

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. 36

Tuesday, April 4, 2006

Thirty-sixth Day

The House of Representatives meets at the State House in Providence, Tuesday, April 4, 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 66 members present and 9 members absent as follows:

PRESENT - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 9: Representatives Amaral, Crowley, Faria, Ginaitt, Handy, Landroche, Moffitt, Rose, Voccola.

INVOCATION

The Honorable Speaker presents Representative McManus 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 30, 2006 is approved as printed.

ANNOUNCEMENTS

Representative Peter Ginaitt will be unable to attend session Tuesday, April 4 through Thursday, April 6, 2006. He is at a Homeland Security session.

Representative Arthur Handy will be unable to attend session Tuesday, April 4th and Wednesday, April 5, 2006. He is out of town, work related.

Representative Norman Landroche will be unable to attend session Tuesday, April 4, 2006.

**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. 7839 SUB A

BY Murphy, Fox, Moura, McCauley, Watson

ENTITLED, AN ACT RELATING TO MOTION PICTURE PRODUCTION TAX CREDITS
{LC2673/4/A}

04/04/2006 Placed on House Calendar

NEW BUSINESS

House Bill No. 7955

BY Jackson, Rice, Crowley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - FORT
ADAMS FOUNDATION {LC2875/1}

04/04/2006 Introduced, referred to House Separation of Powers

House Bill No. 7956

BY Coderre E, Kilmartin, San Bento, Rose, Dennigan

ENTITLED, AN ACT RELATING TO TAXATION -- PAWTUCKET {LC2889/1}

04/04/2006 Introduced, referred to House Finance

House Bill No. 7957

BY Coderre E, Kilmartin, San Bento, Rose, Dennigan

ENTITLED, AN ACT RELATING TO TAXATION {LC2888/1}

04/04/2006 Introduced, referred to House Finance

House Resolution No. 7958

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2969/1}

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 by unanimous consent, on a voice vote.

House Resolution No. 7959

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2970/1}

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 by unanimous consent, on a rising vote.

House Resolution No. 7960

BY Carter, Watson, Loughlin

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY THE KOREAN CONFLICT VETERANS BONUS FOR RICHARD FIGUEIREDO, 68 VINTON STREET, PROVIDENCE, RI 02909 {LC2781/1}

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Carter seconded by Representatives Brien, Scott, and Shanley by unanimous consent, on a voice vote.

House Resolution No. 7961

BY Gallison

ENTITLED, HOUSE RESOLUTION CONGRATULATING EILEEN AND LEO DIMIAO ON THE OCCASION OF THEIR 50TH WEDDING ANNIVERSARY {LC2974/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Carter and Anguilla by unanimous consent, on a voice vote.

House Resolution No. 7962

BY Costantino, Dennigan, Gallison, Naughton, Slater

ENTITLED, HOUSE RESOLUTION DESIGNATING APRIL, 2006 AS "FINANCIAL LITERACY MONTH" IN THE STATE OF RHODE ISLAND {LC2892/1}

Representative Costantino requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Costantino seconded by Representative Dennigan and the entire Finance committee by unanimous consent, on a voice vote.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2865

BY Montalbano J, Connors

ENTITLED, AN ACT RELATING TO TAXATION (amend the classes of property tax classification in the town of Lincoln.) {LC2396/1}

04/04/2006 Referred to House Corporations

Senate Bill No. 2684

BY Gibbs

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- MIDDLETOWN (allow town of Middletown to impose regulations through a permit process on excavation activity) {LC1801/1}

04/04/2006 Referred to House Corporations

Senate Bill No. 2717 SUB A as amended (Administration)

BY Blais, Breene

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES (loan program for those state employees affected by the additional income tax liability due to the extension of health insurance coverage to a non-dependent domestic partner) {LC1559/1/A}

04/04/2006 Referred to House Finance

Senate Bill No. 2552

BY Sosnowski, Alves, Walaska, Bates

ENTITLED, AN ACT RELATING TO TAXATION -- MOTOR FUEL TAX (include fuels sold to manufacturers who use certain fuels as industrial raw material and who use diesel engine fuel for the manufacture of power) {LC1917/1}

04/04/2006 Referred to House Finance

Senate Bill No. 2782 (by request)

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS -- CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTS (provide the board of elections with discretion as to how campaign finance laws are processed) {LC1742/1}

04/04/2006 Referred to House Judiciary

CALENDAR

From the Calendar are taken:

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.

Majority Leader Fox moves to recommit, seconded by Representative Costantino. There is no objection.

Read and recommitted to the committee on Finance.

2 2006-H 7908**BY Lally****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

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

Read and passed, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Laroche, Lewiss, Lima, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0

REQUESTS

Representatives DeSimone and Smith request the journal to reflect that if they had voted on (06H 7908), they would have voted in the affirmative.

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, at the rise of the House, in Room 203 of the State House.

Representative McNamara announces that the Committee on Health, Education and Welfare will meet today, at the rise of the House, in Room 135 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 Rice congratulates Representative Church on his retirement from the CPA management business for the last 16 years.

Representative Rice gives an update on Representative Crowley and announces he is doing well after surgery and wishes him well.

Representative Carter extends thanks to Speaker Murphy, the leadership and members of the House for their prayers, cards and gifts.

GUESTS

Representative Dennigan thanks the Speaker and colleagues for supporting the program Books Are Wings. Representative Dennigan welcomes to the House Chamber as guests Books Are Wings Corporate Sponsors from Verizon Yellow Pages-the Executive Director and General Manager-Todd Sanislow, Director-Michael Greene, from CollegeBoundfund RI Higher Education Assistance Authority-Executive Director-Bill Hurry and Marisol Garcia; from Citadel Broadcasting-Executive Director-Barbara Haynes along with Lisa DiMonte and Mark Brunero; also Books are Wings Director- Dot and Jack O'Gara.

The Honorable Speaker Murphy congratulates Representative Dennigan on the fifth successful Books Are Wings here at the State House.

ADJOURNMENT

At 4:35 o'clock P.M. on motion of the Honorable Speaker Murphy, Representative Williamson, and the entire House of Representatives and as a further mark of respect to the memory of Cpl. Brian St. Germain, USMC; on motion of Representative Brien, and as a further mark of respect to the memory of Paul Labreche; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE WILLIAM J. McMANUS

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 THURSDAY, APRIL 6, 2006:

1 2006-H 7839 SUB A

BY Murphy

ENTITLED, AN ACT RELATING TO MOTION PICTURE PRODUCTION TAX
CREDITS

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

Francis P. McCabe
Clerk of the House

Tuesday, April 4, 2006