

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. 34

Wednesday March 29, 2006

Thirty-fourth Day

The House of Representatives meets at the State House in Providence, Wednesday, March 29, 2006 and is called to order at 4:20 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, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williamson, Winfield.

ABSENT – 6: Representatives Carter, McManus, Scott, Voccola, Wasyluk, Williams.

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, March 28, 2006 is approved as printed.

**REPORT OF COMMITTEE
COMMITTEE ON JUDICIARY**

Representative Lally, for the Committee on Judiciary, reports back the following measure, with recommendation of passage:

House Bill No. 7908

BY Lally

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Eileen Lancelotti and Carl Carnevale) {LC2789/1}

03/29/2006 Placed on House Calendar

NEW BUSINESS

House Resolution No. 7940

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2897/1}

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. 7941

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2898/1}

03/29/2006 House read and passed

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. 7942

BY Ginaitt, Anguilla, Fox, Williamson, Murphy

ENTITLED, HOUSE RESOLUTION RECOGNIZING AND HONORING EDWIN H. HASTINGS, ESQ., FOR SIXTY YEARS OF DUTIFUL SERVICE TO TILLINGHAST LIGHT LLP AND THE PEOPLE OF THE STATE OF RHODE ISLAND {LC2919/1}

Representative Ginaitt requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ginaitt seconded by Representatives Anguilla, Watson, Kilmartin by unanimous consent, on a voice vote.

With the agreement of the Majority and the Minority, Representative Ehrhardt requests to place (06-H 7943) on tomorrow's Calendar. There is no objection.

House Resolution No. 7943

BY Ehrhardt, Rose

ENTITLED, HOUSE RESOLUTION PROCLAIMING APRIL, 2006 AS "PARKINSON'S DISEASE AWARENESS MONTH" IN THE STATE OF RHODE ISLAND {LC2908/1}

03/29/2006 Placed on House Calendar

House Resolution No. 7944

BY Fox

ENTITLED, HOUSE RESOLUTION PROCLAIMING THE WEEK OF APRIL 1-8, 2006 TO BE "ARCHITECTURE WEEK" IN THE STATE OF RHODE ISLAND {LC2926/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 7945

BY McNamara, Naughton, Gemma, Flaherty

ENTITLED, HOUSE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF ANNA M. PRIOR {LC2883/1}

Representative McNamara requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative McNamara seconded by Representatives Naughton, Gemma, Flaherty, Giannini, Ginaitt, Landroche and Williamson by unanimous consent, on a voice vote.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2871 as amended

BY Badeau

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES (in addition to a regular registration plate, a special
registration plate for the private passenger motor vehicle of each former speaker of the house of
representatives and of each former majority leader of the senate and each president of the senate)
{LC2389/1}

03/29/2006 Referred to House Finance

Senate Bill No. 2678

BY Ruggerio, Paiva-Weed, Goodwin, Ciccone, McCaffrey

ENTITLED, AN ACT RELATING TO REGISTRATION OF VEHICLES (special license
plates for Rotary International members who reside in Rhode Island) {LC170/1}

03/29/2006 Referred to House Finance

Senate Bill No. 2019

BY Tassoni, Paiva-Weed, Sosnowski

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES (special motor vehicle registration plate representing the
Audubon Society of Rhode Island and Save the Bay) {LC198/1}

03/29/2006 Referred to House Finance

Senate Bill No. 2275

BY Alves, Raptakis

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DISTRESSED AREAS ECONOMIC REVITALIZATION ACT {LC1418/1}

03/29/2006 Referred to House Finance

Senate Bill No. 2081

BY Blais

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- SPECIAL REGISTRATION
PLATE -- COVENTRY -- POLICE CHIEF EMERITUS (special registration plate for former
Coventry police chief, Bruce Germani.) {LC265/1}

03/29/2006 Referred to House Finance

Senate Bill No. 2269

BY Polisen, Damiani, McCaffrey, Sosnowski, Issa

ENTITLED, AN ACT RELATING TO CIVIL RIGHTS OF PEOPLE WITH DISABILITIES
(complaint with the governors commission on disabilities) {LC1275/1}

03/29/2006 Referred to House H.E.W.

Senate Bill No. 2016

BY Walaska, Bates, Issa, Damiani, McCaffrey

ENTITLED, AN ACT RELATING TO REGISTRATION OF VEHICLES -- VETERANS'
PLATES (allow veterans' of a number of conflicts to be issued additional veterans' plates for
other vehicles they own) {LC203/1}

03/29/2006 Referred to House Veterans Affairs

Senate Bill No. 2121**BY** Ciccone, Badeau, Walaska, Lanzi, DaPonte**ENTITLED**, AN ACT RELATING TO PARKING FACILITIES AND PRIVILEGES

{LC1030/1}

03/29/2006 Referred to House Judiciary

Senate Bill No. 2416 (State Police)**BY** Blais, Breene**ENTITLED**, AN ACT RELATING TO COMMERCIAL TRANSACTION (violation of the laws of the United States) {LC1324/1}

03/29/2006 Referred to House Judiciary

House Bill No. 6752 as amended**BY** Coderre E, Crowley, Kilmartin, Davey, Naughton**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER RESOURCES BOARD (amend the composition) {LC335/1}

03/29/2006 Referred to House Separation of Powers

House Bill No. 6749 as amended**BY** Coderre E, Crowley, Kilmartin, Davey, Gallison**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS -- EDUCATION (boards relating to education) {LC333/1}

03/29/2006 Referred to House Separation of Powers

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, MARCH 29, 2006:**1 2006-H 7679 SUB A****BY** Watson**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, March 30, 2006.

2 2006-H 7804**BY** Fox**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT - INSURANCE BENEFITS - PERSONAL INCOME TAX

Committee on Finance recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, March 30, 2006.

3 2006-H 6754 SUB A**BY Coderre E****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

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

Representative Coderre moves passage of the act, seconded by Representatives Gemma and Gallison.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, 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, Amaral, Anguilla, Brien, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Loughlin, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williamson, Winfield.

NAYS - 0.

4 2006-H 7389 SUB A**BY Caprio D****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ADVISORY
COMMISSION ON HISTORICAL CEMETERIES**

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

Representative Coderre moves passage of the act, seconded by Representatives Gemma, Jacquard, Ajello, Lally, Slater and Williamson.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Loughlin, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williamson, Winfield.

NAYS - 0.

5 2006-H 7515**BY Davey****ENTITLED,** AN ACT RELATING TO EDUCATION -- ADULT EDUCATION COMMISSION

Committee on Separation of Powers recommends passage.

Representative Davey moves passage of the act, seconded by Representative Coderre.

Read and passed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williamson, Winfield.

NAYS - 0.

6 2006-S 2199**BY Sosnowski****ENTITLED,** JOINT RESOLUTION RELATING TO RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT JOINT RESOLUTIONS

Committee on Finance recommends passage in concurrence.

Representative Shanley moves passage of the act, seconded by Representatives Lally, Williamson and Lewiss.

Read and passed, in concurrence, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Williamson, Winfield.

NAYS - 0.

7 2006-S 2740 SUB A**BY Lenihan****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

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

Representative Coderre moves passage of the act, seconded by Representatives Ucci and Kilmartin.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Church, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williamson, Winfield.

NAYS - 0.

8 2006-S 2826 SUB A**BY Connors****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

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

Representative Coderre moves passage of the act, seconded by Representatives Brien, Landroche and Moran.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williamson, Winfield.

NAYS - 0.

9 2006-S 2592 as amended**BY Lenihan****ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- MUNICIPAL EMPLOYEES BENEFITS**

Committee on Separation of Powers recommends passage as amended in concurrence.

Representative Coderre moves passage of the act, seconded by Representatives Williamson and Kilmartin.

Read and passed, as amended, in concurrence, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Trillo, Ucci, Winfield.

NAYS - 0.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith.

ANNOUNCEMENTS

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 McNamara announces that the Committee on Health, Education and Welfare will meet today, at the rise of the House, in Room 135 of the State House.

Representative Faria announces that the Committee on Labor will meet today, at the rise of the House, in Room 201 of the State House.

Representative Corvese wishes Mary Black, his legislative secretary, a Happy 50th Birthday.

Representative Williamson wishes his father, James A. Williamson, a Happy 68th Birthday, along with the Honorable Speaker Murphy.

ADJOURNMENT

At 4:37 o'clock P.M. on motion of Representative Shanley, and as a further mark of respect to the memory of Ann T. Kane; on motion of Representative Mumford, and as a further mark of respect to the memory of Joan King; 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

Lord may it be Thy will, not our own, which governs our deliberations this day. Amen

APPENDIX

TRANSMITTED TO THE GOVERNOR

House Bill No. 6754 SUB A

BY Coderre E, Crowley, Kilmartin, Davey, Gallison

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from certain boards and commissions in accord with the recent amendments to the state constitution/also amend reporting requirements for these boards and commissions) {LC332/1/A}

Senate Resolution No. 2199

BY Sosnowski, Alves, Paiva-Weed, Revens, Lenihan

ENTITLED, JOINT RESOLUTION RELATING TO RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT JOINT RESOLUTIONS {LC1008/1}

Senate Bill No. 2592 as amended

BY Lenihan

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- MUNICIPAL EMPLOYEES BENEFITS (reconfigure the state comprehensive planning board) {LC1823/1}

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, MARCH 30, 2006:

1 2006-H 7679 SUB A**BY Watson**

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES
Committee on Finance recommends indefinite postponement of the original bill and
passage of Substitute A.

2 2006-H 7804**BY Fox**

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT
- INSURANCE BENEFITS - PERSONAL INCOME TAX
Committee on Finance recommends passage.

3 2006-H 7943**BY Ehrhardt**

ENTITLED, HOUSE RESOLUTION PROCLAIMING APRIL, 2006 AS
"PARKINSON'S DISEASE AWARENESS MONTH" IN THE STATE
OF RHODE ISLAND

Ordered on the Calendar

IN ORDER FOR TUESDAY, APRIL 4, 2006:

1 2006-H 7209**BY Costantino**

ENTITLED, AN ACT RELATING TO TAXATION -- PUBLIC SERVICE
CORPORATION TAX

Committee on Finance recommends passage.

2 2006-H 7908**BY Lally**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
Committee on Judiciary recommends passage.

Francis P. McCabe
Clerk of the House

Wednesday, March 29, 2006