

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 third day of January in the year of Our Lord two thousand and six.

Volume 133, No. 15

Tuesday, February 7, 2006

Fifteenth Day

The House of Representatives meets at the State House in Providence, Tuesday, February 7, 2006 and is called to order at 4:13 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 68 members present and 7 members absent as follows:

PRESENT - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 7: Representatives Jackson, Landroche, Menard, Moffitt, Scott, Singleton, Voccola.

INVOCATION

The Honorable Speaker presents Representative Church 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, February 2, 2006 is approved as printed.

ANNOUNCEMENTS

Representatives Richard Singleton and Victor Moffitt will be unable to attend session Tuesday, February 7 through Thursday, February 9, 2006 due to business.

Representative Rene Menard will be unable to attend session Tuesday, February 7, 2006.

NEW BUSINESS**House Bill No. 7080**

BY Williamson, Landroche

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES (West Warwick town/resolution which would exempt a particular fire station from certain restrictions governing the parking and stopping of vehicles near the entrance to a fire station) {LC1721/1}

02/07/2006 Introduced, referred to Jt. Committee on Highway Safety

House Bill No. 7081

BY Naughton, Ginaitt, Gemma

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- STOPPING, STANDING AND PARKING RESTRICTIONS (prohibit parking upon any crosshatched access aisle adjacent to disability parking spaces) {LC1731/1}

02/07/2006 Introduced, referred to Jt. Committee on Highway Safety

House Bill No. 7082

BY Carter, Gallison, Slater, Jacquard, Moffitt

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES (change the appearance of the veteran plate and make the plate available to Gold Star Parents) {LC1043/1}

02/07/2006 Introduced, referred to House Veterans Affairs

House Bill No. 7083

BY Gallison, Slater, Jacquard, Landroche, Almeida

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - VETERANS' PLATES (allow those United States military members on active duty to obtain a veteran plate) {LC1042/1}

02/07/2006 Introduced, referred to House Veterans Affairs

House Bill No. 7084

BY Moran, Almeida, Flaherty

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT (validity and enforcement of a collective bargaining agreement) {LC1640/1}

02/07/2006 Introduced, referred to House Labor

House Bill No. 7085

BY Slater, Diaz, Williams, Dennigan, Naughton

ENTITLED, AN ACT RELATING TO PERSONAL INCOME TAX - EARNED INCOME CREDIT (increase the state earned income tax credit from 10% to 100% for the 2006 and later tax years) {LC1129/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7086**BY** Rice, Moran, Almeida, Kilmartin, Brien T**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (add sheriffs to be compensated thru wages if injured in the line of duty/not be subject to workers' compensation) {LC1644/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7087**BY** Kilmartin, McManus, Coderre E**ENTITLED**, AN ACT RELATING TO RECREATIONAL AREAS -- GENERAL PROVISIONS (Field B. Shelter at Lincoln State Woods the John 'Jack' F. Duffy Shelter) {LC1128/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7088**BY** Gemma, Giannini, Coderre E, DeSimone, Moura**ENTITLED**, AN ACT RELATING TO MEDICAL ASSISTANCE (establish the resource rules and regulations for insufficient income and resources) {LC1413/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7089**BY** Ajello, Handy, Anguilla, Jacquard, Dennigan**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - RELIEF OF INJURED AND DECEASED FIREFIGHTERS AND POLICE OFFICERS (surviving domestic partner of a deceased police officer, correctional officer or firefighter would be included in the definition of the word family) {LC1428/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7090**BY** Moran, Almeida, Flaherty**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM -- CONTRIBUTIONS AND BENEFITS (amend the retirement allowance formula for correctional officers and several titles) {LC1643/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7091**BY** Jackson, Crowley, Rice, Gallison**ENTITLED**, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT (permit the taxation of time-share developments based on the resale value of interval weeks as well as any other identifiable and commonly accepted methods of appraisal) {LC1680/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7092**BY** Naughton, Shanley, Crowley**ENTITLED**, AN ACT RELATING TO EDUCATION - UNIVERSITY OF RHODE ISLAND (scientific research, creative scholarship, the arts and public outreach activities) {LC433/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7093**BY** Naughton, Ginaitt, Gallison, Pacheco**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND CARBON FUEL REDUCTION AND AIR POLLUTION CONTROL ACT (create a new chapter/directing DEM to develop plans for fossil fuel and greenhouse gas reduction and would exempt from taxation certain alternative energy equipment) {LC1011/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7094**BY** Schadone**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS -- ECONOMIC DEVELOPMENT (create a small business revolving loan and credit enhancement fund) {LC764/1}

02/07/2006 Introduced, referred to House Finance

House Bill No. 7095**BY** Kilmartin**ENTITLED**, AN ACT RELATING TO THE DEPARTMENT OF HEALTH (establish minimum accessibility standards regarding fragrance-free, less-toxic, and low volatile organic compound cleaning product, pest control, and indoor air and environmental quality policies) {LC1084/1}

02/07/2006 Introduced, referred to House H.E.W.

House Bill No. 7096**BY** Ajello, McNamara, Coderre E, Handy, Rice**ENTITLED**, AN ACT RELATING TO THE AMBER ALERT PROGRAM (allow putting missing adults with dementia who operate motor vehicles into the AMBER Alert system) {LC887/1}

02/07/2006 Introduced, referred to House H.E.W.

House Bill No. 7097**BY** Ajello, Handy, Rice, Dennigan, Almeida**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- INFORMED CONSENT FOR ABORTION (permit dr. to determine that if a pregnant woman less than 18 years old would suffer physical abuse or mental injury if she seeks the consent of parents/abortion may be performed without parental consent or judicial authorization) {LC1431/1}

02/07/2006 Introduced, referred to House H.E.W.

House Bill No. 7098**BY** Handy, Moura, Landroche, Sullivan, Almeida**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- SPOUSAL NOTICE FOR ABORTION (repeal the requirement that physicians performing abortions notify the husband of the patient before the abortion is performed) {LC875/1}

02/07/2006 Introduced, referred to House H.E.W.

House Bill No. 7099**BY** Kilmartin, Moran**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PRIVATE DETECTIVE ACT (expand the definition of private detective/make the attorney general of the state of RI the licensing authority for persons engaged as private detectives) {LC970/1}

02/07/2006 Introduced, referred to House Corporations

House Bill No. 7100**BY** Carter, Faria**ENTITLED**, AN ACT RELATING TO LICENSES -- ALCOHOLIC BEVERAGES (eliminate the posting requirement of licenses for alcoholic beverages) {LC1601/1}

02/07/2006 Introduced, referred to House Corporations

House Bill No. 7101**BY** Carter, Faria**ENTITLED**, AN ACT RELATING TO HOME INSPECTIONS (home inspectors would be eligible for licensure upon engaging in the practice of home inspections for compensation) {LC919/1}

02/07/2006 Introduced, referred to House Corporations

House Bill No. 7102**BY** Amaral, Savage, Moffitt, Long**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - UNFAIR SALES PRACTICES (prohibit persons, firms or corporations that sells goods, merchandise or services in this state to require purchasers to pay a fee for not using the Internet to carry out a transaction, if such transaction cannot be made via the Internet) {LC977/1}

02/07/2006 Introduced, referred to House Corporations

House Bill No. 7103**BY** Giannini, Moura, Petrarca, Brien T, Landroche**ENTITLED**, AN ACT RELATING TO ORTHOTICS AND PROSTHETICS (licensure of orthotists and prosthetists/provide penalties for unauthorized practices in order to regulate the practices and protect the public) {LC1616/1}

02/07/2006 Introduced, referred to House Corporations

House Bill No. 7104**BY** Carter, Faria**ENTITLED**, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- CONTRACTORS' REGISTRATION (provide for notices in writing, action on multiple registrations held by the same person, impose additional fines, allow for on-line renewals, change name of division, and make a clarification regarding court ruling on mechanic liens) {LC918/1}

02/07/2006 Introduced, referred to House Corporations

House Bill No. 7105**BY** Carter, Faria, Melo**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- REGULATION OF SALES (produce invoices and receipts immediately upon demand of an inspector) {LC1604/1}

02/07/2006 Introduced, referred to House Corporations

House Bill No. 7106 (Attorney General)**BY** Moran, Kilmartin**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS (grounds for issuance of a search warrant would apply, without limitation, to all criminal investigations and prosecution) {LC469/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7107 (Attorney General)**BY** Kilmartin, Moran**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- DISORDERLY CONDUCT (create the offense of indecent exposure/disorderly conduct, a misdemeanor offense punishable) {LC464/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7108**BY** Anguilla, Gallison, Rice, Ajello, Handy**ENTITLED**, AN ACT RELATING TO CAUSES OF ACTION (provide a cause of action for violations of the Rhode Island constitution) {LC1433/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7109**BY** Kilmartin**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- JOINT TORTFEASOR RELEASES (simplify the settlement of complex, multi-party cases) {LC1124/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7110 (Attorney General)**BY** Kilmartin, Jackson**ENTITLED**, AN ACT RELATING TO PUBLIC RECORDS - ACCESS TO PUBLIC RECORDS (attorney general to initiate a complaint on behalf of the public interest pursuant to the inspection of a record of a public body.) {LC548/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7111 (Attorney General)**BY** Moran, Kilmartin**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- DOMESTIC VIOLENCE PREVENTION ACT {LC552/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7112**BY** Naughton**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS (add deputy sheriffs to the definition of law enforcement officers covered by the Law Enforcement Officers' Bill of Rights.) {LC1732/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7113**BY** Moran, Almeida, Flaherty**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS (exempt correctional investigators 1 and correctional investigators 2 from the restrictions of section 11-47-8.) {LC1641/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7114**BY** Ajello, Moran, Williams, Almeida, Coderre E**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - WEAPONS (prohibit the sale or transfer of more than one handgun in a thirty (30) day period) {LC1102/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7115**BY** O'Neill**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Albert William Dubreuil and Shelly Elizabeth Kenyon) {LC1696/1}

02/07/2006 Introduced, referred to House Judiciary

House Bill No. 7116**BY** Murphy**ENTITLED**, AN ACT SOLEMNIZATION OF MARRIAGES {LC1730/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representative Pacheco on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Crowley, Dennigan, Ehrhardt, Faria, Flaherty, Fox, Gemma, Giannini, Ginaitt, Gorham, Handy, Kennedy, Kilmartin, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Moran, Mumford, Naughton, Pacheco, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Story, Sullivan, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

House Resolution No. 7117

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2021/1}

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. 7118

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2020/1}

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. 7119

BY Ginaitt, Naughton, Malik, Trillo, Ehrhardt

ENTITLED, HOUSE RESOLUTION RECOGNIZING THE RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL FOR MORE THAN 30 YEARS OF OUTSTANDING ACCOMPLISHMENTS IN COASTAL MANAGEMENT {LC1808/1}

Representative Ginaitt requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ginaitt seconded by Representatives Naughton, Malik, Pacheco, Carter, Rice, Ehrhardt, Shanley, Faria and many other members of the House by unanimous consent, on a voice vote.

Representative Ginaitt requests to append the resolution to the appendix of the Journal.

For Resolution (06H 7119) see appendix of this Journal.

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.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2065

BY Bates, McCaffrey, Algieri, Ciccone, Blais

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT {LC57/1}

02/07/2006 Referred to House H.E.W.

Senate Bill No. 2165

BY Tassoni, Fogarty P, Cote

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND FOR SCHOOL FACILITIES AND THE CONSTRUCTION AND EQUIPPING OF A NEW MIDDLE SCHOOL AND SCHOOL FACILITIES IN THE TOWN

BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR {LC966/1}

02/07/2006 Referred to House Finance

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, FEBRUARY 7, 2006:

1 2006-H 6906

BY Costantino

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Costantino, Corvese, Diaz, Williams, Slater, Brien, Sullivan, Rice, and Handy.

Read and passed, on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Dennigan, Ehrhardt, Faria, Flaherty, Gemma, Giannini, Ginaitt, Gorham, Handy, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

REQUEST

Representative Gallison requests the journal to reflect that if he had voted on (06H 6906), he would have voted in the affirmative.

2 2006-H 6907

BY Lima

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF TORO AUTO SALES, INC.

Committee on Corporations recommends passage.

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

Read and passed, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Wasylyk, Williams.

NAYS - 0.

3 2006-H 6711 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- MUNICIPAL
EMPLOYEES RESIDENCY

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

Representative Kennedy moves passage of the act, seconded by Representatives Coderre, Gemma, Lewiss and Pacheco.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 57 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representative Slater.

REQUEST

Representative Caprio requests the journal to reflect that if he had voted on (06H 6711 SUB A), he would have voted in the affirmative.

4 2006-H 6779 SUB A

BY Corvese

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
GOVERNMENT OVERSIGHT AND FISCAL ACCOUNTABILITY
REVIEW ACT**

Committee on Finance recommends indefinite postponement of the original bill and passage of Substitute A.

Representative Corvese moves passage of the act, seconded by Representatives Costantino, Rose, Lally, San Bento, Melo, Faria, Kilmartin, Pacheco, Williams, Shanley, Moran, Carter, Church, Ginaitt, Jacquard, Lewiss, Gemma and Gallison.

Representatives Mumford, Corvese, Jacquard, Costantino, Watson, Ehrhardt, Fox, Gemma, Gorham, Crowley, Davey, Slater, and Williamson discuss the act.

The bill marked substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 57 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 57: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Smith, Sullivan, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 8: Representatives Davey, Ehrhardt, Gorham, Long, McManus, Mumford, Story, Watson.

REQUESTS

Representatives Crowley and Trillo requests the journal to reflect that if they had voted on (06H 6779 SUB A), they would have voted in the affirmative.

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.

REQUESTS

Representative Lima announces she came in late on Thursday, February 2, 2006 and requests the journal to reflect that if she had voted on the five Separation of Power bills on Thursday's Calendar (06H 6754), (06H 6752), (06H 6751), (06H 6749) and (06H 6753) she would have voted in the affirmative.

Representative Amaral requests to address the House according to Rule 53. The Honorable Speaker Murphy grants his request at the end of session.

CORRECTION

By unanimous consent, the House Journal of Thursday, February 2, 2006 is hereby corrected by recording Representative Lima as being present.

ANNOUNCEMENTS

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

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

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

Representative Kilmartin announces the last day for bill introduction has been extended to February 16.

Representatives Brien, Trillo and the Honorable Speaker Murphy commend Capitol Police and Representative Kilmartin for their quick response to the serious incident that happened last Friday on the State House stairs.

REQUEST

Representative Williams requests to rise for a moment of silence in remembrance of Coretta Scott King.

The House rises for a moment of silence.

GUESTS

Representative Ginaitt announces the 35th anniversary of the RI Coastal Resources Management Council and welcomes to the House Chamber as guests: Michael Tikoian – Chairman; Grover Fugate – Executive Director and Laura Ricketson - Public Educator & Information Coordinator.

At 5:12 o'clock P.M. the Honorable Speaker yields the rostrum to Representatives Almeida, Williams and Diaz. .

By unanimous consent, Representative Almeida addresses the members of the House during Black History Month and welcomes to the House Jah Mz Jahi.

By unanimous consent, Mr. Jahi addresses the members of the House.

At 5:58 o'clock P.M. the Honorable Speaker returns to the rostrum.

Representative Williams extends thanks to Mr. Jahi.

ADJOURNMENT

At 6:07 o'clock P.M. on motion of Representative Williams, and as a further mark of respect to the memory of Coretta Scott King; on motion of Representative Lewiss, and as a further mark of respect to the memories of Mary H. Friend and Dr. Ernest F. Nardone; on motion of Representatives Moran and Faria and as a further mark of respect to the memory of Aaron Cooney; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE RAYMOND C. CHURCH

Thank you God for Your presence here with us and Your blessings on this Assembly today and every day. Amen.

APPENDIX

RESOLUTION 7119

JANUARY SESSION, A.D. 2006

HOUSE RESOLUTION

RECOGNIZING THE RHODE ISLAND COASTAL RESOURCES MANAGEMENT
COUNCIL FOR MORE THAN 30 YEARS OF OUTSTANDING ACCOMPLISHMENTS IN
COASTAL MANAGEMENT

Introduced By: Representatives Ginaitt, Naughton, Malik, Trillo and Ehrhardt

Date Introduced: February 07, 2006

Referred To: House read and passed

WHEREAS, The Rhode Island Coastal Resources Management Council (CRMC) was created by the General Assembly in 1971 under Rhode Island General Law, Title 46, Chapter 23, in order to "... preserve, protect, develop and where possible, restore the coastal resources of the state for this and succeeding generations through comprehensive and coordinating long-range planning... That these policies can best be achieved through the creation of a coastal resources management council as the principal mechanism for management of the state's coastal resources..."; and

WHEREAS, The CRMC was one of the first federally approved programs in the nation; and

WHEREAS, The CRMC's Coastal Zone Management Act was developed a full year before the national act, and in fact, parts of the national act were adopted directly from Rhode Island's act; and

WHEREAS, The CRMC, along with its state partners, developed the nation's first nonpoint pollution program, which was emulated by the federal government as a model; and

WHEREAS, In 1983, the CRMC revised the Rhode Island Coastal Resources Management Program (RI CRMP), which zoned Rhode Island waters for various use categories. It is the only coastal program in the United States to have accomplished this specification plan. As a result of this program and other advances that have since become national models, the CRMC is ranked as one of the top two coastal programs in the nation; and

WHEREAS, Since 1983, the CRMC developed and adopted a total of five Special Area Management Plans (SAMPs), and is currently updating its Providence Harbor SAMP/Metro Bay SAMP, which will provide important regional management tools; and

WHEREAS, The CRMC's Special Area Management Plans are recognized by the National Oceanic Atmospheric Administration (NOAA) as the most advanced coastal planning tool currently being used in the nation; and

WHEREAS, The General Assembly has granted the Agency, during its 35 year history, responsibility for investigating and designating rights-of-way to the shore, authority for aquaculture permitting, jurisdiction over freshwater wetlands in the vicinity of the coast, responsibility as the primary agency for coastal habitat restoration and designation as the state's

primary dredging entity among others; and

WHEREAS, The CRMC is recognized as the regional model by the Army Corps for dredging and habitat restoration; and

WHEREAS, During its 35 year existence, the CRMC has demonstrated environmental leadership by prohibiting construction on barrier beaches, establishing water-type classifications in order to protect coastal wetlands, establishing marine reserves, prohibiting structural shoreline protection along the south shore in order to preserve the beaches, and establishing regulations to protect and restore freshwater wetlands; and

WHEREAS, The CRMC has established permit requirements and enforcement mechanisms that are recognized as some of the best in the nation; and

WHEREAS, The CRMC, in conjunction with the Attorney General's Office, successfully defended the Palazzolo Case through appeals that eventually took the case before the United States Supreme Court; and

WHEREAS, The Council initiated the Harbor Management Project in order to survey the state's harbors and develop guidelines that would assist communities in establishing their own harbor management plans. In addition, they established the Habitat Restoration Trust Fund and created the Rhode Island Habitat Restoration Web Portal, a searchable database of the state's restoration projects, in partnership with the Narragansett Bay Estuary Program and Save The Bay; and

WHEREAS, The CRMC has sponsored the publication of the first "Public Access to the Rhode Island Coast" guide and a subsequent updated guide, the "Guide to Coastal Resources Management Council – Designated Rights-of-Way to Greenwich Bay," and the publication "Rhode Island Coastal Resources Management Council: Over 30 years of Accomplishments in Coastal Management"; and

WHEREAS, After 30 years of no dredging in this state, the CRMC worked with its federal partner the Army Corps of Engineers to dredge Providence Harbor, and successfully completed the project on time; and

WHEREAS, The CRMC assumed responsibility for the management of the confined aquatic disposal cells from the Army Corps of Engineers. This has become one of Rhode Island's most valuable marine infrastructure components; and

WHEREAS, The CRMC has been the supervisor and lead non-federal agency for the Providence River, Bullocks and Pawtuxet Coves, Block Island, Point Judith, various dredging projects, and the beach and eelgrass restoration at Ninigret, Winnapaug, Quonochontaug, the Narrow River, Brush Neck Cove in Warwick, Allin's Cove in Barrington, and dunes restoration at Napatree Point; and

WHEREAS, The CRMC is used as an international model by the Coastal Resources Center at URI. As a result of this exposure, the CRMC has hosted numerous coastal program personnel visiting from foreign nations, offered assistance in policy development, and formed partnerships with several of these visiting teams to help develop their own coastal programs; and

WHEREAS, Due to their extensive expertise, the CRMC staff are used as trainers to foreign coastal managers at the Integrated Coastal Management Training Institute, the Coastal Resources Center, and at the University of Rhode Island; and

WHEREAS, There is no other Rhode Island agency that is as specifically designed to seamlessly manage Rhode Island's complex coastal issues as is the CRMC; now, therefore be it

RESOLVED, That this House of Representatives of the State of Rhode Island and Providence Plantations hereby recognizes the importance of protecting Rhode Island's coastal

resources, and when necessary and appropriate, balancing that protection with recreational use and coastal development for the ultimate enjoyment and betterment of all Rhode Islanders; and be it further

RESOLVED, That this House commends the Rhode Island Coastal Resources Management Council for thirty-five years of innovative policy and outstanding programs and accomplishments; and be it further

RESOLVED, That the Secretary of State be and he hereby is authorized and directed to transmit a duly certified copy of this resolution to the Rhode Island Coastal Resources Management Council.

=====

LC01808

=====

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, FEBRUARY 8, 2006:

1 2006-H 6709

BY Mumford

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL
LICENSES

Committee on Corporations recommends passage.

2 2006-S 2112

BY DaPonte

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES

Ordered on the Calendar

Francis P. McCabe
Clerk of the House

Tuesday, February 7, 2006