

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. 24

Tuesday March 7, 2006

Twenty-fourth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 7, 2006 and is called to order at 4:11 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, Amaral, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, 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, Wasylyk, Watson, Williams, Winfield.

ABSENT –6: Representatives Almeida, Carter, Gallison, McHugh, Voccola, Williamson.

INVOCATION

The Honorable Speaker presents Representative Scott 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, March 2, 2006 is approved as printed.

ANNOUNCEMENTS

Representative Raymond Gallison will be unable to attend session Tuesday, March 7, 2006. He is not feeling well.

Representative Kenneth Carter will be unable to attend session Tuesday, March 7 through Thursday, March 9, 2006.

**REPORT OF COMMITTEE
COMMITTEE ON FINANCE**

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

Senate Bill No. 2165

BY Tassoni, Fogarty P, Cote

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND FOR SCHOOL FACILITIES AND THE CONSTRUCTION AND EQUIPPING OF A NEW MIDDLE SCHOOL AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR {LC966/1}

03/07/2006 Placed on House Calendar

NEW BUSINESS**House Bill No. 7838**

BY Savage, Story, Ehrhardt, McManus, Mumford

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (create the Rhode Island Strategic Purchasing Advisory Commission) {LC2670/1}

03/07/2006 Introduced, referred to House Finance

House Bill No. 7839

BY Murphy, Fox, Moura, McCauley, Watson

ENTITLED, AN ACT RELATING TO MOTION PICTURE PRODUCTION TAX CREDITS (clarify the statutory procedures for the issuance of motion picture production company tax credits) {LC2673/1}

03/07/2006 Introduced, referred to House Finance

House Bill No. 7840

BY McManus, Ehrhardt

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - LABOR RELATIONS ACT (prohibit any collective bargaining agreement for teachers, state, city and town employees from including a choice for health care services provider as an item eligible for bargaining) {LC2668/1}

03/07/2006 Introduced, referred to House Finance

House Bill No. 7841**BY** Mumford, Savage, Story, Ehrhardt, McManus**ENTITLED**, AN ACT RELATING TO A STATEWIDE SYSTEM OF SCHOOL TRANSPORTATION OF STUDENTS WITH SPECIAL NEEDS (including those without special needs to and from school) {LC2667/1}

03/07/2006 Introduced, referred to House H.E.W.

House Bill No. 7842**BY** Ginaitt, Laroche, Brien T**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (provide a mechanism for the documentation of pre-hospital exposure to patient-related infectious materials of emergency medical services workers) {LC2659/1}

03/07/2006 Introduced, referred to House H.E.W.

House Resolution No. 7843**BY** Long, Rice, Scott, Jackson**ENTITLED**, HOUSE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF ROSE MARY RODRIGUES {LC2688/1}

Representative Long requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Long seconded by Representatives Rice, Jackson, and Scott by unanimous consent, on a rising vote.

House Resolution No. 7844**BY** Pacheco, Winfield, Church**ENTITLED**, HOUSE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF THE HONORABLE WILLIAM E. GONYEA {LC2695/1}

Representative Pacheco requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Pacheco seconded by Representatives Church and Sullivan by unanimous consent, on a rising vote.

House Resolution No. 7845**BY** Diaz, Slater, Williams, Ginaitt, Sullivan**ENTITLED**, HOUSE RESOLUTION PROCLAIMING THE MONTH OF MARCH 2006 AS "AMERICAN RED CROSS MONTH" {LC2689/1}

Representative Diaz requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Diaz seconded by Representatives Slater, Naughton, and many other members of the House by unanimous consent, on a voice vote.

TRANSMITTAL

By unanimous consent, all matters 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 FROM THE SENATE

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

Senate Resolution No. 2886**BY** Felag**ENTITLED**, JOINT RESOLUTION CONGRATULATING THE 2005 WARREN ATHLETIC HALL OF FAME INDUCTEES {LC2672/1}

Representative Anguilla requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on a motion of Representative Anguilla seconded by Representative Malik on a roll call vote, 50 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Brien, Church, Dennigan, Ehrhardt, Faria, Flaherty, Fox, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lima, Loughlin, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Wasylyk, Winfield.

NAYS - 0.

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, MARCH 7, 2006:**1 2006-H 7137****BY** Crowley**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
Committee on Judiciary recommends passage.

Representative Anguilla moves passage of the act, seconded by Representative Wasylyk.

Read and passed, 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 Ajello, Anguilla, Brien, Church, Coderre, Corvese, Davey, Ehrhardt, Flaherty, Fox, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lima, Loughlin, Malik, McManus, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Trillo, Ucci, Wasyluk, Winfield.

NAYS - 0.

2 2006-H 7115

BY O'Neill

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Representative O'Neill moves passage of the act, seconded by Representative Anguilla.

Read and passed, on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Brien, Church, Coderre, Corvese, Davey, Dennigan, Ehrhardt, Faria, Flaherty, Fox, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Singleton, Slater, Story, Trillo, Ucci, Wasyluk, Winfield.

NAYS - 0.

3 2006-H 7474

BY Story

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Committee on Judiciary recommends passage.

Representative Anguilla moves passage of the act, seconded by Representative Story.

Read and passed, 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 Ajello, Anguilla, Brien, Church, Coderre, Corvese, Dennigan, Ehrhardt, Faria, Flaherty, Fox, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Long, Loughlin, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, O'Neill, Pacheco,

Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Singleton, Slater, Story, Trillo, Ucci, Wasylyk, Winfield.

NAYS - 0.

4 2006-H 7338

BY Murphy

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Representative Anguilla moves passage of the act, seconded by Representative Moura.

Read and passed, 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, Anguilla, Brien, Church, Coderre, Corvese, Dennigan, Ehrhardt, Faria, Flaherty, Fox, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lima, Long, Loughlin, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Slater, Story, Trillo, Ucci, Wasylyk, 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 today, and tomorrow at the rise of the House, in Room 203 of the State House.

Representative Corvese announces that the Committee on Finance will meet today, at the rise of the House, in Room 35 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 Lima announces that the Committee on Separation of Powers will meet today, at the rise of the House, in Room 135 of the State House.

The Honorable Speaker Murphy and Majority Leader Fox congratulate Representative Singleton on his engagement to Liz Lackman. Minority Leader Watson wishes them the best of luck.

Representative Kilmartin and the Honorable Speaker Murphy wish Frank McCabe, clerk of the House, a Happy Birthday.

Representative Slater congratulates Representative Diaz on being recognized by the Extraordinary Women, Inc. tomorrow evening. Representative Slater announces Representative Diaz will receive the Extraordinary Woman Award.

Majority Leader Fox announces the desk will be held open in order to receive committee reports from the committee on Finance.

GUESTS

Representatives Gorham and Pacheco congratulates and welcome to the House Chamber as guests the Ponaganset Middle School Boys Basketball Champions from Foster-Glocester as follows: Adam Babcock, Jonathan Blanchette, Alex Borino, Colby Clarke, Garrett Drainville, Joe Fogarty, Jake Fraatz, Cody Gibb, Nick Keeling, Nick Manning, Josh Morgan, Sean Parrish, Justin Pastore, Joe Rivera, Josh Smith, Norman Diamante, David Gelsomino, Brendan Morgan, John Peterson, Tyler Whetstone, Will Girard, Chris Larrabee, Gerry Manning along with Coaches Mike Girard, Neal Babcock, Dave Armstrong and Special Assistant Coach George Boisvert.

Representative Long welcomes to the House as guests the family of the late Rose Rodrigues (widow of Representative Thomas Rodrigues)-children-Rose Rodrigues and Fran Smith; children's husbands-Mo Cote, Gary Smith; grandchildren-Holly Nobert, Ed Silveira, Adam Silveira; grandchildren's spouses-Rick Nobert, Kristin Silveira; great grandchildren-Julia Drake, Alyssa Silveira, Megan Silveira, Jami Silveira and Jonathan Silveira.

ADJOURNMENT

At 4:37 o'clock P.M. on motion of Representatives Pacheco, Winfield and Church, and as a further mark of respect to the memory of the Honorable William E. Gonyea; on motion of Representatives Long, Rice, Jackson, Scott, and as a further mark of respect to the memory of Rose Mary Rodrigues, widow of Representative Thomas Rodrigues; on motion of Representative Landroche and as a further mark of respect to the memory of Robert Bruce Stadig; on motion of Representative Giannini, and as a further mark of respect to the memory of the Honorable Vincent "Vinny" Cerelli; on motion of Representative Ucci, and as a further mark of respect to the memory of former Representative Adam Macari; on motion of Representative Watson, and as a further mark of respect to the memory of Ronald Dandeneau; on motion of Representative Fox, and as a further mark of respect to the memory of Richard T. Mitchell, Jr.; seconded by Representatives Kilmartin and Gorham the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JOSEPH H. SCOTT

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 WEDNESDAY, MARCH 8, 2006:

1 2006-H 7068**BY Ginaitt**

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS AND PRESIDENT BUSH TO ADDRESS CONCERNS WITH THE MEDICARE PART D PROGRAM AND ADOPT THE SPECIFIC CHANGES AS LISTED

Committee on Health, Education & Welfare recommends passage.

2 2006-S 2012**BY Gibbs**

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- EXEMPTING FROM TAXATION CERTAIN PROPERTY OF THE MIDDLETOWN HISTORICAL SOCIETY INC.

Committee on Corporations recommends passage in concurrence.

3 2006-S 2192**BY Montalbano J**

ENTITLED, AN ACT IN AMENDMENT OF THE ACT, PASSED AT THE JANUARY SESSION, A.D. 1948, ENTITLED "AN ACT TO INCORPORATE THE LIME ROCK FIRE DISTRICT IN THE TOWN OF LINCOLN," AS AMENDED

Committee on Corporations recommends passage in concurrence.

IN ORDER FOR THURSDAY, MARCH 9, 2006:

1 2006-S 2165**BY Tassoni**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND FOR SCHOOL FACILITIES AND THE CONSTRUCTION AND EQUIPPING OF A NEW MIDDLE SCHOOL AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage in concurrence.

Francis P. McCabe
Clerk of the House

Tuesday, March 7, 2006