

**State of Rhode Island and Providence Plantations**

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**JOURNAL**  
**-OF THE-**  
**HOUSE OF REPRESENTATIVES**

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**JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the third day of January in the year of Our Lord two thousand and six.**

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Volume 133, No. 5

Wednesday, January 11, 2006

Fifth Day

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The House of Representatives meets at the State House in Providence, Wednesday, January 11, 2006 and is called to order at 4:15 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, Carter, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, 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, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.

ABSENT – 6: Representatives Church, Laroche, Menard, Scott, Slater, Williamson.

**INVOCATION**

The Honorable Speaker presents Representative Palumbo who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

**APPROVAL OF RECORD**

By unanimous consent, the House Journal of Tuesday, January 10, 2006 is approved as printed.

**ANNOUNCEMENTS**

Representative Rene Menard will be unable to attend session Wednesday, January 11, 2006 due to his illness.

Representative Raymond Church will be unable to attend session Wednesday, January 11, 2006.

Representative Thomas Slater will be unable to attend session Tuesday, January 10, and Wednesday, January 11, 2006. He is out of state.

**NEW BUSINESS****House Bill No. 6762****BY** Corvese

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- CERTIFIED SCHOOL TEACHERS' ARBITRATION (outline the rights of both teachers' unions and school committees) {LC288/1}

01/11/2006 Introduced, referred to House Labor

**House Bill No. 6763****BY** Shanley, Lally, San Bento, Jacquard, Carter

**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- EMERGENCY VEHICLES (requirements for motor vehicles operation in the presence of emergency vehicles) {LC171/1}

01/11/2006 Introduced, referred to Jt. Committee on Highway Safety

**House Resolution No. 6764****BY** Voccola, Ucci, Petrarca

**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE STATE TRAFFIC COMMISSION TO INSTALL A TRAFFIC LIGHT IN THE TOWN OF JOHNSTON {LC347/1}

01/11/2006 Introduced, referred to Jt. Committee on Highway Safety

**House Bill No. 6765****BY** Shanley, O'Neill, Lewiss, San Bento, Kilmartin

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - - DRIVING UNDER THE INFLUENCE (add condition of a mandatory ignition interlock system) {LC169/1}

01/11/2006 Introduced, referred to House Judiciary

**House Bill No. 6766****BY** Corvese

**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- UNIFORM LAW ON PATERNITY (retroactive reimbursement of child support to individuals falsely identified as the father of a child) {LC289/1}

01/11/2006 Introduced, referred to House Judiciary

**House Bill No. 6767****BY** Corvese**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE (evaluation of legal rights of real estate buyers, sellers, lenders or borrowers) {LC290/1}  
01/11/2006 Introduced, referred to House Judiciary**House Bill No. 6768****BY** Gemma, Jacquard, Lima, Schadone, O'Neill**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLES REPARATIONS ACT (submit evidence of financial responsibility to the issuing police department) {LC74/1}  
01/11/2006 Introduced, referred to House Judiciary**House Bill No. 6769****BY** Gemma, Picard, Gallison, Naughton, McHugh**ENTITLED**, AN ACT RELATING TO PROPERTY --  
**BY** POSSESSION AND PRESCRIPTION (repeal the chapter) {LC73/1}  
01/11/2006 Introduced, referred to House Judiciary**House Bill No. 6770****BY** Corvese**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS (establish specific responsibilities of school committees and superintendents) {LC295/1}  
01/11/2006 Introduced, referred to House H.E.W.**House Bill No. 6771****BY** Corvese**ENTITLED**, AN ACT RELATING TO EDUCATION -- TEACHERS' TENURE (change the date that a notice of dismissal of a tenured teacher) {LC297/1}  
01/11/2006 Introduced, referred to House H.E.W.**House Bill No. 6772****BY** Gemma, Picard, Gallison, Schadone, Lewiss**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH (dentists who accept patients with Medicaid) {LC77/1}  
01/11/2006 Introduced, referred to House H.E.W.**House Bill No. 6773****BY** Shanley, Kilmartin**ENTITLED**, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- REGULATION OF VICIOUS DOGS (amend various sections relative to the regulation of vicious dogs) {LC244/1}  
01/11/2006 Introduced, referred to House H.E.W.

**House Bill No. 6774****BY** McHugh, Almeida, Anguilla, Gemma, Caprio D**ENTITLED**, AN ACT RELATING TO ROADSIDE SERVICE (fine roadside assistance providers \$50 for each failure to arrive within 30 min of a service request) {LC451/1}

01/11/2006 Introduced, referred to House Corporations

**House Bill No. 6775****BY** Gemma, Picard, Gallison, Schadone, Lewiss**ENTITLED**, AN ACT RELATING TO INSURANCE -- UNINSURED MOTORIST COVERAGE (require insurance carriers to respond to a request to settle with a tortfeasor within 30 days) {LC8/1}

01/11/2006 Introduced, referred to House Corporations

**House Bill No. 6776****BY** Corvese**ENTITLED**, AN ACT RELATING TO REGISTRATION OF VEHICLES (special license plates for Rotary International members) {LC286/1}

01/11/2006 Introduced, referred to House Finance

**House Bill No. 6777****BY** Corvese**ENTITLED**, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION (exempt emissions inspection equipment mandated by law and used by emission inspector stations from taxation) {LC293/1}

01/11/2006 Introduced, referred to House Finance

**House Bill No. 6778****BY** Rice, Gallison, Jackson, Crowley**ENTITLED**, AN ACT RELATING TO RENAMING THE NEW SAKONNET BRIDGE, AQUIDNECK ISLAND (Anne Hutchinson Bridge) {LC578/1}

01/11/2006 Introduced, referred to House Finance

**House Bill No. 6779****BY** Corvese, Schadone, Moura, Lewiss, San Bento**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- GOVERNMENT OVERSIGHT AND FISCAL ACCOUNTABILITY REVIEW ACT (increase the reporting requirements of government agencies regarding outside contracts or agreements) {LC292/1}

01/11/2006 Introduced, referred to House Finance

**House Resolution No. 6780****BY** Corvese**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT THE RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT KEEP LINCOLN WOODS STATE PARK OPEN YEAR ROUND {LC298/1}

01/11/2006 Introduced, referred to House Finance

**House Bill No. 6781****BY** Naughton, Malik, Ginaitt, Rose, Dennigan**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) {LC560/1}

01/11/2006 Introduced, referred to House Finance

**House Bill No. 6782****BY** Gemma, Jacquard, Lima, Schadone, O'Neill**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY (require the lottery director to withhold video lottery terminal winnings for the payment of child support arrearages) {LC76/1}

01/11/2006 Introduced, referred to House Finance

**House Bill No. 6783****BY** Gemma, Picard, Gallison, Schadone, Lewiss**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE (increase the rate paid by the state to dentists, dental hygienists and dental assistants who provide dental services to Medicaid-eligible residents of nursing facilities) {LC79/1}

01/11/2006 Introduced, referred to House Finance

**House Bill No. 6784****BY** Moffitt, McNamara, Savage, Amaral, Moura**ENTITLED**, AN ACT RELATING TO SALES AND USE TAXES -- LIABILITY AND COMPUTATION (create a sales tax holiday on Rhode Island Independence Day, May 4th of each year.) {LC477/1}

01/11/2006 Introduced, referred to House Finance

**House Bill No. 6785****BY** Mumford, Watson, Gorham, Long, Ehrhardt**ENTITLED**, AN ACT RELATING TO TAXATION -- INHERITANCE TAX (repeal) {LC571/1}

01/11/2006 Introduced, referred to House Finance

**House Resolution No. 6786****BY** Carter, Gallison, Rose, Loughlin, Jacquard**ENTITLED**, HOUSE RESOLUTION AMENDING HOUSE RESOLUTION 04-R-246, 2004 H 8518, ENACTED MAY 11, 2004, CREATING THE PERMANENT ADVISORY COUNCIL FOR THE RHODE ISLAND HOUSE VETERANS' AFFAIRS COMMITTEE {LC438/1}

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Carter seconded by Representatives Gallison, Loughlin, Savage, Costantino and Moffitt by unanimous consent, on a voice vote.

**House Resolution No. 6787****BY** Gorham, Mumford, Lima, Fox**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF A SPECIAL "HOUSE COMMISSION TO STUDY THE DESIGNATION OF ROUTE 14 AS AN HISTORIC HIGHWAY" IN COMMEMORATION OF GENERAL ROCHAMBEAU'S MARCH TO YORKTOWN IN THE REVOLUTIONARY WAR {LC613/1}

Representative Gorham requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gorham seconded by Representatives Watson, Mumford and Gemma 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.

**ANNOUNCEMENTS**

Representative Schadone and the Honorable Speaker Murphy wish Representative Corvese a Happy 50<sup>th</sup> Birthday.

Representative Sullivan and the Honorable Speaker Murphy wish Representative O'Neill a Happy 35<sup>th</sup> Birthday.

Representative Moura announces Representative Palumbo will be participating in a humanitarian relief mission in Nicaragua. Representative Moura announces it is Representative Palumbo's sixth trip to Nicaragua. Representative Moura thanks him for his commitment and wishes him well on his trip.

Also, Representative Moura congratulates Representative Trillo on the lead paint-hazard ruling.

Representative Lima announces there will be a meeting for all members with Mr. Jason Gramitt, staff attorney and Education Coordinator of the Rhode Island Ethics Commission today, at the rise of the House in the House Lounge.

Representative Lima wishes Representative Wasylyk a Happy Birthday, and also congratulates Representative Wasylyk on being named "Rhode Island Lawyer of the Year", according to Rhode Island Lawyers Weekly. The Honorable Speaker Murphy also congratulates Representative Wasylyk.

Representative Carter gives an update on Representative Church's condition. Representative Carter states Representative Church is in the hospital but is doing better. The Honorable Speaker Murphy and Representative Carter wish Representative Church a speedy recovery.

#### FAREWELL

At 4:28 o'clock P.M. the Honorable Speaker yields the rostrum to Minority Leader Watson.

By unanimous consent, Minority Leader Watson addresses the members of the House and bids farewell to the Paul Greene, legal council for the House Republican Caucus, for the last thirteen years.

By unanimous consent, Paul Greene addresses the members of the House.

At 4:32 o'clock P.M. the Honorable Speaker returns to the rostrum.

Representative Long also pays tribute to Paul Greene on his retirement.

#### ADJOURNMENT

At 4:37 o'clock P.M. on motion of Representatives Jackson and Amaral, and as a further mark of respect to the memory of Elizabeth A. Coen; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

*Linda M. McElroy*  
*Recording Clerk*

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE PETER G. PALUMBO**

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



APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, JANUARY 17, 2006:

1 2006-H 6759

BY Moura

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
EMPLOYMENT OF WOMEN AND CHILDREN

Ordered on the Calendar

2 2006-H 6718

BY Lima

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES

Committee on Labor recommends passage.

*Francis P. McCabe*  
*Clerk of the House*

Wednesday, January 11, 2006