

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. 9

Tuesday, January 24, 2006

Ninth Day

The House of Representatives meets at the State House in Providence, Tuesday, January 24, 2006 and is called to order at 4:16 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 73 members present and 2 members absent as follows:

PRESENT - 73: 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, 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, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 2: Representatives Church, Menard.

INVOCATION

The Honorable Speaker presents Representative Giannini 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 Thursday, January 19, 2006 is approved as printed.

ANNOUNCEMENT

Representative Rene Menard will be unable to attend session today, January 24, 2006 due to his illness.

**REPORTS OF COMMITTEES
COMMITTEE ON CORPORATIONS**

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of passage:

House Bill No. 6717 SUB A

BY Fox, Coderre E, Lally, Shanley

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (operators of motor scooters to have a valid operators license when on a highway) {LC311/1/A}

01/24/2006 Placed on House Calendar

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}

01/24/2006 Placed on House Calendar

COMMITTEE ON FINANCE

Representative Costantino, for the Committee on Finance, reports back the following measures, with recommendation of passage:

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}

01/24/2006 Placed on House Calendar

COMMITTEE ON JUDICIARY

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

House Bill No. 6700 SUB A

BY O'Neill, Ginaitt, Church, Kilmartin, Jackson

ENTITLED, AN ACT RELATING TO MOTOR VEHICLE OFFENSES (increase the penalties for refusing to submit to a chemical test, not less than 100 hours of community restitution) {LC154/1/A}

01/24/2006 Placed on House Calendar

NEW BUSINESS

House Bill No. 6877**BY** Faria**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- RETIREMENT SYSTEM -- CONTRIBUTION AND BENEFITS (reduce the number of years required for vesting in the state retirement system from 10 to 5 years) {LC774/1}

01/24/2006 Introduced, referred to House Finance

House Bill No. 6878**BY** Mumford**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (real property subject to taxation would be assessed at its full and fair cash value and that tangible property would be assessed according to a specific classification table) {LC846/1}

01/24/2006 Introduced, referred to House Finance

House Bill No. 6879**BY** Pacheco, Winfield, Gorham**ENTITLED**, AN ACT RELATING TO PROPERTY -- TAX CLASSIFICATION IN THE WEST GLOCESTER FIRE DISTRICT (adopt and implement a system of property tax classification) {LC836/1}

01/24/2006 Introduced, referred to House Corporations

House Bill No. 6880**BY** Faria**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (repeal the prohibition on Sunday business for automobile dealers) {LC773/1}

01/24/2006 Introduced, referred to House Corporations

House Bill No. 6881**BY** Faria**ENTITLED**, AN ACT RELATING TO INSTRUCTION IN JIU-JITSU OR KARATE (increase the fee for a license in martial arts to \$150/instructors and employees must undergo a BCI check) {LC771/1}

01/24/2006 Introduced, referred to House Corporations

House Bill No. 6882**BY** Gemma, Anguilla, Ginaitt, McNamara, Singleton**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- TRUTH IN FOOD DISCLOSURE LAW (restaurants/take-out facilities/catering businesses serving food, train all employees coming into contact with food about the consequences of food allergies/listing certain ingredients on the menu or location) {LC795/1}

01/24/2006 Introduced, referred to House H.E.W.

House Bill No. 6883**BY** Faria

ENTITLED, AN ACT RELATING TO WORK ON HOLIDAYS AND SUNDAYS -- DRUG STORES AND PHARMACIES (require employees of drug stores and pharmacies who work on Sunday and holidays be paid at the rate of time and one-half per hour worked) {LC770/1}
01/24/2006 Introduced, referred to House Labor

House Bill No. 6884**BY** Watson, Fox

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Samantha Coyle and James Edward Donnel) {LC625/1}
01/24/2006 Introduced, referred to House Judiciary

House Bill No. 6885**BY** Ajello, Corvese, Diaz, Naughton, Coderre E

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (governor may commit the state to give consent to the federal government to commit the state to the government procurement rules of an international trade agreement) {LC740/1}
01/24/2006 Introduced, referred to House Separation of Powers

House Bill No. 6886 (by request)**BY** Pacheco

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRICES (prevent the issuers of rebates from limiting their customer use to one per household) {LC676/1}
01/24/2006 Introduced, referred to House Corporations

House Resolution No. 6887**BY** Fox, Watson

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC1021/1}

Representative Watson requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6888**BY** Fox, Watson

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC1020/1}

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 and by unanimous consent, on a rising 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 Picard announces that the Committee on Corporations will meet today, at the rise of the House, in Room 203 of the State House.

Representative Lally announces that the Committee on Judiciary will meet today, at the rise of the House, in Room 205 of the State House.

Representative Naughton announces that the Committee on Finance will meet today, at the rise of the House, in Room 35 of the State House.

Representative McNamara announces that the Committee on Health, Education and Welfare will meet tomorrow, at 4 o'clock P.M. in Room 135 of the State House.

Representative Lima wishes Representative Paul Moura a Happy Birthday.

Representative Lima announces that session will convene tomorrow at 5 o'clock P.M. and reconvene at 7 o'clock P.M. for the Governor's State of the State Address.

Representative Palumbo discusses his humanitarian relief mission to Nicaragua.

Representative Ucci congratulates Samantha Acampora, a page in the House, on her new baby brother Joey.

Majority Leader Fox announces the desk will remain open in order to receive committee reports. The Majority Leader also announces the House will convene tomorrow at 5 o'clock P.M. for session, and reconvene in joint session at 7 o'clock P.M. for the Governor's State of the State Address.

ADJOURNMENT

At 4:25 o'clock P.M. on motion of Representative Gemma, and as a further mark of respect to the memory of Frederick L. Wheeler, Sr.; on motion of Representative Dennigan, and as a further mark of respect to the memory of Mary O'Hare; on motion of Representative Williamson and as a further mark of respect to the memories of Frances Begos and John Keenan; on motion of Representatives Lally and McCauley, and as a further mark of respect to the memory of William "Billy" Brothers, father-in-law of Representative McCauley; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JOANNE M. GIANNINI

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

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JANUARY 26, 2006:

1 2006-H 6700 SUB A**BY O'Neill****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLE OFFENSES

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

2 2006-H 6862**BY Costantino****ENTITLED,** JOINT RESOLUTION RELATING TO RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT JOINT RESOLUTIONS

Committee on Finance recommends passage.

3 2006-H 6717 SUB A**BY Fox****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

4 2006-H 6708**BY Long****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF A. CAPUANO BROS. INC

Committee on Corporations recommends passage.

Francis P. McCabe
Clerk of the House

Tuesday, January 24, 2006