

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 fourth day of January in the year of Our Lord two thousand and five.

Volume 132, No. 49

Wednesday May 18, 2005

Forty-ninth Day

The House of Representatives meets at the State House in Providence, Wednesday, May 18, 2005 and is called to order at 4:23 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 75 members present and 0 members absent as follows:

PRESENT - 75: 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, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Waslyk, Watson, Williams, Williamson, Winfield.

ABSENT – 0.

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 Tuesday, May 17, 2005 is approved as printed.

NEW BUSINESS**House Resolution No. 6502****BY** Gallison**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$418.49 TO PAY THE CLAIM OF MARIANO A. LEITE OF 22 FERNWOOD ROAD, BRISTOL, RHODE ISLAND 02809 {LC3309/1}

05/18/2005 Introduced, referred to House Finance

House Bill No. 6503**BY** Ucci, Moran, Winfield, Petrarca, Brien T**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- COMMITTEES AND STAFF (doorkeepers and pages of the general assembly would not receive less than minimum wage) {LC3326/1}

05/18/2005 Introduced, referred to House Finance

House Resolution No. 6504**BY** Slater, Costantino, Lewiss, McNamara, Williams**ENTITLED**, HOUSE RESOLUTION CELEBRATING COMMUNITY HEALTH CENTER DAY {LC3314/1}

Representative Slater requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Slater seconded by Representatives Naughton, Giannini, Ginaitt, Melo, Flaherty, Fox, Moura, and Sullivan by unanimous consent, on a voice vote.

House Resolution No. 6505**BY** Lewiss, Kennedy, Kilmartin, O'Neill, Melo**ENTITLED**, HOUSE RESOLUTION CELEBRATING "NEIGHBOR DAY" ON MAY 22, 2005 IN THE STATE OF RHODE ISLAND AND MEMORIALIZING THE UNITED STATES CONGRESS TO ENACT SIMILAR LEGISLATION THROUGHOUT THE UNITED STATES {LC3323/1}

Representative Lewiss requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Lewiss seconded by Representatives Shanley, McHugh, Kennedy, McNamara, Gallison, and several other members of the House 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. 732 (Governor)

BY Blais

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- RHODE ISLAND UNIFORM COMMERCIAL DRIVER'S LICENSE ACT {LC1573/1}

05/18/2005 Referred to House Corporations

Senate Bill No. 55 SUB A

BY Issa, Gallo, Perry, Felag, Tassoni

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES' HIGHER EDUCATION ADOPTEE GRANT (children adopted through foster care in RI eligible for a Higher Education Opportunity Incentive Grant) {LC57/2/A}

05/18/2005 Referred to House Finance

Senate Bill No. 243 SUB A

BY McCaffrey, Ruggiero

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (permit bidders, offerors, or contractors to be entitled to a hearing and ability to appeal) {LC1197/1/A}

05/18/2005 Referred to House Finance

Senate Bill No. 105

BY Montalbano J

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES (suspending or revoking an individual's driving license in cases where an underage person possesses alcoholic beverages within a motor vehicle) {LC747/1}

05/18/2005 Referred to House Judiciary

Senate Bill No. 985 SUB A as amended

BY Tassoni, Polisena, Goodwin, McCaffrey, Ruggiero

ENTITLED, AN ACT RELATING TO EDUCATION (require coaches to complete a coaching education program regarding performance enhancing dietary supplements) {LC2906/1/A}

05/18/2005 Referred to House H.E.W.

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, MAY 18, 2005:

1 2005-H 6249**BY Flaherty****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES**

Committee on Corporations recommends passage.

Representative Flaherty moves passage of the act, seconded by Representatives Kilmartin and Kennedy.

Representative Flaherty, seconded by Representative Kilmartin offers a written motion to amend.

F L O O R A M E N D M E N T
T O
2005 -- H 6249

AN ACT RELATING TO ALCOHOLIC BEVERAGES

Mr. Speaker:

I hereby move to amend 2005 -- H 6249, entitled "AN ACT RELATING TO ALCOHOLIC BEVERAGES", as follows:

(1) On page 1, line 18, by deleting the word "limited" and inserting in place thereof the word "prohibited".

Respectfully submitted,

REPRESENTATIVE FLAHERTY

The motion to amend prevails 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, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Loughlin, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williamson.

NAYS - 0.

Read and passed, as amended, 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, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McCauley, McHugh,

McManus, McNamara, Melo, Menard, Moffitt, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Trillo, Ucci, Voccola, Wasyluk, Watson, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Diaz requests the journal to reflect that if she had voted on (05-H 6249aa), she would have voted in the affirmative.

2 2005-H 5327

BY Lally

ENTITLED, AN ACT RELATING TO RESIDENTIAL LANDLORD AND TENANT

Committee on Judiciary recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 24, 2005.

3 2005-H 5816 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.

Representative Coderre moves passage of the act, seconded by Representatives Crowley, Gallison, Naughton, Kennedy, and Kilmartin.

Representative Crowley, seconded by Representatives Ginaitt, Kilmartin, and Gemma offers Representative Coderre's written motion to amend.

F L O O R A M E N D M E N T T O 2005 -- H 5816 SUBSTITUTE A

AN ACT RELATING TO SEPARATION OF POWERS

Mr. Speaker:

I hereby move to amend 2005 -- H 5816 SUBSTITUTE A, entitled "AN ACT RELATING TO SEPARATION OF POWERS", as follows:

(1) On page 3, line 16, by deleting the language "two (2) of whom shall be recommended by the Rhode Island Agricultural,".

(2) On page 3, line 16, by deleting the words "of which".

(3) On page 3, line 17, by deleting the word "one" and inserting the word "One".

(4) On page 3, line 17, by inserting the following words after the word "One": "public

member".

(5) On page 3, line 18, by inserting the following language after the period ".": "The director of the department of environmental management shall give due consideration to the recommendation."

(6) On page 3, line 22, by deleting the language "; and two (2) of whom shall be recommended by the state conservation committee, of".

(7) On page 3, line 23, by deleting the word "which".

(8) On page 3, line 23, by deleting the word "one" and inserting the word "One".

(9) On page 3, line 23, by inserting the words "public member" after the word "One".

(10) On page 3, line 23, by inserting the following language after the period ".": "The director of the department of environmental management shall give due consideration to the recommendation of the state conservation committee for this appointment and one other public member."

(11) On page 4, line 9, by adding the letter "a" after the word "constitute".

(12) On page 9, line 4, by reinserting the deleted language "who shall serve as chairperson".

(13) On page 10, line 8, by deleting the words "Upon passage of this act the board shall elect from among its members a chair."

(14) On page 10, line 9, by deleting the words "Thereafter, the board shall annually elect in February a chair from among the members."

(15) On page 16, line 18 by reinserting the deleted language "four (4)" and by deleting the language "five (5)".

(16) On page 17, line 9, by reinserting the deleted language "and qualified".

(17) On page 17, by deleting lines 22 through 25.

(18) On page 17, line 26, by deleting the language "conduct of its business."

(19) On page 21, line 18, by inserting the following language after the period ".": "The directors of the department of administration shall appoint one member of the council to be the chairperson of the council. The council may elect from among its members such other officers as it deems necessary."

(20) On page 23, line 19, by deleting the word "for/r" and inserting in place thereof the word "for".

(21) On page 24, by deleting lines 1 through 4.

(22) On page 24, line 22, by deleting the language "two (2) of whom shall be recommended by the Rhode Island".

(23) On page 24, line 23, by deleting the language "Marine Trade Association,".

(24) On page 24, line 26, by inserting the following language after the period ".": "The governor shall give due consideration to the recommendation of the Rhode Island Marine Trade Association for the two remaining public members."

(25) On page 24, line 26, by reinserting the deleted language "The governor shall appoint the".

(26) On page 24, line 27, by reinserting the deleted language "chairperson of the steering committee from among the public members."

(27) On page 24, line 27, by inserting the following language immediately after the reinserted language stated in number 26 above: "The steering committee may elect from among its members such other officers as it deems necessary."

(28) On page 26, line 33, by deleting the word "Chair".

(29) On page 26, line 33, by deleting the words "Upon the passage".

(30) On page 26, by deleting line 34.

(31) On page 27, by deleting line 1.

(32) On page 27, line 2, by deleting the language "committee may elect from among the members such other officers as it deems necessary."

Respectfully submitted,

REPRESENTATIVE CODERRE

Representatives Gorham, Coderre, Watson, and Kilmartin discuss the amendment.

Representative Kilmartin rises on a point of order for Representative Gorham to speak germane to the amendment. The Honorable Speaker rules for Representative Gorham to speak to the amendment.

Representatives Gorham, Coderre, Watson, and Menard continue discussion on the amendment.

The motion to amend prevails on a roll call vote 59 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Shanley, Slater, Smith, Sullivan, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 15: Representatives Amaral, Davey, Ehrhardt, Gorham, Long, Loughlin, McManus, Moffitt, Mumford, Savage, Scott, Singleton, Story, Trillo, Watson.

Representative Coderre, seconded by Representatives Ginaitt, Naughton, Kilmartin, Gemma Moura, and Carter offers a written motion to amend.

F L O O R A M E N D M E N T
T O
2005 -- H 5816 SUBSTITUTE A

AN ACT RELATING TO SEPARATION OF POWERS

Mr. Speaker:

I hereby move to amend 2005 -- H 5816 SUBSTITUTE A, entitled "AN ACT RELATING TO SEPARATION OF POWERS", as follows:

1. On page 1, line 6, by deleting the word and figure "five (5)" and inserting in place thereof, the word and figure "seven (7)".

2. On page 1, line 10, by inserting after the word "districts" the following language, "two

(2) members appointed by the governor, who shall give due consideration to recommendations respectively of the Rhode Island League of Cities and Towns and the Rhode Island Association of Land Trusts".

3. On page 2, line 22, after the first group of initials "USDA" by adding the following language "Natural Resource Conservation Service,".

4. On page 2, line 22, after the second set of initials "USDA" by adding the following language "Farm Services Agency".

5. On page 3, line 13, after the words "College of" by deleting the words "Natural Resources" and inserting in place thereof the words "the Environment and Life Sciences".

6. On page 3, line 16, after the word "Agricultural" by inserting the word "Council".

7. On page 4, line 29, by deleting the word and figure "three (3)" and inserting in place thereof the word and figure "four (4)".

8. On page 4, line 30, by deleting the word and figure "three (3)" and inserting in place thereof the word and figure "four (4)".

Respectfully submitted,

REPRESENTATIVE CODERRE

Representatives Gorham and Watson discuss the amendment.

The motion to amend prevails on a roll call vote 48 members voting in the affirmative and 23 members voting in the negative as follows:

YEAS - 48: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, McCauley, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Shanley, Slater, Sullivan, Ucci, Williams, Williamson, Winfield.

NAYS - 23: Representatives Amaral, Brien, Caprio, Davey, DeSimone, Ehrhardt, Gorham, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Mumford, Savage, Scott, Singleton, Smith, Story, Trillo, Wasyluk, Watson.

Representatives Trillo, Coderre and Gorham discuss the act, as amended.

Representative Gorham, seconded by Representatives Watson and Mumford offers a written motion to amend.

**FLOOR AMENDMENT
TO
2005 -- H 5816 SUBSTITUTE A**

AN ACT RELATING TO SEPARATION OF POWERS

Mr. Speaker:

I hereby move to amend 2005 -- H 5816 SUBSTITUTE A, entitled "AN ACT AN ACT RELATING TO SEPARATION OF POWERS", as follows:

(1) On page 1, line 8 by deleting the language after the word "management" up through line 10 ending with the word "districts".

(2) On page 1, line 10 by deleting the word "one" and inserting in place thereof the word and numeral "five (5)".

(3) On page 1, line 11 by adding an "s" to the word "member"

(4) On page 1, line 16 by deleting the word "District" up through the word "designees" and inserting the words "Public members" in place thereof.

(5) On page 1, line 17 by inserting the word "and" after the word "years" and deleting the language "by the district board of directors at their annual meeting and the state committee shall be notified of the results of this election at least thirty (30) days prior to the expiration of the term of office. State committee members".

(6) On page 3, line 6, by deleting the word "the" after the word and punctuation "members:" through the word "by" on line 7.

(7) On page 3, line 8 after the word "management" by inserting the words and punctuation "or designee, who shall be a subordinate within the department of environmental management".

(8) On page 3, line 10 by deleting the word "the" through the word and figure "four (4)" on line 14 and adding the word and figure "ten (10)" before the word "public".

(9) On page 3, line 16 by deleting the language on lines 16 and 17 through the numeral "44" on line 18 and inserting the following language after the word and punctuation "management." on line 15: "In making such appointment, the director of department of environmental management shall give due consideration to the following qualifications: knowledge and experience in: conservation, land preservation tax assessment, forests, environment, agriculture, natural resources, land trusts, and academic appointments" in place thereof.

(10) On page 3, line 22, by deleting the word "and" through the word "trust" on line 23.

(11) On page 5, line 6 by inserting the word "Public" before the word "Members" and change the word "Members" to "members".

(12) On page 5, line 6 by deleting the words "be removable by the" and inserting the words "serve at the pleasure of the".

(13) On page 5, line 7 by deleting from the word "for" through the word "proceedings" on line 15.

(14) On page 8, line 30 delete the words "A Rhode Island licensed veterinarian" and insert the words and figure "Five (5) members of the public" in place thereof.

(15) On page 8, line 31 delete the words "is a member of the Rhode Island Veterinary medical association" and insert "shall give due consideration to the following qualifications: knowledge and experience in veterinary medicine, livestock farming, humane treatment of animals, and animal control and policing".

(16) On page 8, lines 33 and 34 delete subsection (4) in its entirety.

(17) On page 9, lines 1 through 8 delete subsections 5, 6, and 7 in their entirety.

(18) On page 9, line 30, delete the words "be removable by" and insert the words "serve at the pleasure of" in place thereof.

(19) On page 9, line 31 delete the word "for" after the word "management" through the end of line 34 and on page 10, line 1, through the word "proceedings" on line 5.

(20) On page 13, by deleting lines 9 through 12, beginning with the word "one" after the word "appoint" and ending with the word and punctuation "regard,".

(21) On page 13, line 9 after the word "appoint" insert the language "nine (9) members of the public".

(22) On page 13, line 12 before the word "among" insert the language "In making such appointments the director shall give due consideration".

(23) On page 13, line 13 after the word "control" by deleting the period "." and inserting thereafter the language "chemistry, biology, entomology, medicine, conservation, and environmental protection throughout the state."

(24) On page 16, line 17 by deleting the word "the".

(25) On page 16, by deleting all of line 18.

(26) On page 16, line 19 by inserting the language "and seven (7) before the word "members".

(27) On page 16, line 22 by deleting the language beginning with the word "The".

(28) On page 16, by deleting all of lines 23 and 24.

(29) On page 16, line 25 by deleting the language up through the word "members".

(30) On page 16, line 32, by deleting the word "governor".

(31) On page 16, line 34 by deleting the word "one" after the word and punctuation "appointed," and inserting in place thereof the word and numeral "two (2)".

(32) On page 16, line 34 by deleting the word "one" after the word and punctuation "appointed," and inserting in place thereof the words and numeral "two (2) years".

(33) On page 24, line 15, by deleting the word "associate" and also the words "for planning".

(34) On page 24, line 16 by deleting the word "associate".

(35) On page 24, line 17 by deleting the language "the executive".

(36) On page 24, by deleting lines 18 and 19.

(37) On page 24, line 20 by deleting all of the language up through the word and numeral "seven (7)".

(38) On page 24, line 20, by inserting the word and numeral "ten (10)" before the word "public".

(39) On page 24, line 22 by deleting all of the language after the word "senate".

(40) On page 24, by deleting lines 23 through 25.

(41) On page 24, line 26 by deleting the language up through the word "equipment".

(42) On page 24, line 22 after the word "senate" by inserting the following language and punctuation: ". In making such appointments, the governor shall give due consideration to qualification, knowledge and experience with marine trades, boat and ship building, marina operation, finance and banks and high technology marine equipment."

(43) On page 27, by deleting the language "members" on line 8 and deleting the language and punctuation through "proceedings." on line 16, and by inserting the wording "All public members shall serve at the pleasure of the governor." in place thereof.

(44) On page 27, line 24 by deleting the word and numeral "two (2) and by inserting in place thereof the word and numeral "three (3)".

(45) On page 27, lines 25 and 26 by deleting the words "one shall be a licensed pilot with five (5) years" and by inserting in place thereof "the governor shall give due consideration to".

(46) On page 27, line 26 by deleting the word "and" through the word "and" on line 29, and by inserting the following language and punctuation in place thereof "licenses held, if any,

and law enforcement experience, if any." in place thereof after the word "state" on line 26.

(47) On page 27, line 29 by deleting the word "the" after the word "and" and inserting in place thereof the word "The".

(48) On page 27, line 30 by inserting the word "an" after the language "shall serve as" and by deleting the word "members" and inserting in place thereof the word "member".

(49) On page 28, line 15 by deleting the words "be removable by" and by inserting in place thereof the words "serve at the pleasure of".

(50) On page 28, line 15 by deleting the word "for" through the word "proceedings" on line 22.

(51) On page 33, line 6 by deleting the word "one" through the word "who" on line 12, and by inserting the following language and punctuation in place thereof on line 6: "and in making such appointments the governor shall give due consideration to the following: knowledge, experience, and qualifications in commerce and business, land preservation and conservation, environmental science, planning, law, water resources, coastal resources and municipal issues."

(52) On page 33, line 15 by deleting the word "one" through the word and punctuation "council;" on line 17.

(53) On page 33, line 21 by deleting the word and punctuation "; and" through the word "designee" on line 22.

(54) On page 37, line 16 by inserting the word and punctuation "Public. –" after the words and punctuation "Removal of members –".

(55) On page 37, line 16 by deleting the word "be" through the word "proceedings" on line 24 and by inserting the words and punctuation "serve at the pleasure of the governor." in place thereof after the word "shall" on line 16.

Respectfully submitted,

REPRESENTATIVE GORHAM

Representative Gorham discusses the amendment.

The motion to amend fails on a roll call vote 23 members voting in the affirmative and 47 members voting in the negative as follows:

YEAS - 23: Representatives Amaral, Brien, Caprio, Davey, DeSimone, Ehrhardt, Giannini, Gorham, Laroche, Loughlin, McCauley, McManus, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Ucci, Wasylyk, Watson, Winfield.

NAYS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Malik, McHugh, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Shanley, Slater, Smith, Sullivan, Williams.

REQUEST

Representative Long requests the journal to reflect that if he had voted on Representative Gorham's amendment to (05-H 5816 SUB Aaa), he would have voted in the affirmative.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 57 members voting in the affirmative and 16 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, Dennigan, DeSimone, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Shanley, Slater, Smith, Sullivan, Ucci, Wasyluk, Williams.

NAYS - 16: Representatives Amaral, Davey, Ehrhardt, Gorham, Long, Loughlin, McManus, Moffitt, Mumford, Savage, Scott, Singleton, Story, Trillo, Watson, Winfield.

Representative Watson requests to hold Calendar item # 3 (05-H 5816 SUB Aaa) on the desk. There is no objection.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith, with the exception of (05-H 5816 SUB Aaa)

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 Diaz 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 Flaherty announces that the Committee on Judiciary will meet today, at the rise of the House, in Room 313 of the State House.

The Honorable Speaker wishes Representative Jacquard a Happy Birthday.

Representative Jacquard congratulates Maria Aberger, a House Page, on winning an election for Vice President of her Senior Class at LaSalle Academy.

Representative Gallison announces the following pages made the National Honor Society from LaSalle Academy: Tom Habershaw-Senior, Marie Aberger-Senior, and Nicholas Distaolo-Junior. Robert Vittoria made the National Honor Society at Mt. Hope High School.

The Honorable Speaker presents James Robert Vittoria with a citation for receiving the Eagle Scout Award, from Troop 2 in Bristol. The Honorable Speaker also announces James is not only a House Page, but also a member of both the National Honor Society and the National Art Society, he earned letters as a member of cross country indoor and outdoor track, is an executive board member and a member of the marching band. The Speaker congratulates James Robert on all his accomplishments.

GUESTS

Representatives Slater, Giannini, Dennigan, Carter, Long, Williams, Moura and Caprio welcome to the House Chamber as guests the Directors of the Rhode Island Health Center Association as follows: Charlotte Taylor-Bayside Family Healthcare, Inc., North Kingstown; Louise Ornstein, Executive Director, Alice Brown, Board Chair-Chad Brown Health Services, Providence; William Hochstrasser-Walsh, Executive Director-Comprehensive Community Action Program/Family Health Services, Cranston, Warwick; Dennis Roy, Executive Director-East Bay Community Action Program, Newport; Peter Bancroft, President, CEO-Northwest Health Center, Pascoag; Merrill Thomas, President, CEO, Mary Jones, Board Chair-Providence Community Health Center, Providence; Maria Montanaro, President, CEO-Thundermist Health Centers, Woonsocket/West Warwick.

Representative Moura welcome to the House as a guest Fred Peirira.

ADJOURNMENT

At 5:31 o'clock P.M. on motion of Representative Corvese, and as a further mark of respect to the memory of Navio Bianchi; on motion of Representative Moran, and as a further mark of respect to the memory of Jackie Arteaga; on motion of Representative Pacheco and as a further mark of respect to the memory of Raymond Burlingame; on motion of Representative Carter, and as a further mark of respect to the memories of Shirley Nicholas and Donald "Bud" Downey; 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

Almighty God, whose statutes are good and gracious and whose law is truth, grant that we may enact only such just and equitable laws as are pleasing to thee. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, MAY 19, 2005:

1 2005-H 5640**BY Lewiss****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES - UNDERAGE POSSESSION

Committee on Judiciary recommends passage.

2 2005-H 5305**BY Ginaitt****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- SALE OF WATER

Committee on Corporations recommends passage.

3 2005-H 5911 SUB A**BY Ginaitt****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY REDUCTION AND EDUCATION ACT

Committee on Environment and Natural Resources recommends indefinite postponement of the original bill and passage of Substitute A.

4 2005-H 6430**BY Malik****ENTITLED,** AN ACT RELATING TO VETERANS' AFFAIRS

Ordered on the Calendar

5 2005-H 5717**BY Malik****ENTITLED,** AN ACT RELATING TO LABOR RELATIONS ACT

Committee on Labor recommends passage.

6 2005-H 5850**BY Moura****ENTITLED,** AN ACT RELATING TO LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage.

7 2005-H 5650**BY Moura****ENTITLED,** AN ACT RELATING TO EMPLOYMENT OF WOMEN AND CHILDREN

Committee on Labor recommends passage.

8 2005-H 5649 SUB A**BY Moura****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT OF WOMEN AND CHILDREN

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

IN ORDER FOR TUESDAY, MAY 24, 2005:**1 2005-H 5327****BY Lally****ENTITLED,** AN ACT RELATING TO RESIDENTIAL LANDLORD AND TENANT

Committee on Judiciary recommends passage.

2 2005-H 5089 SUB A**BY Gallison****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

IN ORDER FOR WEDNESDAY, MAY 25, 2005:**1 2005-H 5349****BY Anguilla****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST

Committee on Judiciary recommends passage.

2 2005-H 5316 SUB A**BY O'Neill****ENTITLED,** AN ACT RELATING TO THE PUBLIC UTILITIES AND CARRIERS

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

3 2005-H 6160**BY Faria****ENTITLED,** HOUSE RESOLUTION CREATING A SPECIAL HOUSE
COMMISSION TO STUDY AUTO BODY AND SALVAGE SHOPS

Committee on Labor recommends passage.

4 2005-H 5627 SUB A**BY Lima****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLESCommittee on Judiciary recommends indefinite postponement of the original bill and
passage of Substitute A.**IN ORDER FOR THURSDAY, MAY 26, 2005:****1 2005-H 5759 SUB A****BY Kilmartin****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
SUNDAY BUSINESSCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**2 2005-H 6192****BY Jacquard****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE
DISPOSAL

Committee on Environment and Natural Resources recommends passage.

IN ORDER FOR TUESDAY, MAY 31, 2005:**1 2005-H 6167****BY Kilmartin****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
CERTIFICATES OF TITLE AND SECURITY INTERESTS

Committee on Corporations recommends passage.

Louis D'Antuono
Clerk of the House

Wednesday, May 18, 2005