

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. 37

Wednesday, April 5, 2006

Thirty-seventh Day

The House of Representatives meets at the State House in Providence, Wednesday, April 5, 2006 and is called to order at 4:28 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 67 members present and 8 members absent as follows:

PRESENT - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, 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, Savage, Schadone, Shanley, , Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 8: Representatives Anguilla, Crowley, Ginaitt, Rose, San Bento, Scott, Singleton, and Smith.

INVOCATION

The Honorable Speaker presents Representative Naughton 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 Tuesday, April 4, 2006 is approved as printed.

ANNOUNCEMENT

Representative Richard Singleton will be unable to attend session Wednesday, April 5, 2006. He is out of state.

**REPORTS OF COMMITTEES
COMMITTEE ON FINANCE**

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

Senate Bill No. 2717 SUB B (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/B} 04/05/2006 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. 7937

BY Ajello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE (join Timothy Scott Hay and Kendra Jane Dayton) {LC2867/1} 04/05/2006 Placed on House Calendar

Senate Bill No. 2070 SUB A

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC554/1/A} 04/05/2006 Placed on House Calendar

NEW BUSINESS

House Bill No. 7963

BY Lally

ENTITLED, AN ACT RELATING TO INSURANCE {LC2876/1} 04/05/2006 Introduced, referred to House Judiciary

House Bill No. 7964**BY** Lally**ENTITLED**, AN ACT RELATING TO COMMISSION ON JUDICIAL TENURE AND DISCIPLINE {LC2939/1}

04/05/2006 Introduced, referred to House Separation of Powers

House Bill No. 7965**BY** Corvese**ENTITLED**, AN ACT RELATING TO MEDICAL ASSISTANCE {LC2923/1}

04/05/2006 Introduced, referred to House Finance

House Resolution No. 7966**BY** Slater, Costantino, Williams, Diaz, Giannini**ENTITLED**, HOUSE RESOLUTION PROCLAIMING APRIL 5, 2006 AS "HEALTH CARE APPRECIATION DAY" IN THE STATE OF RHODE ISLAND {LC2978/1}

Representative Slater requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Slater seconded by Representative Naughton, Diaz, Almeida, Dennigan, Moffitt, and Carter by unanimous consent, on a voice vote.

House Resolution No. 7967**BY** Carter, Shanley, Lally, McHugh, Caprio D**ENTITLED**, HOUSE RESOLUTION PROCLAIMING APRIL 6, 2006 TO BE "PUBLIC HIGHER EDUCATION DAY" IN THE STATE OF RHODE ISLAND {LC2992/1}

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Carter seconded by Representatives Moran, Jackson, and Slater by unanimous consent, on a voice 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.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2892**BY** Algieri, Breene**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION (religious organization exemption) {LC2654/1}

04/05/2006 Referred to House Finance

Senate Bill No. 2713 as amended**BY** Perry, Sosnowski, Pichardo, Levesque C, Roberts**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT - INSURANCE BENEFITS - PERSONAL INCOME TAX {LC2237/1}

04/05/2006 Referred to House Finance

Senate Bill No. 2936**BY** Caprio F**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT {LC2776/1}

04/05/2006 Referred to House Corporations

Senate Bill No. 2938**BY** Caprio F**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT AND RHODE ISLAND LIMITED LIABILITY COMPANY ACT {LC2775/1}

04/05/2006 Referred to House Corporations

Senate Bill No. 2750 (Health)**BY** Gibbs, Blais, Breene**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- INTERPRETERS FOR THE DEAF (various changes regarding the licensing requirements for interpreters for the deaf.) {LC1572/1}

04/05/2006 Referred to House H.E.W.

Senate Bill No. 2846 as amended (Health)**BY** Gibbs**ENTITLED**, AN ACT RELATING TO MENTAL HEALTH COUNSELORS AND MARRIAGE AND FAMILY THERAPIST (reduce the number of members on the board of mental health counselors and marriage and family therapist from 9 to 5) {LC1611/1}

04/05/2006 Referred to House H.E.W.

Senate Bill No. 2324**BY** Perry**ENTITLED**, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- INCOMPETENCY TO STAND TRIAL AND PERSONS ADJUDGED NOT GUILTY BY REASON OF INSANITY (mental health advocate to file petitions on behalf of

mentally ill inmates held by the dept of corrections in order to have those inmates considered for transfer) {LC426/1}
04/05/2006 Referred to House Judiciary

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 Lally announces that the Committee on Judiciary will meet today, at the rise of the House, in Room 313 of the State House.

Representative Faria announces that the Committee on Labor will meet today, at the rise of the House today, in room 201.

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 Fox announces that the House will be meeting in session on Monday, April 10, 2006.

GUESTS

Representative Eileen Naughton welcomes to the House of Representatives Kerri Jones Clark, Merrill Thomas, Loretta Thorp, Cilia Gomes McGillhary, Deborah Silva, Charlotte Taylor, Marie Ghagal, Dennis Roy, Deidre Norton, Diane Harper, Linda Reilly, Kimberly Reynolds, Dr. Steve Horeness-Rhode Island Community Health Centers.

ADJOURNMENT

At 4:42 o'clock P.M. on motion of Representative Faria, and as a further mark of respect to the memory of Clarence Godfrey; on motion of Representative McNamara, and as a further mark of respect to the memory of Mildred G. Murray; on motion of Representative Carter and as a further mark of respect to the memory of Edward Garlick, seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE EILEEN NAUGHTON

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 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.

IN ORDER FOR MONDAY, APRIL 10, 2006:

1 2006-H 7937**BY Ajello****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Committee on Judiciary recommends passage.

2 2006-S 2070 SUB A**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

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

3 2006-S 2717 SUB B**BY Blais****ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES

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

Francis P. McCabe
Clerk of the House

Wednesday, April 5, 2006