

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. 33

Tuesday March 28, 2006

Thirty-third Day

The House of Representatives meets at the State House in Providence, Tuesday, March 28, 2006 and is called to order at 4:18 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 72 members present and 3 members absent as follows:

PRESENT - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, 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, Voccola, Wasylyk, Watson, Williamson, Winfield.

ABSENT – 3: Representatives Carter, Landroche, Williams.

INVOCATION

The Honorable Speaker presents Representative Brien 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 23, 2006 is approved as printed.

NEW BUSINESS**House Resolution No. 7936****BY** Ajello, Watson, McNamara**ENTITLED**, HOUSE RESOLUTION PROCLAIMING THE MONTH OF MARCH, 2007 TO BE "COLONIAL HISTORY MONTH" IN THE STATE OF RHODE ISLAND {LC618/1}

Representative Ajello requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ajello seconded by Representatives Naughton, Handy, Shanley, and Gorham by unanimous consent, on a voice vote.

House Bill No. 7937**BY** Ajello**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE (join Timothy Scott Hay and Kendra Jane Dayton) {LC2867/1}

03/28/2006 Introduced, referred to House Judiciary

House Bill No. 7938**BY** Almeida, Williams, Ajello, Diaz, Slater**ENTITLED**, AN ACT RELATING TO ELECTIONS (provide that a person who has lost the right to vote upon a felony conviction would have that right restored when that person is discharged from incarceration) {LC2812/1}

03/28/2006 Introduced, referred to House Judiciary

House Bill No. 7939**BY** Lima, Pacheco, Moura, Naughton, Coderre E**ENTITLED**, AN ACT RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING (limit political party committees from contributing more than \$25,000 to any group of candidates as opposed to present law which limits such amounts to any one candidate) {LC2810/1}

03/28/2006 Introduced, referred to House Judiciary

COMMUNICATION

The Honorable Speaker announces the receipt of the following communication:

March 28, 2006

Honorable William J. Murphy
Speaker of the House

Dear Speaker Murphy,

This is to inform you that I am unable to attend the House Session tonight. I apologize for any inconvenience this may cause.

Respectfully,

Norman L Landroche, Jr.
Representative, District 27

Received and placed on file.

COMMUNICATION FROM THE SENATE

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

House Bill No. 6753 as amended
BY Coderre E, Crowley, Kilmartin, Davey, Naughton
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from various boards and commissions and make other changes in accordance with the recent amendments to the state constitution) {LC334/1}
03/28/2006 Referred to House Separation of Powers

Senate Bill No. 2120 as amended
BY Blais, Paiva-Weed
ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES (issuers of rebates to remit the rebate to the purchaser within thirty (30) days of receipt 2) {LC65/1}
03/28/2006 Referred to House Corporations

FROM THE DESK IS TAKEN

Senate Bill No. 2693
BY Montalbano J, Caprio F
ENTITLED, AN ACT RELATING TO DAYS OF SPECIAL OBSERVANCE {LC2400/1}
03/28/2006 Referred to House H.E.W.

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, MARCH 28, 2006:

1 2006-H 7209
BY Costantino
ENTITLED, AN ACT RELATING TO TAXATION -- PUBLIC SERVICE CORPORATION TAX
Committee on Finance recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, April 4, 2006.

GUESTS

Representative Lewiss and the Honorable Speaker Murphy welcome to the House Chamber as a guest Sarah Hammond from NCSL.

ADJOURNMENT

At 4:22 o'clock P.M. on motion of Representatives Caprio and Giannini, and as a further mark of respect to the memory of Dr. Hugo Halo; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE TOOD R. BRIEN

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

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 29, 2006:

1 2006-H 7679 SUB A**BY Watson**

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES
Committee on Finance recommends indefinite postponement of the original bill and
passage of Substitute A.

2 2006-H 7804**BY Fox**

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT
- INSURANCE BENEFITS - PERSONAL INCOME TAX
Committee on Finance recommends passage.

3 2006-H 6754 SUB A**BY Coderre E**

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-H 7389 SUB A**BY Caprio D**

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ADVISORY
COMMISSION ON HISTORICAL CEMETERIES
Committee on Separation of Powers recommends indefinite postponement of the original
bill and passage of Substitute A.

5 2006-H 7515**BY Davey**

ENTITLED, AN ACT RELATING TO EDUCATION -- ADULT EDUCATION
COMMISSION
Committee on Separation of Powers recommends passage.

6 2006-S 2199**BY Sosnowski**

ENTITLED, JOINT RESOLUTION RELATING TO RHODE ISLAND PUBLIC
CORPORATION DEBT MANAGEMENT ACT JOINT
RESOLUTIONS
Committee on Finance recommends passage in concurrence.

7 2006-S 2740 SUB A

BY Lenihan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

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

8 2006-S 2826 SUB A

BY Connors

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.

9 2006-S 2592 as amended

BY Lenihan

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- MUNICIPAL EMPLOYEES BENEFITS

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

IN ORDER FOR TUESDAY, APRIL 4, 2006:

1 2006-H 7209

BY Costantino

ENTITLED, AN ACT RELATING TO TAXATION -- PUBLIC SERVICE CORPORATION TAX

Committee on Finance recommends passage.

Francis P. McCabe
Clerk of the House

Tuesday, March 28, 2006