

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

Volume 131, No. 33

Wednesday, March 31, 2004

Thirty-third Day

The House of Representatives meets at the State House in Providence, Wednesday, March 31, 2004 and is called to order at 4:09 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 69 members present and 5 members absent as follows:

PRESENT – 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Costantino, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 5: Representatives Corvese, Crowley, Harwood, Lowe, Schadone.

INVOCATION

The Honorable Speaker presents Representative Lally 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, March 30, 2004, is approved as printed.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2837 SUB A as amended (Dept of Environmental Management)
BY Sosnowski, Felag, Pichardo, DaPonte, Walaska
ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE {LC2138/1/A}
03/31/2004 Referred to House Corporations

Senate Bill No. 2933
BY Damiani, Polisena, Sosnowski, Cote, Blais
ENTITLED, AN ACT RELATING TO CAMPUS SECURITY {LC1012/1}
03/31/2004 Referred to House Corporations

Senate Bill No. 2620
BY Fogarty P, Gallo, Walaska, Tassoni, Goodwin
ENTITLED, AN ACT RELATING TO TAXATION {LC2113/1}
03/31/2004 Referred to House Corporations

Senate Bill No. 2364
BY Caprio F
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ARCHITECTS, ENGINEERS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS {LC1356/1}
03/31/2004 Referred to House Corporations

Senate Bill No. 2515
BY Tassoni, Polisena, Paiva-Weed, Damiani
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- TRAFFIC CONTROL DEVICES {LC2223/1}
03/31/2004 Referred to House Corporations

Senate Bill No. 2168
BY Tassoni, Roberts, DaPonte, Lanzi, Polisena
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- TRAFFIC CONTROL DEVICES {LC1139/1}
03/31/2004 Referred to House Corporations

Senate Bill No. 2166
BY Sosnowski, Blais, Breene, Connors, Felag
ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- RIGHT TO FARM {LC149/1}
03/31/2004 Referred to House Corporations

Senate Bill No. 2368 (by request)

BY Cote

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- LANDSCAPE ARCHITECTS {LC1358/1}

03/31/2004 Referred to House Corporations

Senate Bill No. 2466

BY McBurney, Montalbano J, Caprio F

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC1616/1}

03/31/2004 Referred to House Judiciary

Senate Bill No. 2348 (Dept. of Corrections)

BY Blais

ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - MEDICAL PAROLE {LC1390/1}

03/31/2004 Referred to House Judiciary

Senate Bill No. 2737

BY McCaffrey

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - CHILDREN {LC1925/1}

03/31/2004 Referred to House Judiciary

Senate Bill No. 2452

BY Ruggerio, Tassoni, Gallo, DaPonte, Connors

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- TELECOMMUNICATIONS {LC537/1}

03/31/2004 Referred to House Labor

REPORTS OF COMMITTEES

TRANSFER OF BILLS

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of transfer to the Committee on Finance:

House Bill No. 7821

BY Crowley, Shanley, Costantino, Anguilla, Ginaitt

ENTITLED, AN ACT RELATING TO NONPROFIT HOSPITAL SERVICE CORPORATIONS - BLUE CROSS & BLUE SHIELD OF RHODE ISLAND - BOARD OF DIRECTORS {LC431/1}

03/30/2004 Read and transferred to the House Committee on Finance

NEW BUSINESS

House Bill No. 8365**BY** McNamara**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3098/1}
03/31/2004 Introduced, referred to House Judiciary**House Bill No. 8366****BY** Lima, Cerra, Handy, Shavers, Palumbo**ENTITLED**, AN ACT RELATING TO ELECTIONS - BALLOT SECURITY AND STORAGE
{LC3084/1}

03/31/2004 Introduced, referred to House Judiciary

House Bill No. 8367**BY** Enos**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3086/1}
03/31/2004 Introduced, referred to House Judiciary**House Bill No. 8368** (by request)**BY** Anguilla**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - RETIREMENT
SYSTEM - CONTRIBUTIONS AND BENEFITS {LC3040/1}

03/31/2004 Introduced, referred to House Finance

House Bill No. 8369**BY** Coderre E, Fox, Kennedy, Slater**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT {LC2366/1}
03/31/2004 Introduced, referred to House Finance**House Bill No. 8370****BY** Faria**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - - RETIREMENT
SYSTEM - - ADMINISTRATION {LC3088/1}

03/31/2004 Introduced, referred to House Finance

House Bill No. 8371**BY** Faria**ENTITLED**, AN ACT RELATING TO EDUCATION -- BOARD OF REGENTS FOR
ELEMENTARY AND SECONDARY EDUCATION {LC3089/1}

03/31/2004 Introduced, referred to House Finance

House Bill No. 8372**BY** Coderre E, Kilmartin, Dennigan, Rose, McManus**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,025,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3057/1}

03/31/2004 Introduced, referred to House Corporations

House Bill No. 8373**BY** Coderre E, Kilmartin, San Bento, Dennigan, Rose**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND RECONSTRUCTION AND EQUIPPING OF PUBLIC RECREATION FACILITIES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$500,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3060/1}

03/31/2004 Introduced, referred to House Corporations

House Bill No. 8374**BY** Coderre E, Kilmartin, San Bento, Dennigan, Rose**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3052/1}

03/31/2004 Introduced, referred to House Corporations

House Bill No. 8375**BY** Coderre E, Kilmartin, San Bento, Dennigan, Rose**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$50,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3049/1}

03/31/2004 Introduced, referred to House Corporations

House Bill No. 8376**BY** Winfield, Gorham, Aubin**ENTITLED**, AN ACT RELATING TO THE ELIMINATION OF SCHOOL COMMITTEE PRIMARY ELECTIONS IN THE TOWN OF GLOCESTER, RHODE ISLAND {LC2955/1}

03/31/2004 Introduced, referred to House Corporations

House Bill No. 8377

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

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE IMPROVEMENT AND REPLACEMENT OF ROAD AND TRAFFIC CONTROL DEVICES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$125,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3051/1}

03/31/2004 Introduced, referred to House Corporations

House Bill No. 8378

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

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3048/1}

03/31/2004 Introduced, referred to House Corporations

House Bill No. 8379

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

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND RECONSTRUCTION OF STREETS AND SIDEWALKS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3059/1}

03/31/2004 Introduced, referred to House Corporations

House Bill No. 8380

BY Savage, McHugh, McManus

ENTITLED, AN ACT RELATING TO EDUCATION-HEALTH AND SAFETY OF PUPILS {LC3015/1}

03/31/2004 Introduced, referred to House H.E.W.

House Resolution No. 8381

BY Fox, Callahan, Watson, Lewiss, Coderre E

ENTITLED, HOUSE RESOLUTION HONORING THE MUSIC SCHOOL OF THE RHODE ISLAND PHILHARMONIC {LC3108/1}

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, Callahan, Lewiss, Reilly, Williamson, Menard, Brien, Williams, Aubin, Lima, Flaherty and by unanimous consent, on a voice vote.

House Resolution No. 8382**BY** Williams, Almeida, Faria, Benson, Fox**ENTITLED**, HOUSE RESOLUTION CELEBRATING THE LIFE AND ACCOMPLISHMENTS OF CESAR CHAVEZ {LC3104/1}

Representative Williams requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Williams seconded by Representatives Almeida, Shavers, Giannini, Faria, Amaral, Shanley, Brien, Menard, Kilmartin, San Bento, Slater and by unanimous consent, on a voice vote.

House Resolution No. 8383**BY** Long, Callahan, Amaral, Enos, Shavers**ENTITLED**, HOUSE RESOLUTION PROCLAIMING APRIL, 2004 TO BE "HOST HOME RECRUITMENT DRIVE MONTH" IN THE STATE OF RHODE ISLAND {LC3118/1}

Representative Long requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Long seconded by Representatives Gallison, Amaral, Moffitt and by unanimous consent, on a voice vote.

CALENDAR

From the Calendar is taken:

IN ORDER FOR WEDNESDAY, MARCH 31, 2004:**1 2004-H 8351****BY Benson****ENTITLED**, AN ACT RELATING TO MEDICAL INSURANCE --
REIMBURSEMENT RATES

Ordered on the Calendar

Representative Benson moves passage of the act. Representatives Benson and Costantino discuss the act.

Read and referred to the committee on Finance.

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 Giannini announces that the Committee on Health, Education and Welfare will meet today, at the rise of the House, and tomorrow at 2 o'clock P.M. in Room 135 of the State House.

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

Representative Coderre announces that the Committee on Separation of Powers will meet today, at the rise of the House, in Room 205 of the State House.

GUESTS

Representative Callahan welcomes to the House Chambers as guests, The Music School of the Rhode Island Philharmonic. Tribute performed by: The Music School Jazz Combo – Conducted by: Ron San Filippo; The Suzuki Violin Class – Conducted by: Laura Gulley. Board Members in attendance: Mr. William Ash, Ms. Lisa Churchville, Mr. C. Hamilton Davison Jr., Mrs. Linda Diebold, Mr. Christopher McMahan, Mrs. Letitia Carter. Music School Staff present: Kathy Czerny, Director, Karen Solomon, Senior Director of Development, Pam Cassidy, Assistant Director of Development, Stephen Palmer, Development Assistant, Wendy Litke, Marketing Assistant, Sarah Howard-McHugh, Outreach Coordinator, Karin Reed, Public Relations Consultant. Representative Callahan also welcomes the parents of the students.

Representative Lewiss also welcomes the Philharmonic and students.

Also:

At 4:26 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Benson.

By unanimous consent, Representative Benson addresses the members of the House and welcomes to the House Chief Reuben M. Greenberg, Chief of Charleston Police Department, South Carolina.

By unanimous consent, Chief Greenberg addresses the members of the House.

By unanimous consent, Representative Almeida addresses the members of the House and welcomes Chief Greenberg and Dr. Louis A. Mayor to the House and presents them with citations from the House of Representatives.

At 4:35 o'clock P.M. the Honorable Speaker returns to the rostrum.

ADJOURNMENT

At 4:47 o'clock P.M. on motion of Representative Williamson, and as a further mark of respect to the memory of Anthony Ray; on motion of Representative San Bento and as a further mark of respect to the memory of Barbara Green; on motion of Representative Lewiss and as a further mark of respect to the memory of Dean Cook; on motion of Representative Callahan, and as a further mark of respect to the memory of Louise Kazanjian; on motion of Representative Carter, and as a further mark of respect to the memory of James M.Reed; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy

Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DONALD J. LALLY, JR.

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