

**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 sixth day of January in the year of Our Lord two thousand and four.**

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Volume 131, No. 2

Wednesday, January 7, 2004

Second Day

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The House of Representatives meets at the State House in Providence, Wednesday, January 7, 2004 and is called to order at 4:05 o'clock P.M., by the Honorable William J. Murphy, Speaker

The roll is called and a quorum is declared present with 73 members present and 2 members absent as follows:

**PRESENT** – 73: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Harwood, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**ABSENT** – 2: Representatives Petrarca, Sherlock

**INVOCATION**

The Honorable Speaker presents Representative Story 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, January 6, 2004, is approved as printed.

**ANNOUNCEMENTS**

Representative Elaine A. Coderre will be attending a Women in Government conference, and will be unable to attend session tomorrow, January 8, 2004.

Majority Leader Fox announces the In-house Creation and Printing of the House and Senate Journals, for the first time in the history of the General Assembly. He explains this is one of many projects that was undertaken for cost savings. Majority Leader thanks the House Clerk's Office, Legislative Data and the Legislative Press. He proceeds to single out Marissa White, director of JCLS, Dee DeOliveira and Donna Swider, in the Leg Data Office, Linda McElroy, and Nina DeQuattro, in the House Office, for making this transition possible.

**NEW BUSINESS PREFILED**

House Bill No. 7000

(PREFILED)

**BY** Landroche

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULTS

{LC392/1}

Read and referred to the committee on Judiciary.

**NEW BUSINESS**

House Bill     **No.** 7007

**BY** Faria

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF AMERICAN-COLUMBIAN LIQUORS, INC.

LC495/1}

Representative Faria requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Faria seconded by Representative Moran and by unanimous consent, on a roll call vote 61 members voting in the affirmative and 0 members voting in the negative as follows:

Yeas - 61: Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Palumbo, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0

House Resolution **No.** 7008

**BY** Menard, Reilly, Moran

**ENTITLED**, HOUSE RESOLUTION CONGRATULATING THE CUMBERLAND HIGH SCHOOL GIRLS SOCCER TEAM ON BECOMING THE DIVISION II STATE CHAMPIONS

{LC481/1}

Representative Menard requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Menard seconded by Representatives Reilly and Moran and by unanimous consent, on a voice vote

House Bill **No.** 7009

**BY** McNamara

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF RAMAC ASSOC., INC.

{LC505/1}

Representative McNamara requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative McNamara seconded by Representative Landroche and by unanimous consent, on a roll call vote 64 members voting in the affirmative and 1 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representative Crowley.

House Resolution **No.** 7010

**BY** Carter, San Bento, Gallison, Shanley, Moffitt

**ENTITLED**, HOUSE RESOLUTION CREATING A PERMANENT ADVISORY COUNCIL FOR THE RHODE ISLAND HOUSE VETERANS' AFFAIRS COMMITTEE

{LC423/1}

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, Aubin, McHugh, Shavers, Benson and several other members of the House, and by unanimous consent, on a voice vote.

House Bill **No.** 7011

**BY** Menard, McManus

**ENTITLED**, AN ACT RELATING TO THE INCORPORATION OF THE ALBION FIRE DISTRICT

{LC213/1}

01/07/2004 Introduced, referred to House Corporations

House Bill **No.** 7012

**BY** Menard, Winfield, Gallison, Lewiss

**ENTITLED**, AN ACT RELATING TO PROPERTY- RECORDING OF INSTRUMENTS

{LC218/1}

01/07/2004 Introduced, referred to House Corporations

House Bill **No.** 7013

**BY** Picard

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- QUASI-PUBLIC CORPORATIONS

{LC184/1}

01/07/2004 Introduced, referred to House Corporations

House Bill **No.** 7014

**BY** Mumford, Moffitt, Savage, Story, Long

**ENTITLED**, AN ACT RELATING TO TAXATION -- TAXATION OF FARM, FOREST AND OPEN SPACE LAND

{LC493/1}

01/07/2004 Introduced, referred to House Corporations

House Bill **No.** 7015

**BY** Picard

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - CONDOMINIUM TRASH REMOVAL

{LC209/1}

01/07/2004 Introduced, referred to House Corporations

House Bill **No.** 7016

**BY** Picard

**ENTITLED**, AN ACT RELATING TO PHARMACY

{LC210/1}

01/07/2004 Introduced, referred to House Corporations

House Bill     **No.** 7017

**BY** Picard

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

{LC223/1}

01/07/2004 Introduced, referred to House Corporations

House Bill     **No.** 7018

**BY** Picard

**ENTITLED**, AN ACT RELATING TO INSURANCE -- COMPREHENSIVE MOTOR VEHICLE  
INSURANCE REPARATIONS

{LC219/1}

01/07/2004 Introduced, referred to House Corporations

House Bill     **No.** 7019

**BY** Picard

**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- LICENSE AND REGISTRATION  
RENEWAL

{LC234/1}

01/07/2004 Introduced, referred to House Corporations

House Bill     **No.** 7020

**BY** Picard

**ENTITLED**, AN ACT RELATING TO PRIVATE SCHOOLS

{LC127/1}

01/07/2004 Introduced, referred to House H.E.W.

House Bill     **No.** 7021

**BY** Picard

**ENTITLED**, AN ACT RELATING TO SALES AND USE TAXES - - LIABILITY AND  
COMPUTATION

{LC128/1}

01/07/2004 Introduced, referred to House Finance

House Bill     **No.** 7022

**BY** Carter, Shanley, Moffitt, Gallison, Benson

**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL  
GUARD

{LC514/1}

01/07/2004 Introduced, referred to House Finance

House Bill     **No.** 7023

**BY** Mumford, Moffitt, Savage, Story, Long

**ENTITLED**, AN ACT RELATING TO TAXATION -- INHERITANCE TAX

{LC494/1}

01/07/2004 Introduced, referred to House Finance

House Bill     **No.** 7024

**BY** Picard

**ENTITLED**, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - VITAMINS  
{LC197/1}

01/07/2004 Introduced, referred to House Finance

House Bill     **No.** 7025

**BY** Flaherty, Anguilla, Voccola

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COMMISSION ON  
JUDICIAL TENURE AND  
DISCIPLINE

{LC519/1}

01/07/2004 Introduced, referred to House Judiciary

House Bill     **No.** 7026

**BY** Picard

**ENTITLED**, AN ACT RELATING TO INITIATIVE AND REFERENDUM  
{LC135/1}

01/07/2004 Introduced, referred to House Judiciary

House Bill     **No.** 7027

**BY** Flaherty, Menard

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE  
{LC518/1}

01/07/2004 Introduced, referred to House Judiciary

House Bill     **No.** 7028

**BY** Carter, San Bento, Shanley, Gallison, Moffitt

**ENTITLED**, AN ACT RELATING TO MONUMENTS AND MEMORIALS  
{LC397/1}

01/07/2004 Introduced, referred to House Judiciary

House Resolution     **No.** 7029

**BY** Picard

**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT TO THE  
ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE  
(INITIATIVE AND REFERENDUM)

{LC205/1}

01/07/2004 Introduced, referred to House Judiciary

House Bill     **No.** 7030

**BY** Picard

**ENTITLED**, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN  
{LC188/1}

01/07/2004 Introduced, referred to House Judiciary

House Bill No. 7031

BY Picard

ENTITLED, AN ACT RELATING TO REGISTRATION OF MOTOR VEHICLES

{LC212/1}

01/07/2004 Introduced, referred to House Corporations

**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.

**BILL DRAFTING**

The Honorable Speaker Murphy, Majority Leader Fox, and Minority Leader Watson discuss the process of drafting of bills.

**ADJOURNMENT**

At 4:27 o'clock P.M. on motion of Representative Mumford, and as a further mark of respect to the memory of Robert Cunniff; on motion of Representative Story, and as a further mark of respect to the memory of Robert Henry; on motion of Representative Landroche and as a further mark of respect to the memory of Florette I. Lamontagne; on motion of Representative Amaral, and as a further mark of respect to the memory of Thomas Ouellette seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**

**Recording Clerk**

**Appendix**

**INVOCATION**

**REPRESENTATIVE SUSAN A. STORY**

O Lord, as we begin this legislative year, we have much work to do and difficult decisions to make. Help us to govern wisely and to be responsive to the needs of the people of Rhode Island.

**Appendix**

**CALENDAR**

In order for Thursday, January 8, 2004:

1. (04-H 7004) An Act relating to towns and cities – low and moderate income housing.

Ordered on the Calendar.

**Louis D'Antuono**

**Clerk of the House**

Wednesday, January 7, 2004