

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 sixth day of January in the year of Our Lord two thousand and nine.

Volume 136, No. 1

Tuesday, January 6, 2009

First Day

The House of Representatives meets at the State House in Providence, Tuesday, January 6, 2009 and is called to order at 4:11 o'clock P.M., by the Honorable J. Russell Jackson, the Senior Member from Newport.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Friday, June 20 / Saturday June 21, 2008 is approved as printed.

ANNOUNCEMENT

Representative Peter G. Palumbo is out of state and will be unable to attend session Tuesday, January 6, through Thursday, January 8, 2009.

NEW BUSINESS

House Resolution No. 5000

BY Fox

ENTITLED, JOINT RESOLUTION OF ADJOURNMENT (adjournment of 2008 session)
{LC176/1}

Majority Leader Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Majority Leader Fox seconded by Representative Watson and by unanimous consent, on a voice vote.

The 2008 Session is adjourned, Sine Die.

TRANSMITTAL

By unanimous consent, (09-H 5000) on the Clerk's desk is ordered to be transmitted, to the Honorable Senate forthwith.

INVOCATION

The Honorable J. Russell Jackson presents the Most Reverend Thomas Tobin, Bishop of the Diocese of Providence who delivers the Invocation.

(For Invocation, see Appendix, this Journal.)

POSTING OF COLORS

The Honorable J. Russell Jackson requests the Rhode Island Capitol Police to post the colors.

PLEDGE OF ALLEGIANCE

The Honorable J. Russell Jackson appoints Representative Lally to escort Olympian, Ms. Beisel to the rostrum to lead the membership in the Pledge of Allegiance to the Flag.

NATIONAL ANTHEM

The Honorable J. Russell Jackson calls on John Britto to sing the National Anthem.

COMMUNICATION

The Honorable J. Russell Jackson announces the receipt of the following communication:

A. Ralph Mollis

Secretary of State

State of Rhode Island and Providence Plantations

CERTIFICATION

I, A. Ralph Mollis, Rhode Island Secretary of State, do hereby affirm that I have, pursuant to Rhode Island General Laws Section 22-3-1, received and examined the Certificates of Election of Representatives to the General Assembly which were returned to my office by the Board of Elections. I have attached a copy of said Certificates received.

Pursuant to Rhode Island General Laws Section 22-3-13, based on the Certificates received, I certify that persons listed on the attached list are entitled to seats within the House of Representatives.

A. Ralph Mollis

Rhode Island Secretary of State

REPRESENTATIVES ELECTED ON NOVEMBER 4, 2008

<u>District</u>	<u>Representative</u>
1	John J. McCauley, Jr. (D)
2	David A. Segal (D)
3	Edith H. Ajello (D)
4	Gordon D. Fox (D)
5	John J. DeSimone (D)
6	Peter N. Wasyluk (D)
7	Joanne M. Giannini (D)
8	Steven M. Costantino (D)
9	Anastasia P. Williams (D)
10	Thomas C. Slater (D)
11	Grace Diaz (D)
12	Joseph S. Almeida (D)
13	John M. Carnevale (D)
14	Charlene Lima (D)
15	Nicholas A. Mattiello (D)
16	Peter G. Palumbo (D)
17	Robert B. Jacquard (D)
18	Arthur Handy (D)
19	Joseph McNamara (D)
20	Alfred A. Gemma (D)
21	Eileen Slattery Naughton (D)
22	Frank G. Ferri (D)
23	Robert E. Flaherty (D)
24	Joseph A. Trillo (R)
25	Timothy A. Williamson (D)
26	William J. Murphy (D)
27	Patricia A. Serpa (D)
28	Scott J. Guthrie (D)
29	Raymond J. Sullivan, Jr. (D)
30	Robert A. Watson (R)
31	Kenneth Carter (D)
32	Laurence W. Ehrhardt (R)
33	Donald J. Lally (D)
34	David A. Caprio (D)
35	Michael A. Rice (D)
36	Donna M. Walsh (D)
37	Samuel A. Azzinaro (D)
38	Brian Patrick Kennedy (D)
39	Rod Driver (D)
40	Scott M. Pollard (D)

41	Michael J. Marcello (D)
42	Stephen R. Ucci (D)
43	Deborah A. Fellela (D)
44	Peter J. Petrarca (D)
45	Rene R. Menard (D)
46	Mary Ann Shallcross Smith (D)
47	Edwin R. Pacheco (D)
48	Brian C. Newberry (R)
49	Lisa Baldelli-Hunt (D)
50	Jon D. Brien (D)
51	Christopher M. Fierro (D)
52	Karen L. MacBeth (D)
53	Thomas J. Winfield (D)
54	Gregory J. Schadone (D)
55	Arthur J. Corvese (D)
56	Agostinho F. Silva (D)
57	Kenneth A. Vaudreuil (D)
58	William San Bento, Jr. (D)
59	J. Patrick O'Neill (D)
60	Elaine A. Coderre (D)
61	Peter F. Kilmartin (D)
62	Elizabeth M. Dennigan (D)
63	Roberto DaSilva (D)
64	Helio Melo (D)
65	John A. Savage (R)
66	Joy Hearn (D)
67	Jan Malik (D)
68	Douglas W. Gablinske (D)
69	Raymond E. Gallison, Jr. (D)
70	John G. Edwards (D)
71	John J. Loughlin, II, (R)
72	Amy G. Rice (D)
73	J. Russell Jackson (D)
74	Deborah L. Ruggiero (D)
75	Peter F. Martin (D)

ROLL CALL

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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello,

McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, A. Rice, M. Rice, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 1: Representative Palumbo.

The Honorable J. Russell Jackson addresses the members of the House.

APPOINTMENTS

The Chair appoints Representative Edith Ajello, Representative David Caprio, Representative Arthur Corvese, Representative John DeSimone, Representative Raymond Gallison, Representative Al Gemma, Representative Joanne Giannini, Representative Arthur Handy, Representative Jan Malik, Representative Joseph McNamara, Representative Edwin Pacheco, Representative William San Bento, Representative Agostinho Silva, Representative Raymond Sullivan, Jr. Representative Donna Walsh and Representative Peter Wasylyk to escort the Honorable Secretary of State to the rostrum of the House.

OATH OF OFFICE

A. Ralph Mollis, Secretary of State addresses the members of the House.

The Representatives-elect rise, as Secretary of State, A. Ralph Mollis, administers the Oath of Office to all members.

ELECTION OF SPEAKER

The Honorable J. Russell Jackson calls for nominations.

Majority Leader Fox nominates Representative William J. Murphy of West Warwick, to be Speaker of the House of Representatives for a 4th term. Majority Leader Fox discusses the nomination.

The nomination is seconded by Representative Timothy Williamson. Representative Williamson offers his remarks.

The nomination is seconded by Representative John DeSimone. Representative DeSimone offers his remarks.

The nomination is also seconded by Representatives Kilmartin, Jacquard, Gemma, Melo, Serpa, Fellela, Carter, Costantino, Pacheco, Handy, Ajello, Gallison, Brien, Baldelli-Hunt, Almeida, Ferri, Mattiello, Giannini, A. Rice, Segal, Caprio, Williams, Fierro, Coderre, Naughton, McCauley, Wasylyk, Lima, Walsh, Kennedy, San Bento, Menard, Driver, DaSilva, Dennigan, Malik, McNamara, Corvese, Diaz, Slater, Lally, M. Rice, Ruggiero, Marcello, Pollard, Martin,

Hearn, Ucci, Guthrie, Shallcross, Azzinaro, Silva, Edwards, Carnevale, Sullivan, Gablinske and Vaudreuil.

The Honorable J. Russell Jackson asks if there are any other nominations.

Representative Loughlin nominates Minority Leader Watson to be Speaker of the House. Representative Loughlin offers his remarks.

The nomination is seconded by Representatives Ehrhardt and Trillo. Representative Trillo offers his remarks.

Representative Kilmartin, seconded by Representative Lima, moves that nominations be closed.

The motion to close nominations prevails, on a voice vote.

The election of Representative William J. Murphy as Speaker of the House prevails, on a roll call vote, 67 members voting for Representative Murphy and 6 members voting for Representative Watson.

MURPHY - 67: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Murphy, Naughton, O'Neill, Pacheco, Petrarca, Pollard, A. Rice, M. Rice, Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

WATSON - 6: Representatives Ehrhardt, Loughlin, Newberry, Savage, Trillo, Watson.

The Chair declares William J. Murphy is re-elected Speaker of the House for the years 2009-2010.

APPOINTMENTS

The Chair appoints Representative Joseph Almeida, Representative Kenneth Carter, Representative Elaine Coderre, Representative Steven Costantino, Representative Elizabeth Dennigan, Representative John DeSimone, Representative Joanne Giannini, Representative Brian Kennedy, Representative Jan Malik, Representative Helio Melo, Representative Eileen Naughton, Representative Serpa, Representative Savage and Representative Trillo as a committee to escort the Speaker-elect, and his family to the rostrum.

The Chair appoints Representative Jon Brien, Representative Grace Diaz, Representative Raymond Gallison, Jr., Representative Robert Jacquard, Representative Nicholas Mattiello, Representative Patrick O'Neill, Representative Peter Petrarca, Representative Amy Rice, Representative Anastasia Williams, Representative Timothy Williamson, Representative

Loughlin and Representative Ehrhardt as a committee to escort the Honorable Joseph F. Rodgers, Jr. Presiding Justice of the Rhode Island Superior Court to the rostrum.

OATH OF OFFICE

At 5:02: o'clock P.M. the House attends while the Honorable Justice administers the Oath of Office to the Honorable Speaker.

NOW PRESIDING

At 5:05: o'clock P.M. Representative Jackson turns over the rostrum to the Honorable Speaker William Murphy.

The Honorable Speaker Murphy addresses the members of the House.

(For Honorable Speaker Murphy's address see Appendix of this Journal)

GUEST

At 5:23 o'clock P.M. the Honorable Speaker yields the rostrum to the Honorable Governor Donald L. Carcieri. .

By unanimous consent, Governor Carcieri addresses the members of the House.

At 5:30 o'clock P.M. the Honorable Speaker returns to the rostrum.

Minority Leader Watson addresses the members of the House.

The Honorable Speaker welcomes back John Britto, who will sing "God Bless America."

NEW BUSINESS

House Bill No. 5001

BY Baldelli-Hunt

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- LICENSED ACTIVITIES {LC122/1}

01/06/2009 Introduced, referred to House Corporations

House Bill No. 5002

BY Fox

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (would create long-term contracting standards for the development of renewable energy) {LC102/1}

01/06/2009 Introduced, referred to House Environment and Natural Resources

House Bill No. 5003**BY** Fox**ENTITLED**, AN ACT RELATING TO TAXATION (would permit the City of Providence starting 2009, to grant a tax credit to taxpayers owning owner-occupied condominium units) {LC181/1}

01/06/2009 Introduced, referred to House Finance

House Bill No. 5004**BY** DeSimone**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- HEALTH AND EDUCATION BUILDING CORPORATION (require that appointees to the Rhode Island health and education building corporation board of directors receive the advice and consent of the senate) {LC121/1}

01/06/2009 Introduced, referred to House Judiciary

House Bill No. 5005**BY** Pacheco**ENTITLED**, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS (would authorize persons 16 and 17 years of age who preregister to vote to automatically be registered upon reaching age 18.) {LC112/1}

01/06/2009 Introduced, referred to House Judiciary

House Bill No. 5006**BY** Mattiello**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - FRAUD AND FALSE DEALING (would create the misdemeanor criminal offense of "defrauding the administration of a drug or alcohol test.") {LC183/1}

01/06/2009 Introduced, referred to House Judiciary

House Bill No. 5007**BY** Almeida**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT (would reduce the minimum sentences for crimes involving controlled substances) {LC101/1}

01/06/2009 Introduced, referred to House Judiciary

House Bill No. 5008**BY** Almeida**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION (would require the records of deferred sentences, dismissals under rule 48(a), or a not guilty finding by a judge or jury after trial to be automatically quashed and destroyed) {LC111/1}

01/06/2009 Introduced, referred to House Judiciary

House Bill No. 5009**BY** Slater**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- MANAGEMENT AND DISPOSAL OF PROPERTY (would amend certain sections of the general laws relating to the management and disposal of property and redevelopment projects relative thereto) {LC182/1}

01/06/2009 Introduced, referred to House Municipal Government

House Bill No. 5010**BY** Pacheco**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- TRAFFIC CONTROL DEVICES (would permit buses and other motor vehicles owned and operated by the Rhode Island public transit authority to use traffic control signal preemption devices to prolong green traffic signals) {LC107/1}

01/06/2009 Introduced, referred to House Constituent Services

House Resolution No. 5011**BY** Lally, Carter, Murphy, Rice M**ENTITLED**, HOUSE RESOLUTION HONORING ELIZABETH BEISEL OF SAUNDERSTOWN, RHODE ISLAND FOR HER OUTSTANDING ATHLETIC ACHIEVEMENTS AS AN OLYMPIC ATHLETE AND THANKING HER FOR HER VISIT TO THE STATE HOUSE AND THE RHODE ISLAND HOUSE OF REPRESENTATIVES {LC212/1}

Representative Lally requests unanimous consent for immediate consideration.

There is no objection.

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

Elizabeth Beisel addresses the members of the House.

House Resolution No. 5012**BY** Fox**ENTITLED**, HOUSE RESOLUTION ADOPTING TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010 {LC219/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representatives Kilmartin, Williamson, Savage and Loughlin by unanimous consent, on a voice vote.

House Resolution No. 5013**BY** Fox**ENTITLED**, JOINT RESOLUTION OF ADJOURNMENT (the general assembly adjourns on Thursday or Friday of each week) {LC235/1}

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. 5014**BY** Kilmartin**ENTITLED**, HOUSE RESOLUTION NOTIFYING THE SENATE THAT THE HOUSE OF REPRESENTATIVES IS DULY ORGANIZED AND READY TO PROCEED WITH THE BUSINESS OF THE SESSION {LC213/1}

Representative Kilmartin requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 5015**BY** Martin, Kennedy, Coderre E, Lima, Kilmartin**ENTITLED**, HOUSE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF THE HONORABLE CLAIBORNE PELL {LC207/1}

Representative Martin requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Martin seconded by Representatives Jackson, Rice and the entire House of Representatives by unanimous consent, on a rising vote.

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.

ELECTION OF THE CLERK OF THE HOUSE

The Honorable Speaker declares the election of Clerk is in order and calls for nominations.

Representative Dennigan, seconded by Representatives O'Neill, Diaz, Trillo, Sullivan, McNamara, Caprio, Slater, Brien, A. Rice, Gemma, Kilmartin, Jacquard, San Bento, Ucci, Williamson and Newberry nominates Frank McCabe of Pawtucket to be Clerk of the House for the Session 2009-2010.

There being no further nominations, Representative Lima seconded by Representative Dennigan, moves that nominations be closed.

The motion to close nominations prevails, on a voice vote.

Representative Coderre moves that Representative Dennigan be directed to cast one ballot for Frank McCabe of Pawtucket to be Clerk of the House for the 2009-2010 Session, seconded by Representative O'Neill.

Representative Dennigan casts one ballot for Frank McCabe for the office of the Clerk of the House for the years 2009-2010. The motion prevails by unanimous consent on a voice vote.

Frank P. McCabe is elected Clerk of the House of the Session 2009-2010.

ELECTION OF RECORDING CLERK OF THE HOUSE

The Honorable Speaker declares the election of a Recording Clerk is in order and calls for nominations.

Representative Wasylyk, seconded by Representatives Corvese, Schadone, Jacquard, Carter, Gallison, Slater, Ucci, San Bento and Kilmartin, nominates Linda McElroy of North Providence to be Recording Clerk of the House for the Session 2009-2010.

There being no further nominations, Representative San Bento, seconded by Representative Corvese, moves that nominations be closed.

The motion to close nominations prevails, on a voice vote.

Representative San Bento moves that Representative Wasylyk be directed to cast one ballot for Linda McElroy of North Providence to be Recording Clerk for the 2009-2010 Session, seconded by Representative Corvese.

Representative Wasylyk casts one ballot for Linda M. McElroy for the office of Recording Clerk of the House for the years 2009-2010. The motion prevails by unanimous consent on a voice vote.

Linda McElroy is elected Recording Clerk of the House of the Session 2009-2010.

OATH OF OFFICE

The Honorable Speaker Murphy administers the Oath of Office to the Clerk of the House Frank McCabe and the Recording Clerk of the House Linda McElroy for the 2009-2010 Session.

The Honorable Speaker declares the election of Head Doorkeeper is in order and calls for nominations.

Representative Williamson seconded by Representatives Fox, Menard, Trillo, Loughlin, Ucci, Dennigan, Malik, Corvese, McNamara, Diaz, Slater, McCauley, Coderre, Naughton, Melo, Serpa, Fellela, Carter, Costantino, Wasylyk, Kennedy, Williams, Fierro, Schadone, Gemma, Kilmartin, A. Rice, Giannini, Ajello and Handy nominates Frank DiPaolo, Jr. of North Providence to be Head Doorkeeper of the House for the Session 2009-2010. The motion prevails by unanimous consent on a voice vote.

The Honorable Speaker Murphy wishes Frank a Happy 102nd Birthday on December 24th 2008.

At 5:45 o'clock P.M. the Honorable Speaker yields the rostrum to Frank DiPaolo, Jr.

By unanimous consent, Frank DiPaolo, Jr. addresses the members of the House.

At 5:47 o'clock P.M. the Honorable Speaker returns to the rostrum.

ANNOUNCEMENTS

Majority Leader Fox announces that session will convene tomorrow at 4:00 o'clock P.M. and Committees will be meeting on Thursday and Friday of this week.

Representative Kennedy congratulates Speaker Murphy on his 46th Birthday on January 4th. The Honorable Speaker Murphy wishes Representative Brian Kennedy a Happy Birthday also.

GUESTS

Representative Ucci welcomes to the House Chamber newly elected John Carnevale and his family-Alicia Carnevale, Domenic Carnevale, Ron and Janice Razza and Lisa Fowler.

The Honorable Speaker Murphy welcomes Representative Carnevale and his family.

Representative Sullivan welcomes to the Chamber newly elected Chris Fierro and his wife Kristina Lambert, children-Hannah, Annabelle and Enzo; mother and father-Vincent and Janet Fierro; sister Amanda Fierro; grandparents Ed and Muriel Lambert; in-laws Linda and Jim Quimett.

The Honorable Speaker Murphy welcomes Representative Fierro and his family.

Representative McCauley welcomes to the House newly elected Brian Newbury and his wife Beth; children-Diane, Lian and Aiden.

The Honorable Speaker Murphy welcomes Representative Newbury and his family.

Representative Schadone welcomes back to the House Chamber newly elected Scott Guthrie, his wife, Lori and daughter, Erin.

The Honorable Speaker Murphy welcomes back to the House Representative Guthrie and his family.

Representative Pacheco welcomes to the Chamber newly elected Chris Fierro and Brian Newberry and his brother Marc Pacheco and sister-in-law Kristin Pacheco.

Representative Gallison welcomes to the House newly elected John Edwards, his wife Donna, children-John, Kelsey and May Edwards; his father John "Duke" Edwards and his mother Mayann Edwards. Representative Gallison also welcomes his parents, Barbara and Raymond Gallison, Sr., his wife Diane, and his son Patrolman Timothy Gallison.

The Honorable Speaker Murphy welcomes to the House Representative Edwards and his family; former Representatives Paul Archetto and William Enos.

Representative Melo welcomes to the House Chamber newly elected Robert DaSilva and his wife Karia DaSilva, his sons-Donavan and Dorian DaSilva; his parents, Luis and Camelia DaSilva.

The Honorable Speaker Murphy welcomes to the House Representative DaSilva and his family.

Representative Giannini welcomes to the Chamber Anthony Caparco, husband of Representative Frank Ferri. Representative Giannini also welcomes her husband Stephen; sister, Susan Lennon and brother-in-law Joe Lennon; Nancy Lee Dowd; James Prescaro; and sister Jean Pattek.

Representative Rice welcomes to the House her husband, Paul Rice; son, Stoddard; friend, Lori Fortier. Representative Rice also welcomes newly elected Deborah Ruggiero, her parents, Dorothy and John Ruggiero; and her friends, Ken Newman and Anne Livingston.

The Honorable Speaker Murphy welcomes Representative Ruggiero and her family.

Representative Naughton welcomes to the House Chamber newly elected Michael Rice and his wife, Ping.

The Honorable Speaker Murphy welcomes Representative Rice and his family.

Representative Menard welcomes to the Chamber newly elected Karen MacBeth and her husband Scott, her children-Mary, Abby and Robert.

The Honorable Speaker Murphy welcomes Representative MacBeth and her family.

Representative Diaz welcomes to the House newly elected Mary Ann Shallcross Smith. Representative Diaz also welcomes Arminta McShintosh; Virginia Serra David.

The Honorable Speaker Murphy welcomes Representative Shallcross Smith and her family.

Representative Jacquard welcomes to the House Chamber newly elected Scott Pollard and his wife Elyssa and sons Logan and Luca.

The Honorable Speaker Murphy welcomes Representative Pollard and his family.

Representative Trillo welcomes to the Chamber his wife Marilyn Coccozza Trillo.

Representative Kilmartin welcomes to the House Representative Elaine Coderre's husband, Raymond Coderre, son, Robert Coderre and grandchildren-Hannah Coderre, John Coderre and David Coderre.

Representative Lima welcomes to the House Chamber Peter Morinucci, and Councilman Paul Archetto.

The Honorable Speaker Murphy welcomes to the Chamber Representative Watson's mother, Jane Watson.

Representative Fellela welcomes to the House Chamber Barbara Pezzi.

Representative Ferri welcomes to the Chamber Pauline, Nathaniel and Caroline Genest.

Representative Williamson welcomes to the House Representative Sullivan's parents Raymond and Maureen Sullivan and his aunt Eileen Hannan.

Representative Coderre welcomes to the House Chamber Richard Finnegan from the District Court.

Representative Malik welcomes to the House newly elected Joy Hearn, her husband, Frank and children Sam and Hannah; mother, Margery Samuelson; Mary Alyce Gasbarro; Julia Califano and Anthony Arrico.

The Honorable Speaker Murphy welcomes Representative Hearn and her family.

Representative Jackson welcomes to the House Chamber newly elected Peter Martin. Representative Jackson also welcomes his mother, Mary; his wife, Karin and his son Tanner.

The Honorable Speaker Murphy welcomes Representative Martin.

Representative Kennedy welcomes back to the House newly elected Rod Driver and his wife Carol of 53 years.

The Honorable Speaker Murphy welcomes back Representative Driver.

Representative Kennedy also welcomes to the House newly elected Sam Azzinaro, his wife Carol, children-Tami Algieri, Amy Azzinaro, Lori Guluscio, Sam Azzinaro, Mary Azzinaro; his sister, Arlene Kores and Aunt Nancy Liqouri.

The Honorable Speaker Murphy welcomes Representative Azzinaro and his family.

Representative Menard welcomes to the Chamber Representative Loughlin's wife Susan and daughters, Victoria and Carrie.

The Honorable Speaker Murphy welcomes to the House Chamber Ken Marshall, Bristol Council Chairman and John Faria Chairman of the Democratic Party in Bristol.

BENEDICTION

The Honorable Speaker Murphy presents Rabbi Peter W. Stein from Temple Sinai and President of the Rhode Island Board of Rabbis for the benediction.

(For Benediction see Appendix of this Journal)

ADJOURNMENT

At 6:25 o'clock P.M. on motion of Representative McNamara, and as a further mark of respect to the memory of Honorable Judge Albert E. DeRobbio; on motion of Representative Malik, and as a further mark of respect to the memory of Honorable Judge Gilbert Rocha; on motion of Representative Martin and as a further mark of respect to the memory of Honorable Senator Claiborne Pell; seconded by the Entire House of Representatives the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

**The Most Reverend Thomas J. Tobin
Bishop of Providence**

**Prayer for the Opening of the Legislative Session
January 6, 2009**

Almighty God, through your Apostle St. Paul, you have directed that “supplications, prayers, petitions, and thanksgivings be offered for everyone, and for all in authority, that we may lead quiet and tranquil lives in devotion and dignity.” (I Tim 2:1-2) In that spirit, and with that hope, we stand before you this day.

Now, as much as ever, Lord,
We need your presence, your power, and your providence
in our lives and public service.

We pray for the leaders of our State, about to begin their work anew.
Help them to work together, Lord, for the glory of your name
and to serve their brothers and sisters, our neighbors in this community.

Give the leaders of our State the spirit of wisdom, that they will know
what is right, and the spirit of courage, that they will do what is right.
Inspire in them a perfect blend of justice and compassion.
Let them never hesitate to do good because of selfishness, anxiety or fear.
Grant them the willingness to be open to each other,
to respect each other,
to listen to each other,
to learn from each other,
to be honest with each other,
and be supportive of each other
for the sake of our community and all those they serve.

Finally, dear Lord, help our leaders to remember
That without you, they can do absolutely nothing,
But that with you, all things are possible.
This we ask, now and forever. Amen

APPENDIX**HONORABLE SPEAKER MURPHY'S ADDRESS**

My Fellow Colleagues:

2009 will be a watershed session -- a session that none of us sitting in this Chamber has seen the likes of before.

We are in very uncertain and challenging economic times in Rhode Island, in our nation and in the world. The backdrop for our session is that Rhode Island entered the national recession nearly one year ahead of the rest of the nation and that our unemployment rate and foreclosure rate here in Rhode Island are amongst the highest in the United States.

There are tough and bold decisions that must be made this year, in 2009, by this body. We must make difficult choices this year and many of our decisions will be unpopular. We cannot wait for the Federal Government to assist us. Help from an economic stimulus package would be great, but we cannot rely on it as we continue to address our structural budget deficit.

Properly handling this economic downturn will determine the future of our great state. We must exit this national recession better than we entered it.

The voters of our respective 75 districts sent us here to do a job -- to be State Representatives and that is what each and every one of us must be.

We're not to be School Committee members.

We're not to be City Councilors.

We're here to be State Representatives in a year that is going to make us make some very tough unpopular decisions.

In Rhode Island the tail must no longer wag the dog.

We must live within our budget. The overspending that we have seen for decades by various departments has to STOP! And the House of Representatives, as the appropriating body, must give all departments a fair budget -- a budget that is developed after hearings in the House Finance Committee. And then in a post Separation of Powers world, the House must use our oversight capacity to make sure that our departments are living within their budgets and that we give them the tools that they need to adequately and efficiently run their departments.

This year, this term, the next two years, is going to be a time of shared sacrifices by all of us. As we go about our duty to run a more efficient state government, our cities and towns must do the same. We have to work as the General Assembly, as the House of Representatives, with our local communities to review unneeded mandates that have been placed on our cities and towns in the past years.

There are many pressing issues facing our state -- from education to the environment -- but there can be no doubt in this time of economic turmoil that reviving the economy is Job One. Economic development and job creation this year will require laser-like focus from the House of Representatives. We need to assist Governor Carcieri in recruiting a top flight director for the Economic Development Corporation -- someone who works with business and industry to create workforce opportunities.

We must work with our present existing Rhode Island companies to innovate them and to help them retool and refocus in order to remain competitive in what is now a global economy. It is time that we put our parochialism in Rhode Island, which we are famous for, aside and look closely at tapping into Rhode Island's under-utilized assets. And remember, while doing this we cannot and must not try to tax our way out of this economic downturn.

We must continue to hold the line on broad based taxes and do all we can to reverse Rhode Island's image as a high tax state. We have made significant progress over the past several years and at this time of crisis we simply cannot afford to go backward.

We in this body, as a House of Representatives, have not a single day to waste in advancing all our efforts. We need to hit the ground running and we need to tackle several challenges at once.

While the budget will without a doubt be our biggest challenge, it is not our only priority this year and we will begin immediately to hold hearings on other pressing legislative priorities, including legislation passed by the House last year. This includes our continued focus – spearheaded by Leader Fox – on the development of renewable energy here in the State of Rhode Island. And at the same time while we are looking at job creation, job development and making our state competitive so that when we do come out of this national recession, that we will be more competitive than what we have been in the past. And for that we need all the members of the House, Republicans and Democrats, to work together with the Senate and with Governor Carcieri to accomplish those goals. And we also have to remember that during this economic difficult time that we listen to our clergy who spoke earlier today about taking care of those less fortunate. We are often the last bastion and voice that many members of our society have in the State of Rhode Island when it comes to appropriations. So as we begin our deliberations in House Finance and on the floor, we have to pay attention and hear the voices of those that are not heard elsewhere.

In closing, one of Rhode Island's biggest challenges is not reflected on its balance sheet, or its unemployment rolls. It is our image.

We are too quick as a state to put ourselves down.

We are too quick to criticize.

We are too quick to assume a negative outcome.

Too quick our critics say that we are unable to compete with bigger states.

Our state is small. We recognize that it is the smallest. However, it is full. It is full of smart, sophisticated, hardworking, decent skilled people. We have tremendous natural resources in the State of Rhode Island. We have miles of beautiful coastline. We have Fortune 500 companies that are headquartered here in the State of Rhode Island. We have world renowned schools and universities. We have outstanding medical facilities and an outstanding medical school. We have exceptional restaurants and a tourism industry that is second to none.

Let's encourage Rhode Islanders, as members of the House of Representatives, to start the New Year, to start the new session, to start 2009 with a positive attitude. As members of the House, as Republicans and Democrats, let us remember that the glass is half full.

I want to remind us all, in these anxious and uncertain times, of Rhode Island's motto: And that motto is Hope. Hope literally means "the feeling that what is wanted can be had." It will take hard work, but we have been elected by our constituents to carry their hopes forward and to help make possible their hopes, desires and dreams for good schools, safe communities and solid jobs that pay living wages.

Upon his retirement from the United States Senate, our very own Senator Claiborne Pell from the City of Newport, who was buried yesterday, described himself as "an old man of Hope." I can think of no better way for us to honor his legacy than to serve his Rhode Island and our Rhode Island, with that same sense of optimism and promise.

The 2009 legislative year will be known for hard work, high gear and hope.

Thank you all. I am humbled by you placing me in this position. I will do my best to make sure that Rhode Island reaches its full potential

APPENDIX**BENEDICTION**

Rabbi Peter W. Stein
Temple Sinai

January 6, 2009

Rabbi Peter W. Stein

President, RI Board of Rabbis and Rabbi, Temple Sinai of Cranston

Benediction for Opening Session of RI General Assembly

I am honored to join in today's ceremonies. This space where we assemble is filled with great physical beauty and of course with the inspiration of history. Great and important things have happened here.

But the importance of this space is truly in the awesome potential that is tangible when our government convenes. You have the ability to do a tremendous amount of good through your deliberations and actions. I pray that God will bless our elected officials with wisdom and with strength, and this assembly will act to protect the vulnerable and create an atmosphere of tolerance, safety, and peace for all Rhode Islanders.

In my Jewish tradition, we have just completed the Scriptural readings about Jacob. In one passage in the book of Genesis, Jacob reunites with his brother Esau after many years of difficulty and separation. Jacob proclaims, "To see your face is like seeing the face of God!" It is profoundly important when we are able to see the beauty in the goodness in others.

May each day of this legislative session be filled with such moments of inspiration. May all who enter these halls be treated with dignity and respect, and may we always search for the spark of the divine that is created within each and every person. Differences of opinion are inevitable and are often important in the search of good solutions. May debate go on with vigor, but also with compassion and sensitivity. May the great potential of this body be realized in strengthening our state and all her communities.

The prophet Isaiah proclaims this vision: "The Lord God gave me a skilled tongue to know how to speak timely words to the weary....the Lord God opened my ears and I did not disobey...." The power in this assembly is in the words which are spoken and written and sent forth to the community. May God bless the words and the actions of those who have been elected to serve, along with their families, their staffs, and the people of our state.

Amen and thank you.