

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. 57

Thursday, June 3, 2004

Fifty-seventh Day

The House of Representatives meets at the State House in Providence, Thursday, June 3, 2004 and is called to order at 4:27 o'clock P.M., by the Honorable William J. Murphy, Speaker

The roll is called and a quorum is declared present with 71 members present and 4 members absent as follows:

PRESENT – 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 4: Representatives Anderson, Coogan, Harwood, Lima,

INVOCATION

The Honorable Speaker presents Representative Voccola 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, June 2, 2004, is approved as printed.

CORRECTION

By unanimous consent the House Journal for June 2, 32004 is hereby corrected on page 3 line 14 to read referred to house Health, Education and Welfare.

ANNOUNCEMENTS

Representative Rita J. Anderson will be unable to attend session today, Thursday, June 3, 2004. She is ill.

Majority Leader Fox, the Honorable Speaker Murphy, Minority Leader Watson, Representatives Giannini, and Moura with great sadness extend heartfelt condolences to the passing of Representative Charlene Lima's mother, Angela Lima.

Representative Ginaitt extends a thank you to the body for their outpouring of sympathy in the passing of his sister. The Honorable Speaker, and Minority Leader extend condolences to Representative Ginaitt and his family.

Representative Moura extends a thank you for the outpouring of sympathy on the passing of his sister-in-law. The Honorable Speaker extends condolences to Representative Moura, his wife and family.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 3155**BY** Issa

ENTITLED, AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR FINANCING CAPITAL IMPROVEMENTS TO VARIOUS CITY BUILDINGS INCLUDING SUCH IMPROVEMENTS AS ARE NECESSARY IN ORDER TO COMPLY WITH THE STATE MANDATED FIRE/BUILDING CODE REGULATIONS {LC3544/1}

06/03/2004 Referred to House Corporations

REPORTS OF COMMITTEES**COMMITTEE ON LABOR**

Representative Corvese, for the Committee on Labor, reports back the following measure, with recommendation of passage:

Senate Bill No. 2378 SUB A as amended**BY** Badeau, Connors

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS {LC1702/1/A}

06/03/2004 Placed on House Calendar

Senate Bill No. 2825 SUB A as amended

BY Polisen, Damiani

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - -
CORRECTIONAL OFFICERS -- ARBITRATORS {LC1822/1/A}

06/03/2004 Placed on House Calendar

NEW BUSINESS

House Bill No. 8598

BY San Bento, Corvese

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
CHARTER OF TONY REALTY CORPORATION {LC3581/1}

06/03/2004 Introduced, referred to House Corporations

House Bill No. 8599 (by request)

BY Enos

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES {LC3580/1}

06/03/2004 Introduced, referred to House Corporations

House Resolution No. 8600

BY Kilmartin

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY THE IMPACT OF THE GOVERNMENT ACCOUNTING
STANDARDS BOARD'S RULES AND REGULATIONS REGARDING OTHER POST
EMPLOYMENT BENEFITS {LC3572/1}

06/03/2004 Introduced, referred to House Corporations

House Bill No. 8601

BY Handy, Montanaro, Palumbo, McNamara, Cerra

ENTITLED, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE
THAN \$1,500,000 BONDS AND NOTES TO FINANCE REPAIRS AND RENOVATIONS TO
BUILDINGS OWNED BY THE CITY OF CRANSTON (UP TO \$500,000 OF WHICH MAY
BE USED FOR FIRE CODE UPGRADES {LC3525/1}

06/03/2004 Introduced, referred to House Corporations

House Bill No. 8602

BY Jacquard, McNamara, Cerra, Montanaro, Palumbo

ENTITLED, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE
THAN \$7,000,000 BONDS AND NOTES TO FINANCE REPAIRS, RENOVATIONS AND
FIRE CODE UPGRADES TO SCHOOL BUILDINGS IN THE CITY OF CRANSTON
{LC3528/1}

06/03/2004 Introduced, referred to House Corporations

House Bill No. 8603**BY** Montanaro, Handy, Palumbo, Jacquard, Cerra**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,000,000 BONDS AND NOTES TO FINANCE THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS THROUGHOUT THE CITY OF CRANSTON {LC3529/1}

06/03/2004 Introduced, referred to House Corporations

House Bill No. 8604**BY** Jacquard, Cerra, McNamara, Palumbo, Montanaro**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,000,000 BONDS AND NOTES TO FINANCE THE PURCHASE OF PUBLIC WORKS AND HIGHWAY EQUIPMENT FOR A TERM NOT TO EXCEED TEN (10) YEARS {LC3526/1}

06/03/2004 Introduced, referred to House Corporations

House Bill No. 8605**BY** Palumbo, Montanaro, McNamara, Cerra, Mumford**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$1,400,000 BONDS AND NOTES TO FINANCE BUILDING REPAIRS, CONSTRUCTION AND RENOVATIONS TO THE CRANSTON WEST AREA CAREER AND TECHNICAL CENTER {LC3530/1}

06/03/2004 Introduced, referred to House Corporations

House Bill No. 8606**BY** Menard, Petrarca**ENTITLED**, AN ACT RELATING TO ESTABLISHMENT AND EXTENSION OF GAMBLING ACTIVITIES AND OTHER FACILITIES {LC3560/1}

06/03/2004 Introduced, referred to House Finance

House Bill No. 8607**BY** San Bento, Corvese, Carter, Gallison, Gemma**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION {LC3575/1}

06/03/2004 Introduced, referred to House Finance

House Bill No. 8608**BY** Menard**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES {LC3548/1}

06/03/2004 Introduced, referred to House Judiciary

House Resolution No. 8609**BY** Fox, Murphy, Giannini, Kennedy, Kilmartin**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF TERRI CASTRO SANCHEZ {LC3595/1}

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 and by unanimous consent, on a rising vote.

House Resolution No. 8610

BY Ginaitt

ENTITLED, HOUSE RESOLUTION PROCLAIMING MAY 16-22 AS "NATIONAL EMS WEEK" {LC3460/1}

Representative Ginaitt requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ginaitt seconded by Representatives Laroche, Landroche, Menard, Brien and by unanimous consent, on a voice vote.

House Resolution No. 8611

BY Ginaitt

ENTITLED, HOUSE RESOLUTION PROCLAIMING MAY 23 - MAY 29, 2004 AS "FALL PREVENTION AWARENESS WEEK" IN THE STATE OF RHODE ISLAND {LC3482/1}

Representative Ginaitt requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ginaitt seconded by Representative Laroche, Landroche, Brien, Winfield and by unanimous consent, on a voice vote.

House Resolution No. 8612

BY Callahan, Gallison, Crowley, Shavers

ENTITLED, JOINT RESOLUTION REINSTATING THE LIFE OF AND EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO PLAN THE COMMEMORATION OF THE 225TH ANNIVERSARY OF THE MARCH OF GENERAL ROCHAMBEAU FROM NEWPORT, RHODE ISLAND TO YORKTOWN, VIRGINIA {LC3587/1}

Representative Callahan requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Callahan seconded by Representatives Gallison, Brien, Crowley and by unanimous consent, on a voice vote.

CALENDAR

From the Calendar are taken:

IN ORDER FOR THURSDAY, JUNE 3, 2004:**1 2004-H 8141****BY Trillo****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS**

Committee on Judiciary recommends passage.

By unanimous consent, Representative Fox moves to recommit to the committee on Judiciary, seconded by Representative Flaherty.

Read and recommitted to the committee on Judiciary..

2 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 Thursday, June 10, 2004.

3 2004-H 8548**BY Gemma****ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION**

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Ginaitt, McNamara, Jacquard, and Schadone.

Representative Gemma discusses the act.

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, Amaral, Anguilla, Aubin, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

4 2004-H 7990

BY Story

ENTITLED, AN ACT RELATING TO EDUCATION -- CIVIC EDUCATION COMMISSION

Committee on Health, Education & Welfare recommends passage.

Representative Story moves passage of the act, seconded by Representatives Savage, Mumford, Giannini, Cerra, and Naughton.

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, Almeida, Amaral, Anguilla, Aubin, Brien, Callahan, Carter, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Laroche, Lewiss, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Slater, Story, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

REQUESTS

Representatives Landroche, Cerra and Shavers request the journal to reflect that if they had voted on (04-H 7990) they would have voted in the affirmative.

5 2004-S 3087

BY Sosnowski

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE ACQUISITION OF LAND FOR OPEN SPACE, RECREATION AND AGRICULTURAL PURPOSES AND TO ISSUE NOT MORE THAN \$2,000,000 BONDS THEREFOR

Committee on Corporations recommends passage in concurrence.

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

Read and passed, in concurrence, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Aubin, Brien, Callahan, Carter, Cerra, Coderre, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Long, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

6 2004-S 3086

BY Sosnowski

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE CAPITAL TRANSPORTATION IMPROVEMENT PROJECTS AND TO ISSUE NOT MORE THAN \$200,000 BONDS THEREFOR

Committee on Corporations recommends passage in concurrence.

Representative Kennedy moves passage of the act, seconded by Representatives McHugh, and Crowley.

Read and passed, in concurrence, 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, Brien, Callahan, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

7 2004-S 3057

BY Polisena

ENTITLED, AN ACT RELATING TO INSURANCE - COMMERCIAL SPECIAL RISKS

Committee on Corporations recommends passage in concurrence.

Representative Kennedy moves passage of the act, seconded by Representatives Aubin, and McNamara.

Read and passed, in concurrence, 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, Anguilla, Aubin, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

8 2004-S 2923

BY DaPonte

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
RENTAL VEHICLES -- INSURANCE

Committee on Corporations recommends passage in concurrence.

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

Read and passed, in concurrence, on a roll call vote, 59 members voting in the affirmative and 4 members voting in the negative as follows.

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McHugh, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Williams, Winfield.

NAYS - 4: Representatives Benson, Gorham, McManus, Watson.

9 2004-S 2621 SUB A

BY Fogarty P

ENTITLED, AN ACT RELATING TO TAXES -- BURRILLVILLE

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

Representative Kennedy moves passage of the act, seconded by Representatives Lowe, Aubin, and Gemma.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

10 2004-S 2620

BY Fogarty P

ENTITLED, AN ACT RELATING TO TAXATION

Committee on Corporations recommends passage in concurrence.

Representative Kennedy moves passage of the act, seconded by Representatives Lowe, San Bento, Aubin, and Gemma

Read and passed, in concurrence, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

11 2004-S 2143

BY Sosnowski

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

Committee on Corporations recommends passage in concurrence.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Matthew J. McHugh, State Representative, District 36, 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-S-2143
- 2. (Nature of the potential conflict) I have the following interest in the matter:

I am a Veteran residing in the town of South Kingstown.

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.

Matthew J. McHugh
Representative, District 36

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 3rd day of June AD, 2004

David Dumas
Notary Public

Representative McHugh 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.

Read and passed, in concurrence, 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, Anguilla, Aubin, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasyluk, Williams, Winfield.

NAYS - 0.

12 2004-S 3137

BY Montalbano J

**ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY --
COMPOSITION OF THE SENATE**

Committee on Judiciary recommends passage in concurrence.

Representative Flaherty moves passage of the act, seconded by Representatives Fox, San Bento, Almeida, Shavers, Benson, Moura, and Landroche.

Representative Enos discusses the act.

By unanimous consent, Representative Enos, seconded by Representatives Anguilla, Gallison, and Amaral offers a written motion to amend.

**FLOOR AMENDMENT
TO
2004 -- S 3137**

**AN ACT RELATING TO THE GENERAL ASSEMBLY -- COMPOSITION OF THE
SENATE**

Mr. Speaker:

I hereby move to amend 2004 -- S 3137, entitled "AN ACT RELATING TO THE GENERAL ASSEMBLY -- COMPOSITION OF THE SENATE", as follows:

I hereby move to amend 2004 -- S 3137, entitled "AN ACT RELATING TO THE GENERAL ASSEMBLY -- COMPOSITION OF THE SENATE", as follows:

- (1) On page 14, line 13, by adding the letter "s" to the word "town".
- (2) On page 14, line 13 by adding after the word "Barrington" the words "and Warren".
- (3) On page 14, by deleting lines 14 through 32.
- (4) On page 14, line 34, by deleting the word "Warren" and inserting in place thereof the word "Bristol".
- (5) On page 15, by deleting lines 1 through 33 and inserting in place thereof the following lines:

"The tenth senatorial district shall also consist of all of that part of the town of Portsmouth bounded by the line beginning at the intersection of the Portsmouth-Bristol town boundary and the extended midsection of Town Pond dividing census blocks 440050401011046 and 440050401011006; thence southwesterly along the midsection of Town Pond to Founders Brook; thence southwesterly along Founders Brook to Boyds Lane; thence southwesterly along Boyds Lane to Chase Rd (State Highway 24); thence southeasterly along Chase Rd and State Highway 24 to Bristol Ferry Turnpike; thence southeasterly along Bristol Ferry Turnpike to East

Main Road; thence southwesterly along East Main Road to Stub Toe Lane; thence westerly along Stub Toe Lane to Middle Road, thence southwesterly along Middle Road to Mill Lane; thence westerly on Mill Lane to West Main Road, thence northeasterly on West Main Road to the northern boundary of the Melville Campground Recreation Area; thence northwesterly on the northern boundary of the Melville Campground Recreation Area to the Eastern Passage of Narragansett Bay; thence southwesterly, westerly and northerly to include all the islands of the town of Portsmouth back to the point of origin.”

(6) On page 15, line 34, by deleting the words “that part of” and inserting in place thereof the following words “Town of Middletown”.

(7) On page 16, by deleting lines 1 through 18, and inserting in place thereof the following lines:

“The eleventh district shall also consist of that portion of the town of Portsmouth bounded by a line beginning at the intersection of the northern boundary of the Melville Campground Recreation Area and the Eastern Passage of the Narragansett Bay; thence southwesterly along the northern boundary of the Melville Campground Recreation Area to West Main Road; thence southeasterly along West Main Road to Mill Lane; thence easterly along Mill Lane to Middle Road; thence northeasterly and easterly along Middle Road to Stub Toe Lane; thence easterly along Stub Toe Lane to East Main Road; thence southerly along East Main Road to Sandy Point Avenue; thence easterly along Sandy Point Avenue and Sandy Point Avenue extended to the midpoint of the Sakonnet River and the Portsmouth-Tiverton town boundary; thence southerly along the Portsmouth-Tiverton town boundary and the Portsmouth-Little Compton town boundary to the Middletown-Portsmouth town boundary; thence northwesterly along the Middletown-Portsmouth town boundary to the shore line of the Eastern Passage of Narragansett Bay; thence northeasterly along the shore line of the Eastern Passage of Narragansett Bay to the point of origin.

The eleventh senatorial district shall also consist of all of that part of the city of Newport bounded by a line beginning at the intersection of Broadway and the Newport-Middletown boundary line; thence southeasterly along the Newport-Middletown boundary line to North Easton Pond; thence southerly along the western shore of North Easton Pond to the Newport-Middletown boundary line; thence southeasterly along the Newport-Middletown boundary line to South Easton Pond; thence westerly along the north shore of South Easton Pond to Champlin Street; thence westerly on Champlin Street to Rhode Island Avenue; thence northerly on Rhode Island Avenue to Kay Street; thence southwesterly on Kay Street to Cranston Street; thence northwesterly on Cranston Avenue to Broadway; thence northeasterly on Broadway to the point of origin.”

(8) On page 16, line 20 by deleting the word “Middletown” and inserting in place thereof the following words “Tiverton and Little Compton”.

(9) On page 16, by deleting lines 21 through 34 and inserting in place thereof the following words:

“The twelfth senatorial district shall also consist of all of that part of the town of Portsmouth bounded by a line beginning at the intersection of the Portsmouth-Bristol town boundary and the extended midsection of Town Pond dividing census blocks 440050401011046 and 440050401011006; thence southwesterly along the midsection of Town Pond to Founders Brook; thence southwesterly along Founders Brook to Boyds Lane; thence southwesterly along Boyds Lane to Chase Rd (State Highway 24); thence southeasterly along Chase Rd and State Highway 24 to Bristol Ferry Turnpike; thence southeasterly along Bristol Ferry Turnpike to East

Main Road; thence southwesterly along East Main Road to Sandy Point Avenue; thence easterly along Sandy Point Avenue and Sandy Point Avenue extended to the midpoint of the Sakonnet River and the Portsmouth-Tiverton town boundary; thence northerly along the Portsmouth-Tiverton and the Portsmouth-Bristol town boundary to the point of origin.”

Respectfully submitted,

REPRESENTATIVE ENOS

Representatives Almeida, Flaherty, Amaral, Watson, Long, Anguilla, Gallison, Benson discuss the amendment.

The motion to amend fails on a roll call vote 19 members voting in the affirmative and 41 members voting in the negative as follows:

YEAS - 19: Representatives Ajello, Amaral, Anguilla, Brien, Callahan, Enos, Gallison, Gorham, Lally, Laroche, Long, Lowe, McManus, Moffitt, Mumford, Rose, Savage, Trillo, Watson.

NAYS - 41: The Honorable Speaker Murphy and Representatives Almeida, Aubin, Benson, Carter, Cerra, Coderre, Corvese, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fox, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Lewiss, Malik, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Palumbo, Petrarca, San Bento, Schadone, Shanley, Shavers, Slater, Smith, Story, Voccola, Wasylyk, Winfield.

REQUEST

Representative Costantino requests the journal to reflect that if he had voted on the amendment to (04-S 3137), he would have voted in the negative.

Representative Moura discusses the act.

Read and passed, in concurrence, 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, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representatives Gallison.

REQUEST

Representative Gallison requests the journal to reflect that he would like to change his vote on (04-H 3137), to the affirmative to make the vote unanimous.

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 Giannini 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 Giannini wishes Alex Devers, House page a very Happy Birthday.

GUESTS

Representative Story welcomes to the House Chamber as guests the winners of the Civic Education Essay contest as follows: Eleanor Parmentier, Shelby Danilowicz, Trisha Rapoza, Jameson Clem, Gianna Prata, Nicholas Moreau, Yume Kim, Michael A. Zompa, Melissa Ginsberg.

Representative Long also welcomes Trisha Rapoza, along with her mother, Patricia Rapoza, her brother, Eric Rapoza, her teacher, Peggy Palmer, and her cousin, Nancy Cordeiro.

Representative Brien also welcomes to the House Nicholas Moreau, Carol Moreau, and Laura Moreau.

Representative Slater welcomes to the Chamber Gertrude F. Blakey.

Representative Almeida welcomes to the House former Representative Harold Metts, former Senator Charles Walton, and Councilwoman Balbina Young.

Representative Watson also welcomes to the Chamber former Representative Metts.

ADJOURNMENT

At 5:39 o'clock P.M. on motion of Representatives Fox and Giannini, and as a further mark of respect to the memory of Angela Lima, mother of Representative Charlene Lima; on motion of Representative Montanaro, and as a further mark of respect to the memory of Joseph R. Keefe; seconded by Representatives Menard and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JOSEPH J. VOCCOLA

Thank you God for Your presence here with us and Your blessings on this Assembly today and every day. Amen.

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 2047 SUB A

BY Tassoni, Connors, Lanzi, Roberts

ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT DENTAL SERVICE CORPORATIONS {LC156/1/A}

Senate Bill No. 2106 SUB A

BY Bates, Walaska

ENTITLED, AN ACT RELATING TO LIABILITY INSURANCE -- RENTAL VEHICLE COVERAGE {LC19/1/A}

Senate Bill No. 2107 SUB A

BY Bates, Walaska

ENTITLED, AN ACT RELATING TO INSURANCE - FIRE INSURANCE APPLICATIONS {LC21/1/A}

Senate Bill No. 2231 SUB A

BY McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - UNIFORM BOAT TITLE ACT {LC677/1/A}

Senate Bill No. 2363

BY Revens, McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO AERONAUTICAL REGULATION -- REGISTRATION OF AIRCRAFT {LC1557/1}

Senate Bill No. 2364

BY Caprio F

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ARCHITECTS, ENGINEERS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS {LC1356/1}

Senate Bill No. 2498 SUB A (Attorney General)

BY Issa

ENTITLED, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS {LC1652/1/A}

Senate Bill No. 2523

BY Parella, Gibbs

ENTITLED, AN ACT IN AMENDMENT TO AN ACT RELATING TO THE PORTSMOUTH WATER AND FIRE DISTRICT {LC2446/1}

Senate Bill No. 2526 (Attorney General)

BY Connors, Pichardo, Lanzi, Goodwin

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - EMERGENCY MANAGEMENT {LC2425/1}

Senate Bill No. 2619

BY Connors, Goodwin, Walaska

ENTITLED, AN ACT RELATING TO INSURANCE {LC2585/1}

Senate Bill No. 2671 SUB A

BY Roberts, Perry

ENTITLED, AN ACT RELATING TO THE RHODE ISLAND EDUCATIONAL RECORDS BILL OF RIGHTS {LC1667/1/A}

Senate Bill No. 2688 (Dept. Business Regulation)

BY Blais, Breene

ENTITLED, AN ACT RELATING TO INSURANCE -- MANDATORY PRELICENSING EDUCATION REQUIREMENTS {LC2294/1}

Senate Bill No. 2754 (Dept. of Business Regulation)

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- RHODE ISLAND LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT {LC2289/1}

Senate Bill No. 2776 SUB A

BY Ruggerio, Badeau, Tassoni, Polisena

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PROFESSIONAL LAND SURVEYORS {LC2411/2/A}

Senate Bill No. 2814 SUB A (Dept. of Business Regulation)

BY Gibbs, Parella

ENTITLED, AN ACT RELATING TO INSURANCE {LC2295/1/A}

Senate Bill No. 2824

BY Felag, Parella, Bates

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS {LC2692/1}

Senate Bill No. 2827

BY Algieri

ENTITLED, AN ACT IN AMENDMENT OF SECTION 2 OF AN ACT

ENTITLED "AN ACT TO INCORPORATE THE WATCH HILL FIRE DISTRICT", APPROVED MAY 2, 1941 {LC1008/1}

Senate Bill No. 2939**BY** Damiani, Polisena, Sosnowski, Breene, DaPonte**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- LYME DISEASE AND TREATMENT {LC692/1}**Senate Bill No. 2999****BY** Connors, Montalbano J**ENTITLED**, AN ACT RELATING TO HOMESTEAD EXEMPTIONS IN THE TOWN OF LINCOLN {LC2933/1}**Senate Bill No. 3011****BY** Breene, Blais, Raptakis**ENTITLED**, AN ACT ESTABLISHING A BOUNDARY (A PORTION THEREOF) BETWEEN THE TOWNS OF COVENTRY AND WEST GREENWICH {LC3129/1}**Senate Bill No. 3029****BY** Felag, Bates, Parella**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 {LC3180/1}**Senate Bill No. 3032****BY** McBurney, Issa**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 {LC3050/1}**Senate Bill No. 3033****BY** McBurney, Issa**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 {LC3061/1}**Senate Bill No. 3035****BY** McBurney, Issa**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 {LC3047/1}

Senate Bill No. 3036**BY** McBurney, Issa

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 {LC3058/1}

Senate Bill No. 3037**BY** McBurney, Issa

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 {LC3054/1}

Senate Bill No. 3038**BY** McBurney, Issa

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 {LC3053/1}

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}

Senate Bill No. 3137**BY** Montalbano J

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY -- COMPOSITION OF THE SENATE {LC3488/1}

06/03/2004 Transmitted to Governor

APPENDIX**CALENDAR****IN ORDER FOR TUESDAY, JUNE 8, 2004:****1 2004-S 2401****BY McCaffrey****ENTITLED, AN ACT RELATING TO PUBLIC BUILDINGS**

Committee on Judiciary recommends passage in concurrence.

2 2004-S 2420 SUB B**BY Lenihan****ENTITLED, AN ACT RELATING TO LOBBYING**

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

3 2004-S 2636 SUB A**BY Roberts****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- CERTIFICATION OF CHILD CARE AND YOUTH WORKERS**

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

4 2004-S 2857**BY Lenihan****ENTITLED, AN ACT RELATING TO ELECTIONS - BALLOT SECURITY AND STORAGE**

Committee on Judiciary recommends passage in concurrence.

5 2004-S 2317 SUB B**BY Perry****ENTITLED, AN ACT RELATING TO DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES**

Committee on Health, Education & Welfare recommends indefinite postponement of the

original bill and the Substitute A and passage of Substitute B.

6 2004-S 2549

BY Alves

ENTITLED, AN ACT RELATING TO ASSISTED LIVING RESIDENCES

Committee on Health, Education & Welfare recommends passage in concurrence.

7 2004-S 2594 SUB B

BY Gallo

ENTITLED, AN ACT RELATING TO EDUCATION

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

8 2004-S 2755 as amended

BY Blais

ENTITLED, AN ACT RELATING TO PHYSICIAN ASSISTANTS

Committee on Health, Education & Welfare recommends passage as amended in concurrence.

9 2004-S 2859

BY DaPonte

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE
-- UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY

Committee on Finance recommends passage in concurrence.

10 2004-S 2041 as amended

BY Fogarty P

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES

Committee on Finance recommends passage as amended in concurrence.

11 2004-S 2892

BY DaPonte

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE MANAGEMENT
BOARD

Committee on Finance recommends passage in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 9, 2004:**1 2004-H 7484****BY San Bento****ENTITLED, AN ACT RELATING TO TAXATION -- TAX SALES**

Committee on Judiciary recommends passage.

2 2004-H 8033**BY Lima****ENTITLED, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS AND OFFICIALS AND PRIMARY ELECTIONS**

Committee on Judiciary recommends passage.

3 2004-H 7445 SUB A**BY Lima****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- VETERINARY PRACTICE**

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

4 2004-H 7375 SUB A**BY Moura****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RENEWABLE ENERGY STANDARD**

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

5 2004-S 2447 SUB A as amended**BY Ruggiero****ENTITLED, AN ACT RELATING TO SAFETY AWARENESS**

Committee on Labor recommends indefinite postponement of the original bill and passage of Substitute A as amended in concurrence.

6 2004-S 2597**BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES**

AND SUPERINTENDENTS

Committee on Health, Education & Welfare recommends passage in concurrence.

7 2004-S 2829

BY Sosnowski

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
VETERINARY PRACTICE**

Committee on Health, Education & Welfare recommends passage in concurrence.

8 2004-S 2378 SUB A as amended

BY Badeau

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Labor recommends indefinite postponement of the original bill and passage of Substitute A as amended in concurrence.

9 2004-S 2825 SUB A as amended

BY Polisena

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - -
CORRECTIONAL OFFICERS -- ARBITRATORS**

Committee on Labor recommends indefinite postponement of the original bill and passage of Substitute A as amended in concurrence.

IN ORDER FOR THURSDAY, JUNE 10, 2004:

1 2004-H 7425

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

2 2004-S 2443

BY Ruggiero

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS**

Committee on Labor recommends passage in concurrence.

Louis D'Antuono
Clerk of the House

Thursday, June 3, 2004