

**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. 48

Thursday, May 13, 2004

Forty-eighth Day

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The House of Representatives meets at the State House in Providence, Thursday, May 13, 2004 and is called to order at 4:15 o'clock P.M., by the Honorable William J. Murphy, Speaker

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

**PRESENT** – 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**ABSENT** – 5: Representatives Coogan, Faria, Harwood, Reilly, Smith.

**INVOCATION**

The Honorable Speaker presents Representative Shavers 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 Wednesday, May 12, 2004 is approved as printed.

**CORRECTION**

By unanimous consent, the House Journal of Wednesday, May 5, 2004, is hereby corrected on page 6, line 34, by inserting the following:

**Senate Bill No. 2029** SUB A  
**BY** Sosnowski, Roberts, Lenihan, Polisena, Sheehan  
**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND WORKERS' SAFETY ACT OF 2004 {LC237/2/A}  
05/15/2004 Referred to House Labor

**COMMUNICATION FROM THE SENATE**

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

**Senate Bill No. 2105** SUB A  
**BY** Cote, Walaska, Tassoni  
**ENTITLED**, AN ACT RELATING TO DISTRIBUTION OF CREDIT CARDS {LC765/2/A}  
05/13/2004 Referred to House Corporations

**Senate Bill No. 2333** SUB A  
**BY** Walaska, Gallo, Fogarty P, Caprio F, Alves  
**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CREDIT COUNSELORS {LC895/3/A}  
05/13/2004 Referred to House Corporations

**Senate Bill No. 2758** SUB A  
**BY** McCaffrey  
**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC2160/1/A}  
05/13/2004 Referred to House Corporations

**Senate Bill No. 3057**  
**BY** Polisena, Walaska  
**ENTITLED**, AN ACT RELATING TO INSURANCE - COMMERCIAL SPECIAL RISKS {LC3244/1}  
05/13/2004 Referred to House Corporations

**Senate Bill No. 3110**  
**BY** Cote  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF G. & S. REALTY AND RENTING CO., INC. {LC3390/1}  
05/13/2004 Referred to House Corporations

**Senate Bill No. 3047** as amended

**BY** Tassoni

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - -  
REGISTRATION OF VEHICLES {LC3179/1}

05/13/2004 Referred to House Finance

**Senate Bill No. 3050** SUB A

**BY** Sheehan, Lenihan, Sosnowski, Paiva-Weed, Montalbano J

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
ECONOMIC DEVELOPMENT CORPORATION {LC3183/1/A}

05/13/2004 Referred to House Finance

**House Resolution No. 7736** SUB B

**BY** Fox

**ENTITLED**, JOINT RESOLUTION PROVIDING FOR A BI-PARTISAN PREPARATORY  
COMMISSION TO ASSEMBLE INFORMATION ON CONSTITUTIONAL QUESTIONS IN  
PREPARATION FOR A VOTE BY THE QUALIFIED ELECTORS ON THE HOLDING OF A  
CONSTITUTIONAL CONVENTION IN ACCORDANCE WITH ARTICLE XIV SECTION 2  
OF THE RHODE ISLAND CONSTITUTION {LC2298/1/B}

05/13/2004 Referred to House Judiciary

**Senate Bill No. 2173** SUB A as amended

**BY** Montalbano J, Lenihan, Paiva-Weed, Revens, Sheehan

**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- CODE  
OF ETHICS {LC1237/2/A}

05/13/2004 Referred to House Judiciary

**Senate Bill No. 2420** SUB A

**BY** Lenihan, Sosnowski, Sheehan, Polisena, Cote

**ENTITLED**, AN ACT RELATING TO LOBBYING  
{LC1443/1/A}

05/13/2004 Referred to House Judiciary

**Senate Bill No. 2421**

**BY** Lenihan, Sosnowski, Sheehan, Polisena, Cote

**ENTITLED**, AN ACT RELATING TO THE CODE OF ETHICS {LC1441/1}

05/13/2004 Referred to House Judiciary

### NEW BUSINESS

**House Bill No. 8527**

**BY** Lima, Naughton, Cerra, Handy, Benson

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --  
ADAPTIVE TELEPHONE EQUIPMENT LOAN PROGRAM COMMITTEE {LC3384/1}

05/13/2004 Introduced, referred to House Corporations

**House Resolution No. 8528****BY** Gemma**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE SINGLE PAYER COMPREHENSIVE HEALTH INSURANCE PLAN

{LC3403/1}

05/13/2004 Introduced, referred to House Corporations

**House Bill No. 8529****BY** San Bento, Lowe**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

{LC3382/1}

05/13/2004 Introduced, referred to House Finance

**House Resolution No. 8530****BY** Coderre E, Kilmartin, Lima, Crowley, Williamson**ENTITLED**, HOUSE RESOLUTION CREATING THE HOUSE OVERSIGHT COMMITTEE {LC3332/1}

05/13/2004 Introduced, referred to House Separation of Powers

**House Bill No. 8531****BY** Corvese**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3400/1}

05/13/2004 Introduced, referred to House Judiciary

**House Resolution No. 8532****BY** Kennedy, Winfield, Menard, Costantino, Crowley**ENTITLED**, HOUSE RESOLUTION SUPPORTING A TAIWAN-UNITED STATES FREE AGREEMENT {LC3411/1}

Representative Kennedy requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Kennedy seconded by Representatives San Bento, Dennigan, Shanley, and by unanimous consent, on a voice vote.

**House Resolution No. 8533****BY** Savage, Long, Ginaitt, Anguilla, Amaral**ENTITLED**, HOUSE RESOLUTION CONGRATULATING THE HONORABLE JACK REED FOR BEING NAMED "MARITIME MAN OF THE YEAR" {LC3402/1}

Representative Savage requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Savage seconded by Representatives McCauley, Benson, Rose, Gorham and by unanimous consent, on a voice vote.

**House Bill No. 8534** (by request)

**BY** Scott, Carter

**ENTITLED**, AN ACT RELATING TO CITIES AND TOWNS - TAXATION - TOWN OF EXETER {LC3426/1}

Representative Scott requests unanimous consent for immediate consideration.

There is no objection.

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

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Winfield.

NAYS - 0

#### REQUEST

Representative Lally requests the journal to reflect that if he had voted on (04-H 8534), he would have voted in the affirmative.

**House Resolution No. 8535**

**BY** Naughton, Slater, Giannini, Cerra, Shavers

**ENTITLED**, HOUSE RESOLUTION PROCLAIMING MAY, 2004 AS "STROKE AWARENESS MONTH" IN THE STATE OF RHODE ISLAND {LC3396/1}

Representative Naughton requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Naughton seconded by Representatives Winfield, Giannini, Lewiss, Enos and by unanimous consent, on a voice vote.

**House Resolution No. 8536****BY** Malik, Anguilla**ENTITLED**, HOUSE RESOLUTION CONGRATULATING MARY C. RUSSO ON THE CELEBRATION OF HER 100TH BIRTHDAY ON JULY 24, 2004 {LC3424/1}

Representative Malik requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Malik seconded by Representatives Cerra, Long and by unanimous consent, on a voice vote.

**House Resolution No. 8537****BY** Winfield, Petrarca**ENTITLED**, HOUSE RESOLUTION HONORING FIREFIGHTER KENNETH A. BROWN, SR. ON HIS RETIREMENT AFTER THIRTY-TWO YEARS OF COMMITTED SERVICE TO THE SMITHFIELD FIRE DEPARTMENT AND HIS COMMUNITY {LC3425/1}

Representative Winfield requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Winfield seconded by Representatives Petrarca, Landroche, Laroche and 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, with the exception of bills being held on the desk.

**CALENDAR**

From the Calendar are taken:

**IN ORDER FOR THURSDAY, MAY 13, 2004:****1 2004-H 7397 SUB A****BY** Winfield**ENTITLED**, AN ACT RELATING TO EDUCATION

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, May 20, 2004.

**2 2004-H 7799 SUB A****BY Kennedy****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS - -  
COMMUNITY OBLIGATIONS AND BANKING OFFENSES**

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

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HOUSE OF REPRESENTATIVES****AFFIDAVIT**

I, Peter Lewiss State Representative, District 37, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon"

04-H-7799 SUB A

. (Nature of the potential conflict) I have the following interest in the matter:

More than 50 % of my law practice involves residential real estate closings.

B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

Peter Lewiss  
Representative, District 37

State of Rhode Island  
County of Washington

Subscribed and sworn to before me this 13 day of May, 2004

Kenneth Carter  
Notary Public

Representative Lewiss is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

WILLIAM J. MURPHY  
Speaker of the House of Representatives

Representative Kennedy moves passage of the act, seconded by Representative San Bento. By unanimous consent, Representative Kennedy, seconded by Representative San Bento offers a written motion to amend. Representatives Lima and Kennedy discuss the amendment.

**FLOOR AMENDMENT  
TO  
2004 -- H 7799 SUBSTITUTE A**

AN ACT RELATING TO FINANCIAL INSTITUTIONS - - COMMUNITY OBLIGATIONS  
AND BANKING OFFENSES

Mr. Speaker:

I hereby move to amend 2004 -- H 7799 SUBSTITUTE A, entitled "AN ACT RELATING TO FINANCIAL INSTITUTIONS - - COMMUNITY OBLIGATIONS AND BANKING OFFENSES", as follows:

On page 1, line 6, be deleting the language "containing all information necessary to determine the payoff according to the".

On page 1, line 7, by deleting the language "terms of the loan".

On page 1, line 7, by inserting the language after the word "loan.": "Entities licensed to do business in the state of Rhode Island pursuant to the provisions of chapter 55 of title 42 shall be exempt from the requirements of this section."

Respectfully submitted,  
REPRESENTATIVE KENNEDY

The motion to amend prevails on a roll call vote 59 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Watson, Williamson, Winfield.

NAYS - 0.

Representatives Lima and Kennedy discuss the act as amended.

Read, and by unanimous consent, ordered to be placed on the bottom of page 2 as item # 9A.

**3 2004-H 8142 SUB A**

**BY Trillo**

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE**

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, May 20, 2004.



**4 2004-H 8152 SUB A****BY Trillo****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS - LIE  
DETECTOR TESTS AS CONDITIONS OF EMPLOYMENT

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

Representative Trillo moves passage of the act, seconded by Representative Long.

Representatives Ajello, Almeida, Jacquard, Benson, Lima, and Trillo discuss the act.

By unanimous consent, Representative Trillo moves to recommit to the committee on Labor, seconded by Representatives Scott, Long, Shavers and Cerra.

Read and recommitted to the committee on Labor.

**5 2004-H 7282 SUB A****BY Trillo****ENTITLED,** AN ACT RELATING TO SMALL EMPLOYER HEALTH  
INSURANCE

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

Representative Kennedy moves passage of the act, seconded by Representatives Malik, Brien, McHugh, Picard, Trillo, Moffitt, Savage, Story and Lally.

Representatives Ajello, Kennedy, Coderre, McHugh, Benson and Trillo discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 62 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Callahan, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Benson.

**REQUEST**

Representative Landroche requests the journal to reflect that if he had voted on (04-H 7282 SUB A), he would have voted in the affirmative.

**6 2004-H 7806****BY Coderre E****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, May 20, 2004.

**7 2004-H 7659****BY Giannini****ENTITLED, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- O'ROURKE CHILDREN'S CENTER**

Committee on Health, Education & Welfare recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 26, 2004.

**8 2004-H 7664****BY Handy****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS**

Committee on Health, Education & Welfare recommends passage.

Representative Handy moves passage of the act, seconded by Representatives Ajello and Giannini.

By unanimous consent, Representative Handy, seconded by Representatives Ajello and Mumford offers a written motion to amend.

**FLOOR AMENDMENT****TO****2004 -- H 7664****AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS**

Mr. Speaker:

I hereby move to amend 2004 -- H 7664, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS", as follows:

(1) On page 1, line 8, insert a "comma (,)" after the word "chapter", and strike the underlined language.

(2) On page 1, line 9, strike the words "resident advocacy groups such as".

(3) On page 1, line 9, insert a "comma (,)" after the word "ombudsman".

Respectfully submitted,

REPRESENTATIVE HANDY

The motion to amend prevails on a roll call vote 61 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

Read and passed, as amended, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows.

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

NAYS - 0.

**9 2004-H 7534 SUB A**

**BY Trillo**

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - -  
NONTRANSPARENT WINDSHIELDS AND WINDOWS**

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

Representative Trillo moves passage of the act, seconded by Representatives Mumford, Gorham and Long.

Representatives Shanley, Gorham, Trillo, Long, Jacquard, San Bento, Lima, Moran, Gemma, Giannini, Petrarca, Slater, and McNamara discuss the act.

The bill marked Substitute "A" is read and fails, and the original bill indefinitely postponed, on a roll call vote, 20 members voting in the affirmative and 44 members voting in the negative as follows.

YEAS - 20: Representatives Amaral, Callahan, Caprio, Gorham, Handy, Kennedy, Lima, Long, McHugh, McManus, Moffitt, Mumford, Petrarca, Picard, Savage, Scott, Story, Trillo, Watson, Williamson.

NAYS - 44: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Jacquard, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lowe, Malik, McCauley, McNamara, Menard, Moran, Moura, Naughton, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Wasylyk, Winfield.

**9 A.2004-H 7799 SUB A**

**BY Kennedy**

**ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS - -  
COMMUNITY OBLIGATIONS AND BANKING OFFENSES

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

The bill was moved and seconded supra.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, 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, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Watson, Williams, Winfield.

NAYS - 0.

**10 2004-H 7647 SUB A****BY Fox****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 19, 2004

**11 2004-H 7425****BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 19, 2004.

**12 2004-H 8411****BY Lewiss****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Representative Flaherty moves passage of the act, seconded by Representative Lewiss.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

**13 2004-H 8444****BY Lally****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Representative Flaherty moves passage of the act, seconded by Representatives Lally, and Landroche.

Read and passed, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 62: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

**14 2004-H 8448**

**BY San Bento**

**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

Representative Flaherty moves passage of the act, seconded by Representative San Bento.

Read and passed, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**15 2004-H 8359 SUB A as amended**

**BY Naughton**

**ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- THE  
RHODE ISLAND BAYS, RIVERS, AND WATERSHEDS  
COORDINATION TEAM**

Committee on Environment and Natural Resources recommends indefinite postponement of the original bill and passage of Substitute A as amended.

Representative Ginaitt moves passage of the act, seconded by Representatives Naughton, Giannini, Lewiss, Savage, Amaral, Long, Shanley, Lally, San Bento, Gemma, Corvese, Crowley and several other members of the House.

Representatives Watson, Shanley, Gallison, Long, McHugh, Trillo, and Savage discuss the act.

The bill marked Substitute "A" is read and passed, as amended and the original bill indefinitely postponed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Cerra, Coderre, Corvese, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

### REQUESTS

Representatives Costantino and Carter request the journal to reflect that if they had voted on (04-H 8359 SUB Aaa), they would have voted in the affirmative.

**16 2004-H 8467**

**BY Anguilla**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF EAGLE ENTERPRISES INC.

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Scott and Anguilla.

Read and passed, on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasyluk, Watson, Williamson, Winfield.

NAYS - 0.

**17 2004-H 8433**

**BY Anguilla**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PEDY CASH PROPERTIES, INC.

Committee on Corporations recommends passage.

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

Read and passed, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Story, Tejada, Trillo, Wasyluk, Watson, Williamson, Winfield.

NAYS - 0.

**18 2004-H 8417**

**BY Anguilla**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF BRISTOL TO FINANCE ROAD AND SIDEWALK IMPROVEMENT PROJECTS BY ISSUANCE OF NOT MORE THAN \$5,000,000 BONDS THEREFOR

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Anguilla, Malik, Gallison, Enos, and Amaral.

Read and passed, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.



**19 2004-H 8404**

**BY Malik**

**ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION**

Committee on Corporations recommends passage.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HOUSE OF REPRESENTATIVES**

**AFFIDAVIT**

I, Fausto Anguilla State Representative, District 68, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon”

04-H-8404

. (Nature of the potential conflict) I have the following interest in the matter:

I am Town Solicitor for the town of Warren.

B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

Fausto Anguilla  
Representative, District 68

State of Rhode Island  
County of Providence

Subscribed and sworn to before me this 13 day of May, 2004

David Dumas  
Notary Public

Representative Anguilla is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

WILLIAM J. MURPHY  
Speaker of the House of Representatives

Representative Kennedy moves passage of the act, seconded by Representatives Malik, San Bento, Williams, Carter, and Gallison.

Read and passed, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anderson, Aubin, Benson, Brien, Callahan, Caprio, Carter, Corvese, Costantino, Crowley, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

#### REQUEST

Representative Cerra requests the journal to reflect that if she had voted on (04-H 8404), she would have voted in the affirmative.

#### GUESTS

Representative Naughton, in recognition of Rhode Island Stroke Awareness Day, welcomes the following to the House Chamber as guests: Sandy Simon, Christy Collins, Bob Ridgeway, Marianne Ridgeway, Frank Gallo, Miriam Plitt, Glenda Rickabaugh, Bryan Keane, and Nicholas Oliver.

#### FROM THE DESK IS TAKEN

**House Bill No. 7708**

**BY** Winfield, Gallison, Kennedy, Menard

**ENTITLED**, AN ACT RELATING TO THE BOARD OF ACCOUNTANCY {LC1956/1}

Representative Winfield moves to recommit to the committee on Finance seconded by Representative Lima by unanimous consent on a voice vote.

Read and recommitted 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, and the Honorable Senate forthwith.

#### ANNOUNCEMENTS

Representative Malik announces that the Committee on Finance will meet today, at the rise of the House, in Room 35 of the State House.

Representative Corvese announces that the Committee on Labor will meet today, at the rise of the House, in Room 201 of the State House.

Representative Moran wishes his father, Joseph P. Moran, Jr., a Happy "67<sup>th</sup>" Birthday on May 11, 2004.

#### ADJOURNMENT

At 5:32 o'clock P.M. on motion of Representative Mumford, and as a further mark of respect to the memory of John E. Winward; on motion of Representatives Watson, Shavers, Williams, and as a further mark of respect to the memory of Hope Harris; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

*Linda M. McElroy*  
Recording Clerk

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE MAXINE L. SHAVERS**

Lord may it be Thy will, not our own, which governs our deliberations this day. Amen

## APPENDIX

## CALENDAR

## IN ORDER FOR TUESDAY, MAY 18, 2004:

**1 2004-H 7666****BY Handy****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Health, Education &amp; Welfare recommends passage.

**2 2004-H 8162****BY Moffitt****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
BARBERS, HAIRDRESSERS, COSMETICIANS, MANICURIST AND  
ESTHETICIANS

Committee on Labor recommends passage.

**3 2004-H 8237 SUB A****BY Moura****ENTITLED,** AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION  
AND PRACTICESCommittee on Corporations recommends indefinite postponement of the original bill  
and passage of Substitute A.**4 2004-H 8340****BY Crowley****ENTITLED,** AN ACT RELATING TO CITIES AND TOWNS

Committee on Corporations recommends passage.

**5 2004-H 8475****BY Menard****ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY  
-- DOGS

Committee on Corporations recommends passage.

**6 2004-H 8482****BY Brien T**

**ENTITLED,** HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE FEASIBILITY OF THE WOONSOCKET HOUSING AUTHORITY CONVERTING CERTAIN HIGH-RISE ELDERLY DEVELOPMENTS INTO AFFORDABLE ASSISTED LIVING

Committee on Corporations recommends passage.

**7 2004-H 8483****BY Menard**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF LINCOLN TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$5,000,000 FOR THE IMPROVEMENT, REPAIR, AND RENOVATIONS TO PUBLIC MUNICIPAL BUILDINGS (OTHER THAN SCHOOLS) AND FOR REPAIRS AND IMPROVEMENTS TO SEWER INFRASTRUCTURE IN THE TOWN

Committee on Corporations recommends passage.

**8 2004-H 8490****BY Malik**

**ENTITLED,** AN ACT RELATING TO CITIES AND TOWNS - WARREN

Committee on Corporations recommends passage.

**9 2004-S 3077****BY Bates**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF EAGLE ENTERPRISES, INC.

Committee on Corporations recommends passage in concurrence.

**IN ORDER FOR WEDNESDAY, MAY 19, 2004:**

**1 2004-H 7647 SUB A**

**BY Fox**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL  
PROPERTY REMEDIATION AND REUSE ACT

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

**2 2004-H 7425**

**BY Kennedy**

**ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

**3 2004-H 7510**

**BY Picard**

**ENTITLED,** AN ACT RELATING TO GENERAL POWERS

Committee on Judiciary recommends passage.

**IN ORDER FOR THURSDAY, MAY 20, 2004:****1 2004-H 7397 SUB A****BY Winfield****ENTITLED, AN ACT RELATING TO EDUCATION**

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

**2 2004-H 8142 SUB A****BY Trillo****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE**

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

**3 2004-H 7806****BY Coderre E****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

Committee on Corporations recommends passage.

**4 2004-H 7368****BY Giannini****ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS-DOMESTIC ABUSE PREVENTION**

Committee on Health, Education & Welfare recommends passage.

**5 2004-H 7369****BY Giannini****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- DOMESTIC ASSAULT**

Committee on Health, Education & Welfare recommends passage.



**IN ORDER FOR WEDNESDAY, MAY 26, 2004:**

**1 2004-H 7659**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- O'ROURKE CHILDREN'S CENTER

Committee on Health, Education & Welfare recommends passage.

**2 2004-H 8141**

**BY Trillo**

**ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

Committee on Judiciary recommends passage.

**IN ORDER FOR THURSDAY, MAY 27, 2004:**

**1 2004-H 7670**

**BY Fox**

**ENTITLED,** AN ACT RELATING TO SPORTS RACING AND ATHLETICS -- BOXING AND WRESTLING

Committee on Labor recommends passage.

**2 2004-H 7658**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS - BOARD OF RADIOLOGIC TECHNOLOGY

Committee on Health, Education & Welfare recommends passage.

**3 2004-H 7585 SUB A**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO HUMAN SERVICES - ABUSED AND NEGLECTED CHILDREN

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

**Louis D'Antuono**  
**Clerk of the House**