

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. 1

Tuesday, January 6, 2004

First Day

The House of Representatives meets at the State House in Providence, Tuesday, January 6, 2004 and is called to order at 4:08 o'clock P.M., by the Honorable William J. Murphy, Speaker

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

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

ABSENT – 2: Representatives Petrarca, Sherlock

INVOCATION

The Honorable Speaker presents Father John Paul Walker of Providence College, who delivers the Invocation. The Honorable Speaker presents John Britto to sing the National Anthem, and Colonel David H. Russell, Chief of Staff for General Centracchio, to lead the membership in the Pledge of Allegiance to the Flag.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Tuesday, July 15, 2003, is approved as printed.

WELCOME

The Honorable Speaker Murphy welcomes all members back, and wishes all a very Happy and Healthy New Year.

Also, the Speaker welcomes Representative Rita Anderson, wife of the late Representative Stephen Anderson, District 29, to her first legislative session.

Majority Leader Fox welcomes members back and briefs everyone on this coming legislative year.

NEW BUSINESS

House Resolution No.7001

BY Murphy, Fox, Watson

ENTITLED, JOINT RESOLUTION OF ADJOURNMENT

{LC509/1}

01/06/2004 House read and passed

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 voice vote.

House Resolution No.7002

BY Carter, San Bento, Gallison, Shanley, Moffitt

ENTITLED, HOUSE RESOLUTION DEDICATING THE 2004 HOUSE SESSION AS THE "YEAR OF THE VETERAN"

{LC485/1}

01/06/2004 House read and passed

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

Read and passed on a motion of Representative Carter seconded by Representatives Scott, Rose, Anguilla, Enos, Watson, and several other members of the House.

House Resolution No.7003

BY Murphy, Fox, Watson

ENTITLED, JOINT RESOLUTION OF ADJOURNMENT

{LC510/1}

01/06/2004 House read and passed

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 voice vote.

TRANSMITTAL

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

House Bill No. 7004

BY Menard, Petrarca, Winfield, Gallison, Malik

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

{LC53/1}

01/06/2004 Placed on House Calendar

Representative Menard requests unanimous consent for immediate consideration.

There is no objection.

Representative Menard moves the act, seconded by Representatives Gallison, McHugh, Reilly, Malik, Enos, and several other members of the House.

Representative Watson discusses the act.

Representative Menard rises on a point of order for Representative Watson to speak germane to the act.

The Honorable Speaker rules for Representative Watson to speak germane to the act.

Majority Leader Fox explains process of an objection to an immediate consideration.

Representative Long objects to the immediate consideration.

Representative Benson objects to the act being sent to Committee. Representatives Long, Benson, and Menard discuss the process.

Representative Long requests to place the act on Thursday's Calendar.

There is no objection.

Read and placed on the Calendar for Thursday, January 8, 2004.

House Bill No. 7005

BY Gorham, Moffitt, Scott, McManus, Mumford

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING

{LC310/1}

01/06/2004 Introduced, referred to House Corporations

Representative Gorham discusses the act.

Representative Moura rises on a point of order for Representative Gorham to speak germane to the act.

The Honorable Speaker rules for Representative Gorham to speak germane to the act.

Representative Gorham requests unanimous consent for immediate consideration.

Representative Kilmartin objects to the immediate consideration. There is objection to placement on the Calendar.

Read and referred to the committee on Corporations.

House Bill No. 7006

BY Murphy, Lowe, Aubin, Moran, Anderson R

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

{LC1/1}

01/06/2004 Introduced, referred to House Finance.

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Representative Fox moves the act, seconded by Representatives Menard, McHugh, Carter, Lima, Williamson, and several other members of the House.

Representative Scott objects.

Read, and referred to the committee on Finance.

ANNOUNCEMENTS

Representative Carter wishes Frank DiPaolo a Happy 97th Birthday.

Also, Representative Carter asks everyone to remember Representative Paul Sherlock in their prayers.

ADJOURNMENT

At 4:52 o'clock P.M. on motion of Representative Gallison, and as a further mark of respect to the memory of Specialist Michael Andrade (for adjournment see appendix); on motion of Representative Smith, and as a further mark of respect to the memory of Nicola (Nick) Caprio; on motion of Representative Giannini and as a further mark of respect to the memory of Alice Kazarian; on motion of Representative San Bento, and as a further mark of respect to the memory of Joseph Clifford; on motion of Representative Caprio, and as a further mark of respect to the memory of Anne O'Neill; on motion of Representative Corvese, and as a further mark of respect to the memory of John Fabiano, Sr.; on motion of Representative Amaral, and as a further mark of respect to the memory of Juliette Bertholde; on motion of Representative Carter to remember Representative Sherlock in their prayers, seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy

Recording Clerk

Appendix**REPRESENTATIVE RAYMOND E. GALLISON, JR.****ADJOURNMENT IN MEMORY OF SPECIALIST MICHAEL ANDRADE**

Mr. Speaker, I request that we adjourn today in memory of Specialist Michael Andrade who tragically died on Wednesday, September 24th, 2003, while serving with the 115th military police company of the Rhode Island National Guard in Iraq.

Michael was the husband of Kristen Andrade, the son of Alfred and Mary Lou Andrade, and the brother of Fatima, Kevin and his twin brother David.

Michael was a lifelong resident of Bristol, and a 1995 graduate of Bristol High School.

For the past 10 years Michael was a volunteer member of the Dreadnaught Fire Company of the Bristol Fire Department, and also served as a driver for the Bristol Rescue Squad.

Michael was a dear friend to many including me and my family. All who knew him affectionately referred to him as flea.

We in Bristol mourn the loss of this truly brave and courageous young man who died in the service to Rhode Island and his country.

Appendix

CALENDAR

In order for Thursday, January 8, 2004:

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

Ordered on the Calendar.

Louis D' Antuono

Clerk of the House

Tuesday, January 06, 2004