

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. 8

Thursday, January 19, 2006

Eighth Day

The House of Representatives meets at the State House in Providence, Thursday, January 19, 2006 and is called to order at 4:06 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, 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, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 6: Representatives Church, DeSimone, McManus, Menard, Palumbo, Slater.

INVOCATION

The Honorable Speaker presents Representative Schadone 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 Wednesday, January 18, 2006 is approved as printed.

ANNOUNCEMENT

Representative Rene Menard will be unable to attend session Thursday, January 19, 2006.

NEW BUSINESS**House Bill No. 6853**

BY McNamara, Crowley, Lewiss, Savage, Gallison

ENTITLED, AN ACT RELATING TO EDUCATION (establish a statewide purchasing system for products and services pertaining to RI public schools, which would include telecommunications, wireless services, and a general insurance products and services.)

{LC519/1}

01/19/2006 Introduced, referred to House H.E.W.

House Bill No. 6854

BY Savage

ENTITLED, AN ACT RELATING TO EDUCATION -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS (description of a plan that would include measurable student academic goals) {LC582/1}

01/19/2006 Introduced, referred to House H.E.W.

House Bill No. 6855

BY Crowley, Shanley, Gallison

ENTITLED, AN ACT MOTOR VEHICLES -- DRIVERS FOR COMPENSATION (allow colleges and universities to operate vehicles for the transportation of students or employees without the requirement of obtaining a public plate for the vehicles) {LC594/1}

01/19/2006 Introduced, referred to House H.E.W.

House Bill No. 6856

BY Naughton, Williams, Coderre E, Crowley, Giannini

ENTITLED, AN ACT RELATING TO EDUCATION (special grants which it may deem necessary to stimulate special education service arrangements) {LC725/1}

01/19/2006 Introduced, referred to House H.E.W.

House Bill No. 6857

BY Kennedy, Scott, McHugh

ENTITLED, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS (exempt the Chariho School District from having bus monitors on those school buses where the youngest children on the bus are grade five students) {LC806/1}

01/19/2006 Introduced, referred to House H.E.W.

House Bill No. 6858

BY Savage, Scott, Rose, Melo

ENTITLED, AN ACT RELATING TO EDUCATION (require the state to appropriate to the cities and towns \$25,000 for each bed in a group home or facility home) {LC580/1}

01/19/2006 Introduced, referred to House Finance

House Bill No. 6859**BY** Faria**ENTITLED**, AN ACT RELATING TO ESTABLISHMENT AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES (add sports pool to the definition of gambling activities) {LC775/1}

01/19/2006 Introduced, referred to House Finance

House Bill No. 6860**BY** Faria, Laroche**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS (reduce the number of years needed to vest in the state retirement system from ten to five) {LC769/1}

01/19/2006 Introduced, referred to House Finance

House Bill No. 6861**BY** Melo, Savage, Rose, Story**ENTITLED**, AN ACT RELATING TO SALES TAX (provide an allowance from the sales tax for the value of pickup trucks which are traded in) {LC624/1}

01/19/2006 Introduced, referred to House Finance

House Resolution No. 6862**BY** Costantino, Shanley, Carter, Lewiss, Lally**ENTITLED**, JOINT RESOLUTION RELATING TO RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT JOINT RESOLUTIONS {LC742/1}

01/19/2006 Introduced, referred to House Finance

House Bill No. 6863**BY** Lewiss, Melo, Handy, Gallison, Savage**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - CERTIFIED SCHOOL TEACHERS' ARBITRATION (remove cap on the payment of mediation expenses by the state pertaining to unresolved issues that are submitted to compulsory mediation between the negotiating or bargaining agent and the school committee) {LC118/1}

01/19/2006 Introduced, referred to House Finance

House Bill No. 6864**BY** Lewiss, Shanley, San Bento, Kennedy, Dennigan**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- MICROLOAN PROGRAM FOR MICROENTERPRISES (pilot microloan program) {LC112/1}

01/19/2006 Introduced, referred to House Finance

House Bill No. 6865**BY** Lewiss, Crowley, San Bento, Gallison, Dennigan**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ALLOCATION FOR ART FOR PUBLIC FACILITIES ACT (constructed, 1 remodeled or renovated after 1/1/1988 to also include service facilities at state parks, highway rest areas, separate buildings not part of a larger project, and adjudicative juvenile facilities) {LC85/1}

01/19/2006 Introduced, referred to House Finance

House Bill No. 6866**BY** Corvese**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- THEFT OF MOTOR FUEL (stealing of motor fuel from a retail dealer a larceny and punishable as a felony or misdemeanor depending upon the retail value of the fuel taken) {LC54/1}

01/19/2006 Introduced, referred to House Judiciary

House Bill No. 6867**BY** Rice, Lima, Coderre E, Diaz, Dennigan**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ADDRESS CONFIDENTIALITY FOR VICTIMS OF DOMESTIC VIOLENCE AND HATE CRIMES (expand their coverage to 2 apply to interactions with the state, in addition to the voting rights protected under the current statute) {LC783/1}

01/19/2006 Introduced, referred to House Judiciary

House Bill No. 6868**BY** Almeida, Williams, Diaz, Ajello**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (prohibit the obstruction of access to or exit from a health care facility/civil remedies for any person aggrieved by a violation of the act) {LC585/1}

01/19/2006 Introduced, referred to House Judiciary

House Bill No. 6869**BY** Rice, Ajello, Diaz**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE (allow a lawyer, or law firm, to share a statutory, or tribunal-approved fee award, with an organization that is not for profit and is tax-exempt under federal law) {LC782/1}

01/19/2006 Introduced, referred to House Judiciary

House Resolution No. 6870**BY** Faria, Moura**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY TEMPORARY WORKERS THROUGHOUT THE STATE OF RHODE ISLAND (from March 1, 2006 to March 1, 2007 and said commission would expire on May 1, 2007) {LC837/1}

01/19/2006 Introduced, referred to House Labor

House Bill No. 6871**BY** Faria**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (amend the Public Health and Workplace Safety Act so as to permit smoking in bars where no food is served) {LC772/1}

01/19/2006 Introduced, referred to House Labor

House Bill No. 6872**BY** Moura, Long, McCauley, Schadone, Corvese**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
AUTOMOBILE BODY REPAIR SHOPS (transfer from the division of motor vehicles to the
department of business regulation the duties under the Motor Vehicles Reparatons Act)
{LC124/1}

01/19/2006 Introduced, referred to House Labor

House Bill No. 6873**BY** Ucci, Petrarca, Voccola, Smith**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND
RESOURCE RECOVERY CORPORATION (replace the 3 leg appts to the Resource Recovery
Corporation with 3 appointments to be made by the gov/2 would be Johnston residents/subject to
the advice and consent of the senate/result in a total of 4 Johnston residents on the corporation)
{LC437/1}

01/19/2006 Introduced, referred to House Separation of Powers

House Bill No. 6874**BY** Kilmartin, Crowley, Anguilla, Coderre E, Lima**ENTITLED**, AN ACT RELATING TO ELECTIONS (repeal the provision of law which gives
the governor the authority to order the secretary of state to submit any questions to the electors at
any election) {LC412/1}

01/19/2006 Introduced, referred to House Separation of Powers

House Resolution No. 6875**BY** Naughton, Dennigan, Ginaitt, Lima, Giannini**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE
SPECIAL HOUSE COMMISSION TO PROMOTE AND DEVELOP A COMPREHENSIVE
SYSTEM OF EDUCATION FOR THE VISUALLY IMPAIRED CHILDREN {LC776/1}

Representative Naughton requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Naughton seconded by Representatives
Kennedy, Gemma and many other members of the House by unanimous consent, on a voice
vote.**House Resolution No. 6876****BY** Fox, Watson**ENTITLED**, JOINT RESOLUTION INVITING HIS HONOR, THE PRESIDENT OF THE
SENATE, AND THE HONORABLE SENATE TO JOIN THE HOUSE OF
REPRESENTATIVES IN JOINT SESSION FOR THE PURPOSE OF RECEIVING THE
STATE OF THE STATE ADDRESS OF HIS EXCELLENCY THE GOVERNOR {LC920/1}

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 on a roll call vote, 49 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 49: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Coderre, Costantino, Crowley, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Jackson, Kennedy, Lally, Landroche, Laroche, Lewis, Lima, Long, Malik, McHugh, McNamara, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Picard, San Bento, Savage, Schadone, Shanley, Singleton, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Moran requests the journal to reflect that if he had voted on (06-H 6876), he would have voted in the affirmative.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2075

BY Felag, Montalbano J, Paiva-Weed, Walaska, Damiani

ENTITLED, AN ACT RELATING TO TAXATION -- VETERANS' EXEMPTION (grant veteran property exemptions to veterans who served in the enumerated areas, task forces, operations or who have received certain medals) {LC614/1}

Representative Moura requests unanimous consent for immediate consideration.

There is no objection.

REQUESTS

Representatives Pacheco, Lima, San Bento, Gemma and Sullivan request without objection to be recorded in the affirmative on (06-H 2075, in concurrence). The Honorable Speaker ordered their names be added to the vote.

Read and passed, in concurrence, on a motion of Representative Moura seconded by Representative Carter on a roll call vote, 52 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Corvese, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Gallison, Gemma, Giannini, Ginaitt, Jackson, Jacquard, Lally, Landroche, Laroche, Lima, Long, Loughlin, Malik, McHugh, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Story, Sullivan, Trillo, Ucci, Watson, Williams, 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 Tuesday, January 24, 2006, at the rise of the House, in Room 203 of the State House.

Representative Lima informs members that Representative Church was discharged from the hospital and is doing much better. Representative Lima extends her thoughts and prayers to Representative Church and wishes him a speedy recovery.

GUESTS

Representative Lima and the Honorable Speaker Murphy welcome to the House Chamber as guests the Rhode Island Credit Union League, along with David Suvall, President/CEO and Milton Bronstein, Recording Secretary of the State Party.

Representative Lewiss also welcomes to the House as guests the Rhode Island Credit Union League who are sponsoring the Rhode Island Credit Union Governmental Affairs Day; along with Paul Archambault, Chairman, Rhode Island Credit Union League, from Wave Federal Credit Union; Cid Rocha, Vice-Chairman, Rhode Island Credit Union League, from Columbus Credit Union; Gary Furtado, Chairman, Governmental Affairs Committee, from Credit Union Central Falls; Ken Poyton, member of the Credit Union National Association's Governmental Affairs Committee, from Providence Postal Federal Credit Union; Steve White, member of the Rhode Island Credit Union Board of Directors, from Westerly Community Credit Union; Bill Brownell, President & CEO, from Dexter Credit Union.

ADJOURNMENT

At 4:17 o'clock P.M. on motion of Representatives Landroche and Moffitt and as a further mark of respect to the memory of Dr. Jean M. Maynard; on motion of Representatives Giannini and McCauley, and as a further mark of respect to the memory of Goldie Haroian; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE GREGORY J. SCHADONE

Heavenly Father, look with favor on our deliberation and assist us by your grace to do what is just and wise. Amen.

APPENDIX

TRANSMITTED TO THE GOVERNOR

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