

**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. 29

Thursday March 16, 2006

Twenty-ninth Day

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The House of Representatives meets at the State House in Providence, Thursday, March 16, 2006 and is called to order at 4:22 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 68 members present and 7 members absent as follows:

PRESENT - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Caprio, Church, Coderre, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, 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, Williamson, Winfield.

ABSENT – 7: Representatives Brien, Carter, Corvese, Crowley, Jackson, Lally, Voccola.

**INVOCATION**

The Honorable Speaker presents The Reverend John Codega 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, March 15, 2006 is approved as printed.

**REPORTS OF COMMITTEES  
COMMITTEE ON FINANCE**

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

**House Bill No. 7201**

**BY** Lewiss, Kennedy, McHugh

**ENTITLED**, AN ACT RELATING TO AIRPORT AND LANDING FIELDS (RI Airport Corp to lease the land at the Westerly Airport land to the town of Westerly for a period not to exceed 99 years) {LC1867/1}

03/16/2006 Placed on House Calendar

**Senate Bill No. 2464**

**BY** Algieri

**ENTITLED**, AN ACT RELATING TO AIRPORT AND LANDING FIELDS (authorize the RI Airport Corp to lease the land at the Westerly Airport land to the town of Westerly for a period not to exceed 99 years) {LC1870/1}

03/16/2006 Placed on House Calendar

**COMMITTEE ON RULES**

Representative Naughton, for the Committee on Rules, reports back the following measures, with recommendation of passage:

**House Resolution No. 7792**

**BY** Kilmartin

**ENTITLED**, HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2005-2006 {LC2632/1}

03/16/2006 Placed on House Calendar

**NEW BUSINESS****House Bill No. 7899**

**BY** Williams, Giannini, Almeida, Slater, Diaz

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS {LC2678/1}

03/16/2006 Introduced, referred to House H.E.W.

**House Bill No. 7900**

**BY** Ginaitt, Kilmartin, Pacheco, Fox, Picard

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- GASOLINE SPECIFICATIONS {LC2692/1}

03/16/2006 Introduced, referred to House Environment and Natural Resources

**House Resolution No. 7901****BY** Ucci, Petrarca, Mumford, Wasylyk, Smith**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE RHODE ISLAND RESOURCE RECOVERY CORPORATION'S OPERATIONS WITH RESPECT TO CONTROLLING ODOR EMISSIONS EMANATING FROM THE CENTRAL LANDFILL AND MATERIALS RECYCLING FACILITY LOCATED IN JOHNSTON, RHODE ISLAND {LC2733/1}

03/16/2006 Introduced, referred to House Environment and Natural Resources

**House Bill No. 7902****BY** Naughton, Dennigan, Ginaitt, San Bento, Kennedy**ENTITLED**, AN ACT RELATING TO EDUCATION -- LOAN REPAYMENT PROGRAM {LC2741/1}

03/16/2006 Introduced, referred to House Finance

**House Resolution No. 7903****BY** Murphy, Fox, Lima, Moura, Kilmartin**ENTITLED**, HOUSE RESOLUTION COMMEMORATING THE CELEBRATION OF ST. PATRICK'S DAY {LC2804/1}

Representative Watson requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Watson seconded by Representatives Scott, Mumford, Ehrhardt, Fox, Kilmartin and many other members of the House by unanimous consent, on a voice vote.

**House Resolution No. 7904****BY** Diaz, Williams, Slater, Almeida, Rice**ENTITLED**, HOUSE RESOLUTION WELCOMING LIBERIAN PRESIDENT ELLEN JOHNSON-SIRLEAF TO THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS {LC2811/1}

Representative Diaz requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Diaz seconded by Representatives Williams, Almeida and Slater by unanimous consent, on a voice vote.

**House Resolution No. 7905****BY** Murphy, Fox, Lima, Moura, Kilmartin**ENTITLED**, HOUSE RESOLUTION COMMEMORATING THE CELEBRATION OF ST. JOSEPH'S DAY {LC2803/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representatives Pacheco, DeSimone, Anguilla, Amaral and many other members of the House by unanimous consent, on a voice vote.

### CALENDAR

From the Calendar are taken:

#### IN ORDER FOR THURSDAY, MARCH 16, 2006:

**1 2006-H 7897**

**BY Rose**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE TO FINANCE THE REPAIRS, RENOVATIONS, AND IMPROVEMENTS TO CITY ROADS AND DRAINAGE SYSTEMS AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR

Ordered on the Calendar

Representative Rose moves passage of the act, seconded by Representatives Dennigan, Savage, Melo, Story and Moura.

Representative Moura discusses the act.

Read and passed, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Church, Coderre, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, 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, Wasylyk, Watson.

NAYS - 0.

**2 2006-H 7176**

**BY Coderre E**

**ENTITLED,** AN ACT RELATING TO HIGHWAYS -- MOUNT HOPE BRIDGE AUTHORITY

Committee on Separation of Powers recommends passage.

**3 2006-S 2141 SUB A****BY Sosnowski****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

**4 2006-S 2140 SUB A****BY Lenihan****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

**5 2006-S 2595 SUB A****BY Lenihan****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
INDUSTRIAL RECREATIONAL BUILDING AUTHORITY

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

**6 2006-S 2143 as amended****BY Roberts****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- WATER  
RESOURCES BOARD

Committee on Separation of Powers recommends passage as amended in concurrence.

**7 2006-S 2598****BY Felag****ENTITLED,** AN ACT RELATING TO HIGHWAYS -- MOUNT HOPE BRIDGE  
AUTHORITY

Committee on Separation of Powers recommends passage in concurrence.

**8 2006-S 2142 as amended****BY Gallo****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS --  
EDUCATION

Committee on Separation of Powers recommends passage as amended in concurrence.

On suggestion of Majority Leader Fox, and by unanimous consent, the remainder of the Calendar for today is continued to Tuesday, March 21, 2006.

**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.

**ANNOUNCEMENT**

The Honorable Speaker Murphy wishes Representative Malik and his Mary a Happy Anniversary.

**GUESTS**

Representatives Church and Rice welcome to the House as a guest former Senator and former Senate Majority Leader, David Carlin

Representative Church also welcomes to the Chamber former Representative Spencer Dickinson.

The Honorable Speaker welcomes to the House Governor Donald Carcieri and his wife Sue.

Representative Gallison welcomes to the House Chamber Paul Stoddard Rice II, son of Representative Amy Rice.

Representative Rice welcomes to the House Lori Jean Fortier.

**ADJOURNMENT**

At 4:35 o'clock P.M. on motion of Representative Savage, and as a further mark of respect to the memory of Manuel Vinhateiro; on motion of Representative Long, and as a further mark of respect to the memory of Nancy P. Baker; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
**Recording Clerk**

**APPENDIX**

**INVOCATION**

**THE REVEREND JOHN CODEGA  
CHRIST THE KING CHURCH, WEST WARWICK**

Good and Gracious God-We thank you for the intercession of the husband of Mary, and Jesus' father on earth-Joseph an honest man and worker in your vineyard, an example for all.

Help us, almighty father, to carry out the duties and responsibilities we all have in life. Regardless of our vocations and professions, we are all laborers in your world. Enable us also to appreciate all who help us in our daily lives and make us aware of how very much we need each other. May we never take for granted the hard work and efforts of others on our behalf.

Open our mind and hearts to your will that we may make our contribution to lifting, supporting, and helping one another, especially our sisters and brothers most in need.

Through the intercession of Joseph, Bless our state and all our public servants. Like Saint Joseph, may they inspire us by their fidelity, dedication, honesty and hard work on behalf of our citizens. And may the citizens truly cooperate with them in transforming the city of man into the city of god.

We ask this through Christ our Lord, AMEN.

## APPENDIX

## CALENDAR

## IN ORDER FOR TUESDAY, MARCH 21, 2006:

**1 2006-H 7205 SUB A****BY Coderre E**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT  
Committee on Separation of Powers recommends indefinite postponement of the original  
bill and passage of Substitute A.

**2 2006-H 7156 SUB A****BY Coderre E**

**ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
NARRAGANSETT INDIAN LAND MANAGEMENT  
CORPORATION

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

**3 2006-H 7176****BY Coderre E**

**ENTITLED,** AN ACT RELATING TO HIGHWAYS -- MOUNT HOPE BRIDGE  
AUTHORITY

Committee on Separation of Powers recommends passage.

**4 2006-S 2141 SUB A****BY Sosnowski**

**ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends indefinite postponement of the original  
bill and passage of Substitute A in concurrence.

**5 2006-S 2140 SUB A****BY Lenihan**

**ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends indefinite postponement of the original  
bill and passage of Substitute A in concurrence.

**6 2006-S 2595 SUB A****BY Lenihan**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
INDUSTRIAL RECREATIONAL BUILDING AUTHORITY

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



**7 2006-S 2143 as amended****BY Roberts****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- WATER RESOURCES BOARD

Committee on Separation of Powers recommends passage as amended in concurrence.

**8 2006-S 2598****BY Felag****ENTITLED,** AN ACT RELATING TO HIGHWAYS -- MOUNT HOPE BRIDGE AUTHORITY

Committee on Separation of Powers recommends passage in concurrence.

**9 2006-S 2142 as amended****BY Gallo****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS -- EDUCATION

Committee on Separation of Powers recommends passage as amended in concurrence.

**10 2006-S 2138 SUB B****BY Connors****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends indefinite postponement of the original bill and the Substitute A and passage of Substitute B.

**11 2006-S 2011 SUB A****BY Walaska****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DEFINITIONS AND GENERAL CODE PROVISIONS

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

**IN ORDER FOR WEDNESDAY, MARCH 22, 2006:****1 2006-H 7792****BY Kilmartin****ENTITLED,** HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2005-2006

Committee on Rules recommends passage.

**2 2006-H 7201****BY Lewiss****ENTITLED,** AN ACT RELATING TO AIRPORT AND LANDING FIELDS

Committee on Finance recommends passage.

**3 2006-S 2464****BY Algieri****ENTITLED,** AN ACT RELATING TO AIRPORT AND LANDING FIELDS

Committee on Finance recommends passage in concurrence.

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

**Thursday, March 16, 2006**