

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. 2

Wednesday, January 4, 2006

Second Day

The House of Representatives meets at the State House in Providence, Wednesday, January 4, 2006 and is called to order at 4:10 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

PRESENT - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Watson, Williams, Williamson, Winfield.

ABSENT – 5: Representatives Church, Landroche, Menard, Singleton, Wasylyk.

INVOCATION

The Honorable Speaker presents Representative Gallison 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 Journals of Tuesday, January 3, 2006 are approved as printed.

ANNOUNCEMENT

Representative Rene Menard will be unable to attend session Wednesday, January 4, 2006 due to an illness.

NEW BUSINESS**House Bill No. 6702**

BY San Bento, Williamson, Kennedy

ENTITLED, AN ACT RELATING TO THE RHODE ISLAND JUSTICE COMMISSION (changes in composition) {LC175/1}

01/04/2006 Introduced, referred to House Separation of Powers

House Bill No. 6703

BY Naughton, Slater, Diaz, Coderre E

ENTITLED, AN ACT RELATING TO HUMAN SERVICES AND PUBLIC MEDICAL ASSISTANCE (report identifying all employers who employ 25 or more persons who are beneficiaries of state funded public health, or who support beneficiaries of these programs) {LC31/1}

01/04/2006 Introduced, referred to House Finance

House Bill No. 6704

BY Almeida, Diaz, Slater

ENTITLED, AN ACT RELATING TO TAX SALES (property is residential and contains less than four units and is subject to a tax sale, the RIHMFC would have the right of first refusal to acquire the tax lien) {LC249/1}

01/04/2006 Introduced, referred to House Finance

House Bill No. 6705

BY Rice, Crowley, Jackson

ENTITLED, AN ACT TAXATION-PROPERTY SUBJECT TO TAXATION (exempt from taxation houses/land in Middletown, owned by or held in trust for any religious organization and actually used by its officiating clergy) {LC45/1}

01/04/2006 Introduced, referred to House Finance

House Bill No. 6706

BY Crowley, Jackson, Rice, Malik

ENTITLED, AN ACT RELATING TO RECREATIONAL AREAS - GENERAL PROVISIONS (name the Rugby field at Fort Adams State Park the Joseph 'Jay' P. Kirwin Rugby Pitch Field) {LC353/1}

01/04/2006 Introduced, referred to House Finance

House Bill No. 6707

BY Caprio D, Lally, McHugh, DeSimone, Shanley

ENTITLED, AN ACT RELATING TO PARKS AND RECREATIONAL AREAS (prohibit camping at Scarborough State Beach) {LC447/1}

01/04/2006 Introduced, referred to House Finance

House Bill No. 6708**BY** Long**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF A. CAPUANO BROS. INC {LC127/1}

01/04/2006 Introduced, referred to House Corporations

House Bill No. 6709**BY** Mumford**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES (add the town of Scituate to the municipalities authorized to prohibit the issuance of Class C liquor licenses) {LC27/1}

01/04/2006 Introduced, referred to House Corporations

House Bill No. 6710**BY** Naughton, Kennedy, Coderre E, Shanley, Lally**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS (provide credit card and cellular telephone customers a limited liability of \$50 in cases of disputed credit transactions or lost or stolen credit cards or cellular telephones) {LC148/1}

01/04/2006 Introduced, referred to House Corporations

House Bill No. 6711**BY** Kennedy, Moura, Lewiss, Lally, Shanley**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- MUNICIPAL EMPLOYEES RESIDENCY (impose residency/appointed managers and/or administrators through employment contracts) {LC12/1}

01/04/2006 Introduced, referred to House Corporations

House Bill No. 6712**BY** Winfield, Petrarca**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Jennifer Marie Jagdmman may join Jill Costantino and Jon William Charland) {LC193/1}

01/04/2006 Introduced, referred to House Judiciary

House Bill No. 6713**BY** Trillo**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Richard R. Nathan may join Tara M. Nathan and Machiste Rankin) {LC301/1}

01/04/2006 Introduced, referred to House Judiciary

House Resolution No. 6714**BY** Gallison, Anguilla**ENTITLED**, HOUSE RESOLUTION CONGRATULATING JUSTIN P. TEIXEIRA ON ATTAINING THE RANK OF EAGLE SCOUT {LC356/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Anguilla, Ucci, Moffitt, and Watson by unanimous consent, on a voice vote.

House Resolution No. 6715

BY Gallison, Anguilla

ENTITLED, HOUSE RESOLUTION CONGRATULATING TERENCE WRIGHT ON ATTAINING THE RANK OF EAGLE SCOUT {LC250/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Anguilla, Malik, Rice, Ucci, Moffitt and Watson by unanimous consent, on a voice vote.

House Resolution No. 6716

BY McNamara, Trillo, McManus, Watson, Lewiss

ENTITLED, HOUSE RESOLUTION REINSTATING THE LIFE OF AND EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL HOUSE COMMISSION TO STUDY RHODE ISLAND AIRPORT CORPORATION'S MANAGEMENT AND GOVERNANCE OF RHODE ISLAND'S AIRPORTS {LC230/1}

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, Trillo and many other members of the House by unanimous consent, on a voice vote.

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

The Honorable Speaker announces the receipt of the following communication:

January 3, 2006

The Honorable William J. Murphy
Speaker of the House of Representatives
323 State House
Providence, RI 02903

Dear Mr. Speaker:

I would respectfully request to have it entered into today's Journal of the House of Representatives that if I were present I would have voted to sustain governor Donald Carcieri's veto to both House bill 2005-H 6052, Substitute A, As Amended, and Senate bill 2005-S 710, Substitute B.

Sincerely,

Rene R. Menard
Representative - 45

Received and placed on file.

ANNOUNCEMENTS

Representatives Lima and Fox wish Frank Di Paolo, Jr. a Belated Happy 99th Birthday. Mr. Di Paolo has been a doorkeeper for the General Assembly for the past 25 years.

Representatives Lima and Fox also wish the Honorable Speaker Murphy a Happy Birthday.

Representative Naughton wishes a Happy Birthday to Louis Braille.

GUEST

Representatives Rose and Melo welcome back to the House Chamber as a guest former Representative Raymond Coelho of East Providence.

ADJOURNMENT

At 4:25 o'clock P.M. on motion of Representative Watson, and as a further mark of respect to the memory of Lawrence "Larry" Witherow, father of former Representative Joan Quick; on motion of Representatives Carter and Scott, and as a further mark of respect to the memory of John Strickland; on motion of Representative Carter, and as a further mark of respect to the memories of Esther K. Beardsley, Jennie A. Senerchia, and David R. Senerchia; on motion of the Honorable Speaker Murphy, Majority Leader Fox, Minority Leader Watson, and Representative Carter, and as a further mark of respect to the memories of the twelve coal miners who lost their lives in West Virginia, seconded by Representatives Kilmartin and Gorham the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE RAYMOND E. GALLISON JR.

Dear God, we are grateful for the privilege of serving in this House of Representatives. Keep us ever mindful that we are here to serve those who elected us and all of the people of Rhode Island. Amen.