

# 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 fourth day of January in the year of Our Lord two thousand and five.

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Volume 132, No. 31

Tuesday, March 29, 2005

Thirty-first Day

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The House of Representatives meets at the State House in Providence, Tuesday, March 29, 2005 and is called to order at 4:03 o'clock P.M., by the Honorable Charlene M. Lima, Speaker Tempore.

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

**PRESENT - 73:** The Honorable Speaker Tempore Lima, Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**ABSENT – 2:** The Honorable Speaker Murphy, Representative Kilmartin.

### **INVOCATION**

The Honorable Speaker presents Representative Almeida 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, March 23, 2005, is approved as printed.

**ANNOUNCEMENT**

Representative Peter Kilmartin will be unable to attend session today, Tuesday, March 29, 2005. He is out ill.

**REPORTS OF COMMITTEE  
COMMITTEE ON FINANCE**

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

**House Bill No. 6163****BY** Church

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND FOR A NEW MIDDLE SCHOOL AND IT'S FACILITIES AND THE CONSTRUCTION AND EQUIPPING OF A NEW MIDDLE SCHOOL AND IT'S FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR {LC2583/1}

03/29/2005 Placed on House Calendar

**NEW BUSINESS****House Bill No. 6285****BY** San Bento, Petrarca, Jacquard, Lima, Schadone

**ENTITLED**, AN ACT ENABLING THE RHODE ISLAND LOTTERY COMMISSION'S ENTRY INTO A MASTER VIDEO LOTTERY TERMINAL CONTRACT WITH UTGR, INC. {LC2884/1}

03/29/2005 Introduced, referred to House Finance

**House Bill No. 6286****BY** Naughton, Slater, Lewiss, Dennigan, Williams

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- FAMILY INDEPENDENCE ACT {LC2268/1}

03/29/2005 Introduced, referred to House Finance

**House Bill No. 6287 (by request)****BY** Carter, Lally, Ehrhardt

**ENTITLED**, AN ACT RELATING TO RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY -- JAMESTOWN VERRAZZANO BRIDGE -- FISHING AREA AND PARK {LC2882/1}

03/29/2005 Introduced, referred to House Finance

**House Bill No. 6288****BY** Rice, Anguilla, Moran, Gemma**ENTITLED**, AN ACT RELATING TO INSURANCE - UNFAIR COMPETITION AND PRACTICES {LC2889/1}

03/29/2005 Introduced, referred to House Judiciary

**House Resolution No. 6289****BY** Fox, Anguilla, Ajello, Moura, Watson**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF GREGG, DAWN AND LELAND WEINGEROFF {LC2946/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Representative Fox discusses the resolution.

Read and passed, on a motion of Representative Fox seconded by Representative Watson and several other members of the House and by unanimous consent, on a rising vote.

**House Resolution No. 6290****BY** Fox, Anguilla, Ajello, Moura, Watson**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF JEFFREY, KAREN AND ERIC JACOBBER {LC2944/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Representative Fox discusses the resolution.

Read and passed, on a motion of Representative Fox seconded by Representative Watson and several other members of the House and by unanimous consent, on a rising vote.

**TRANSMITTAL**

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith.

**COMMUNICATION FROM THE SENATE**

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

**Senate Bill No. 414****BY** Doyle, McBurney, Tassoni, Connors**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- CERTIFICATES OF TITLE AND SECURITY INTERESTS (registrar to maintain an electronic data and communication system) {LC1396/1}

03/29/2005 Referred to House Corporations

**CALENDAR**

From the Calendar are taken:

**IN ORDER FOR TUESDAY, MARCH 29, 2005:****1 2005-H 5177****BY San Bento****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --  
COURTS**

Committee on Judiciary recommends passage.

**2 2005-H 6160****BY Faria****ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE  
COMMISSION TO STUDY AUTO BODY AND SALVAGE SHOPS**

Committee on Labor recommends passage.

Majority Leader Fox with the agreement of the Minority requests to take #1 (05-H 5177) on today's Calendar and place it on the Calendar for Wednesday, March 30, 2005, and take #2 (05-H 6160) and place it on the Calendar for Tuesday, April 5, 2005. There is no objection.

**ANNOUNCEMENTS**

Representative Picard announces that the Committee on Corporations will meet today, at the rise of the House, in Room 203 of the State House.

Representative Flaherty announces that the Committee on Judiciary will meet today, at the rise of the House, in Room 205 of the State House.

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

**GUESTS**

Representative Watson welcomes to the House Chamber as a guest Michael Singleton.

At 4:22 o'clock P.M. the Honorable Speaker Tempore yields the rostrum to Representatives Pacheco and Church.

By unanimous consent, Representative Pacheco addresses the members of the House and welcomes to the House the Burrillville High School "Broncos" Boys Winter Ice Hockey Varsity Division II State Champions.

By unanimous consent, Representatives Pacheco and Church present Head Coach Shane McConnell with a citation, and congratulates the entire team as follows: Andrew Beatson, Matthew Beatson, Daniel M. Chiovitti, Douglas A. Clark, John M. Coffey, Ryan M. Coffey, Derek Ducharme, Brandon A. Fournier, Sean A. Harriman, Jonathan A. Henault, Christopher J. Keegan, Jr., Craig T. Koprusak, John R. Lacouture, Jr., Daniel L'Esperance, Justin S. Misiasek, Andrew N. Morin, Matthew P. Obuchon, Nicholas J. Obuchon, Nicholas J. Parkhurst, Kristopher G. Plante, Jolene E. Rambone, Nicholas P. Rambone, Ryan D. St. Pierre, Sean J. Trinque; along with Head Coach-Shane McConnell, Assistant Coaches Toby Carlow, Ed Gosselin, Ron Schram, Kevin San Antonio, Shane Mansolf, Steve Koprusak; Principal-Richard G. Trogisch, and Athletic Director Peter J. Berthelette.

At 4:25 o'clock P.M. the Honorable Speaker Tempore returns to the rostrum.

#### ADJOURNMENT

At 4:27 o'clock P.M. on motion of Representative Fox, and as a further mark of respect to the memories of Jeff, Karen and Eric Jacober and Greg, Dawn and Leland Weingeroff; on motion of Representative Moffitt, and as a further mark of respect to the memory of Ernest Copice; on motion of Representative Faria and as a further mark of respect to the memory of Harry Ogden; on motion of Representatives Costantino and Carter, and as a further mark of respect to the memory of John Zuccarelli; on motion of Representative Lewiss, and as a further mark of respect to the memory of Henry Federico, former President of the Westerly Town Council, seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
**Recording Clerk**

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE JOSEPH S. ALMEIDA**

Almighty God, our strength from day to day, keep each of us faithful to the claims of justice and freedom. Amen.

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 30, 2005:

1 2005-H 5177

BY San Bento

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

Committee on Judiciary recommends passage.

IN ORDER FOR THURSDAY, MARCH 31, 2005:

1 2005-H 6163

BY Church

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO  
FINANCE THE ACQUISITION OF LAND FOR A NEW MIDDLE  
SCHOOL AND IT'S FACILITIES AND THE CONSTRUCTION AND  
EQUIPPING OF A NEW MIDDLE SCHOOL AND IT'S FACILITIES  
IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN  
\$30,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

IN ORDER FOR TUESDAY, APRIL 5, 2005:

1 2005-H 6160

BY Faria

ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE  
COMMISSION TO STUDY AUTO BODY AND SALVAGE SHOPS

Committee on Labor recommends passage.

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

Tuesday, March 29, 2005

APPENDIX

TRANSMITTED TO THE GOVERNOR

**05-S 155 SUB A as amended**

**BY Badeau**

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