

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

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Volume 136, No. 2

Wednesday, January 7, 2009

Second Day

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The House of Representatives meets at the State House in Providence, Wednesday, January 7, 2009 and is called to order at 4:14 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, 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.

**INVOCATION**

The Honorable Speaker presents Representative Coderre 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, January 6, 2009 is approved as printed.

**APPOINTMENTS**

January 7, 2009

**I hereby appoint the following to serve on the House Committee on Separation of Powers:**

Representative John DeSimone - Chair

Representative Timothy Williamson – Vice Chair

Representative Jan Malik – Vice Chair

Representative Edwin Pacheco - Secretary

Representative Al Gemma

Representative Charlene Lima

Representative Michael Rice

Representative Scott Pollard

Representative Douglas Gablinske

Representative Michael Marcello

Representative Stephen Ucci

Representative Rene Menard

Representative Raymond Sullivan

Representative Peter Martin

Representative Brian Newberry (R)

William J. Murphy  
SPEAKER

Received and placed on file.

January 7, 2009

**I hereby appoint the following to serve on the House Committee on Environment and Natural Resources:**

Representative Jan Malik – Chair

Representative Arthur Handy – Vice Chair

Representative Amy Rice – Secretary

Representative Frank Ferri

Representative Douglas Gablinske

Representative Joanne Giannini

Representative Raymond Gallison

Representative Joseph McNamara

Representative Eileen Naughton

Representative David Segal

Representative Stephen Ucci

Representative Raymond Sullivan

Representative Kenneth Vaudreuil

Representative Donna Walsh

Representative Laurence Ehrhardt (R)

William J. Murphy  
SPEAKER

Received and placed on file.

January 7, 2009

**I hereby appoint the following to serve on the House Committee on Corporations:**

Representative Brian Kennedy - Chair

Representative Peter Petrarca – Vice Chair

Representative Edwin Pacheco

Representative Al Gemma - Secretary

Representative Elaine Coderre

Representative Peter Kilmartin

Representative Charlene Lima

Representative Patricia Serpa

Representative Michael Marcello

Representative John Carnevale

Representative Christopher Fierro

Representative Donna Walsh

Representative Joseph Trillo (R)

William J. Murphy  
SPEAKER

Received and placed on file.

January 7, 2009

**I hereby appoint the following to serve on the House Committee on Judiciary:**

Representative Donald Lally - Chairman

Representative Timothy Williamson – Vice Chairman

Representative J. Patrick O’Neill – Vice Chairman

Representative Edith Ajello - Secretary

Representative Jon Brien

Representative Amy Rice

Representative Roberto DaSilva

Representative David Segal

Representative Scott Pollard

Representative Rodney Driver

Representative Peter Martin

Representative Raymond Sullivan

Representative John DeSimone

Representative Peter Palumbo

Representative Brian Newberry (R)

William J. Murphy  
SPEAKER

Received and placed on file.

January 7, 2009

**I hereby appoint the following to serve on the House Committee on Health Education and Welfare:**

Representative Joseph McNamara – Chair

Representative Peter Wasyluk – Vice Chair

Representative Grace Diaz – Secretary

Representative Frank Ferri

Representative Raymond Gallison

Representative Lisa Baldelli Hunt

Representative Karen MacBeth

Representative Joy Hearn

Representative Samuel Azzinaro

Representative Deborah Ruggiero

Representative Arthur Handy

Representative Robert Flaherty

Representative Robert Watson (R)

William J. Murphy  
SPEAKER

Received and placed on file.

January 7, 2009

**I hereby appoint the following to serve on the House Committee on Municipal Government:**

Representative Raymond Gallison - Chair

Representative Edwin Pacheco – Vice Chair

Representative Anastasia Williams - Secretary

Representative Gregory Schadone

Representative Samuel Azzinaro

Representative Kenneth Vaudreuil

Representative Christopher Fierro

Representative Peter Martin

Representative Rene Menard

Representative Laurence Ehrhardt (R)

William J. Murphy  
SPEAKER

Received and placed on file.

January 7, 2009

**I hereby appoint the following to serve on the House Committee on Labor:**

Representative Arthur Corvese – Chair

Representative Anastasia Williams – Vice Chair

Representative Kenneth Vaudreuil – Secretary

Representative Deborah Fellela

Representative John Edwards

Representative Scott Guthrie

Representative Douglas Gablinske

Representative Peter Kilmartin

Representative Elaine Coderre

Representative Thomas Winfield

Representative John McCauley

Representative Mary Ann Shallcross Smith

Representative John Loughlin (R)

William J. Murphy  
SPEAKER

Received and placed on file.

January 7, 2009

**I hereby appoint the following to serve on House Committee on Finance:**

Representative Steven Costantino -Chair

Representative Kenneth Carter -

Representative William San Bento -

Representative Robert Jacquard -

Representative Eileen Naughton

Representative Elizabeth Dennigan

Representative Joseph Almeida

Representative Thomas Slater

Representative J. Russell Jackson

Representative Nicholas Mattiello

Representative Helio Melo

Representative Agostinho Silva

Representative Joanne Giannini

Representative David Caprio

Representative Laurence Ehrhardt (R)

Representative John Savage (R)

William J. Murphy  
SPEAKER

Received and placed on file.

### NEW BUSINESS

#### **House Resolution No. 5016**

**BY** Malik, Murphy, Lally, Melo, Kennedy

**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE GILBERT T. ROCHA

Representative Malik requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Malik seconded by Representatives Dennigan, O'Neill, Williamson and many other members of the House by unanimous consent, on a rising vote.

#### **House Resolution No. 5017**

**BY** McNamara, Murphy, Fox, Williamson, Kilmartin

**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE ALBERT E. DEROBIO

Representative McNamara requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative McNamara seconded by Representatives Kilmartin, Watson and many other members of the House by unanimous consent, on a rising vote.

#### **House Bill No. 5018**

**BY** Pacheco

**ENTITLED**, AN ACT RELATING TO HOLIDAYS AND DAYS OF SPECIAL OBSERVANCE

Representative Pacheco requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Pacheco seconded by Representative Ajello on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: 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, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A, Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

**House Bill No. 5019** (by request)

**BY** Watson

**ENTITLED**, AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009 {LC256/1}

01/07/2009 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.

#### ANNOUNCEMENTS

Representative O'Neill wishes Bernard "Bernie" Arthur Harwood a Happy 90<sup>th</sup> Birthday.

Representative Gallison announces that the Committee on Municipal Government will meet tomorrow at the rise of the House, in Room 201 of the State House.

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

Representative Costantino announces that the Committee on Finance will meet tomorrow at the rise of the House, in Room 35 of the State House.

Representative Handy announces that the Committee on Environment and Natural Resources will meet tomorrow at 5 o'clock P.M., in Room 207 of the State House

Representative Lima wishes a Happy Birthday to Representative Brian Kennedy on January 3<sup>rd</sup>.

Representative Savage welcomes to the House Chambers newly elected Representatives Bob DaSilva and Joy Hearn.

**DESK HELD OPEN**

The desk is held open in order to receive the Supplemental Budget.

**ADJOURNMENT**

At 4:44 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 Jackson, and as a further mark of respect to the memories of Thomas M. Cabral, J. Harold McCormick and Manuel J. Silvia; on motion of Representatives Lima and Mattiello, and as a further mark of respect to the memory of Arlene Santamaria; on motion of Representative Kilmartin and as a further mark of respect to the memory of Charles F. Thurley; on motion of Representatives Mattiello and Corvese and as a further mark of respect to the memory of Mario Della Grotta; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

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

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE ELAINE A. CODERRE**

O Lord, as we begin this legislative year, we have much work to do and difficult decisions to make. Help us to govern wisely and to be responsive to the needs of the people of Rhode Island.