exemptions in chapter 36-4) {LC309/1}

04/03/2007 Referred to House Finance

Senate Bill No. 76

BY Blais

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION (presentence reports) {LC597/1}

04/03/2007 Referred to House Judiciary

Senate Bill No. 285

BY Perry, Levesque C, Miller, Connors, Metts

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST (would require the electronic recording of custodial interrogations in their entirety in cases where the potential sentence is one of life imprisonment) {LC460/1}

04/03/2007 Referred to House Judiciary

Senate Bill No. 697

BY Jabour, Connors, McBurney

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- POWERS OF FIDUCIARIES -- TRUSTS (allow corporate trustees to terminate any trust valued at less than \$200,000) {LC1937/1}

04/03/2007 Referred to House Judiciary

Senate Bill No. 748

BY Jabour, Connors, McBurney

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- QUALIFIED DISPOSITIONS IN TRUST (make technical amendments to the qualified dispositions in trust act) {LC1934/1}

04/03/2007 Referred to House Judiciary

CALENDAR

From the Calendar are taken:

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.

Representative Gallison moves passage of the act, seconded by Representatives Lewiss, Kilmartin and Carter

Read and passed, in concurrence, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

NAYS - 0.

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.

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

Representatives Wasylyk, Corvese and Kennedy discuss the act.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 59 members voting in the affirmative and 5 members voting in the negative as follows.

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McManus, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Williamson, Winfield.

NAYS - 5: Representatives Gorham, Loughlin, Trillo, Wasylyk, Watson.

HOLD ON THE DESK

Representative Wasylyk requests to hold (07-S 55 SUBA, in concurrence) on the desk.

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 55 SUBA, in concurrence).

ANNOUNCEMENTS

Representative McNamara announces that the Committee on Health, Education and Welfare will meet at 5:30 o'clock P.M., Pilgrim High School, 111 Pilgrim Parkway, Warwick, Rhode Island.

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

Representative Handy announces that the Committee on Constituent Services will meet at the rise of the House, in Room 135 of the State House.

Representative Fellela announces that the Committee on Veterans Affairs will meet at 2:30 o'clock P.M. tomorrow, in Room 135 of the State House.

ADJOURNMENT

At 4:45 o'clock P.M. on motion of Representative Coderre, and as a further mark of respect to the memory of Pearl Laurie seconded by Representatives Fox and Gorham the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, APRIL 5, 2007:

1 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 Finance recommends passage.

2 2007-H 5142**BY Almeida**

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- STATE INVESTMENT COMMISSION -- INVESTMENTS IN SUDAN

Committee on Finance recommends passage.

Francis P. McCabe
Clerk of the House

Tuesday, April 3, 2007

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 135

BY Algieri, Breene

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 {LC166/1}