

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. 31

Thursday, March 25, 2004

Thirty-first Day

The House of Representatives meets at the State House in Providence, Thursday, March 25, 2004 and is called to order at 4:23 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 4 members absent as follows:

PRESENT – 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, , Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, 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, Winfield.

ABSENT – 4: Representatives Anderson, Harwood, McManus, Williamson

INVOCATION

The Honorable Speaker presents Representative Winfield 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 24, 2004, is approved as printed.

ANNOUNCEMENT

Representative Rita J. Anderson will be unable to attend session today, March 25, due to illness.

REPORTS OF COMMITTEES**TRANSFER OF BILLS**

Representative Flaherty, for the Committee on Judiciary, reports back the following measures, with recommendation of transfer to the Committee on Finance

House Bill No. 7151

BY Ginaitt, Lewiss, McNamara, Giannini, Dennigan

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TAXATION AND TOBACCO - DELIVERY AND SALE OF TOBACCO PRODUCTS {LC395/1}

03/25/2004 Read and transferred to the House Committee on Finance

Representative Giannini, for the Committee on H.E.W, reports back the following measures, with recommendation of transfer to the Committee on Corporations.

House Bill No. 8105

BY Moura, Ajello, Rose, Savage, Dennigan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - HIGH VOLTAGE LINES {LC2414/1}

03/25/2004 Read and transferred to the House Committee on Corporations

NEW BUSINESS**House Bill No. 8340**

BY Crowley, Shavers

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS {LC3042/1}

03/25/2004 Introduced, referred to House Corporations

House Bill No. 8341

BY Enos

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF DIXIE WAREHOUSING INC. {LC3055/1}

03/25/2004 Introduced, referred to House Corporations

House Bill No. 8342

BY Carter, Scott, Anderson R

ENTITLED, AN ACT RELATING TO THE TOWN OF EXETER -- TOWN MEETINGS {LC3031/1}

03/25/2004 Introduced, referred to House Corporations

House Bill No. 8343**BY** Winfield**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. THOMAS CHURCH, GREENVILLE, IN THE TOWN OF SMITHFIELD, RHODE ISLAND {LC3034/1}

03/25/2004 Introduced, referred to House Corporations

House Bill No. 8344**BY** Aubin, Picard, Menard, Gallison**ENTITLED**, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS {LC3044/1}

03/25/2004 Introduced, referred to House H.E.W.

House Bill No. 8345**BY** Palumbo, Giannini**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES {LC2960/1}

03/25/2004 Introduced, referred to House Finance

House Bill No. 8346**BY** Costantino, Slater**ENTITLED**, AN ACT RELATING TO THE HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES {LC3046/1}

03/25/2004 Introduced, referred to House Finance

House Bill No. 8347 (Attorney General)**BY** Brien T**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - WEAPONS {LC3001/1}

03/25/2004 Introduced, referred to House Judiciary

House Bill No. 8348**BY** Winfield**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY {LC2969/1}

03/25/2004 Introduced, referred to House Judiciary

House Resolution No. 8349**BY** Giannini, Lima, Cerra, Petrarca, Coderre E**ENTITLED**, HOUSE RESOLUTION PROCLAIMING MARCH 25, 2004 AS "APPRECIATION FOR CATHOLIC SCHOOLS DAY" IN THE STATE OF RHODE ISLAND AND HONORING THE CONTRIBUTIONS OF RHODE ISLAND'S FIFTY-EIGHT CATHOLIC ELEMENTARY AND SECONDARY SCHOOLS {LC2985/1}

Representative Giannini requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Giannini seconded by Representatives Faria, McHugh, Carter, Handy, Menard, Aubin, Rose, Naughton, Crowley, Dennigan, Anguilla, Scott, Caprio, McCauley, Brien, Schadone, Picard, Moran, Lowe, Lally, Wasylyk, Flaherty, Kennedy, Cerra, Malik, Corvese, Coderre, Slater, Gorham, Moffitt, Trillo, Scott, Amaral, Savage, Montanaro, Moura, Kilmartin Lima and by unanimous consent, on a voice vote.

House Resolution No. 8350

BY Watson, Murphy, Kennedy, Lewiss, Slater

ENTITLED, HOUSE RESOLUTION CELEBRATING MARCH 25, 2004 AS THE 183RD ANNIVERSARY OF GREEK INDEPENDENCE DAY {LC3082/1}

Representative Watson requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Watson seconded by Representative Handy and many others members of the House and by unanimous consent, on a voice vote.

House Bill No. 8351

BY Benson, Shanley, Carter, Lally, Caprio D

ENTITLED, AN ACT RELATING TO MEDICAL INSURANCE -- REIMBURSEMENT RATES {LC3073/1}

Representative Benson requests to place (04H8351) on the Calendar for Wednesday, March 31, 2004. There is no objection.

Read and placed on the Calendar

House Resolution No. 8352

BY Aubin, Lowe

ENTITLED, HOUSE RESOLUTION CONGRATULATING THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT ON THE RECOGNITION OF ZAMBARANO DAY {LC3072/1}

Representative Aubin requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Aubin seconded by Representative Gallison, Lowe, Benson, Faria, Carter 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.

CALENDAR

From the Calendar is taken:

IN ORDER FOR THURSDAY, MARCH 25, 2004:**1 2004-S 2205****BY Pichardo****ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY PREDATORY MORTGAGE LENDING
PRACTICES**

Committee on Corporations recommends passage in concurrence.

Representative McCauley moves passage of the act, seconded by Representatives Caprio, Scott, and Moura.

Read and passed, in concurrence, on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Costantino, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Handy, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Palumbo, Petrarca, Picard, Rose, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Trillo, Voccola, Williams.

NAYS - 0.

REQUEST

Representative Corvese requests the journal to reflect that if he had voted on (04S- 2205) he would have voted in the affirmative. There is no objection.

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

Representative Lima wishes Representative Palumbo a Happy Birthday.

ADJOURNMENT

At 4:35 o'clock P.M. on motion of Representative Lima, and as a further mark of respect to the memory of Anna Cola, and Joseph Pashelian; on motion of Representative Aubin, and as a further mark of respect to the memory of Amanda Paquin; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy

Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE THOMAS WINFIELD

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

APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, MARCH 30, 2004:

1 2004-H 8044

BY Menard

ENTITLED, AN ACT RELATING TO THE SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

2 2004-H 8220

BY Schadone

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

3 2004-H 8261

BY Anguilla

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

IN ORDER FOR WEDNESDAY, MARCH 31, 2004:

1 2004-H 8351

BY Benson

**ENTITLED, AN ACT RELATING TO MEDICAL INSURANCE --
REIMBURSEMENT RATES**

Ordered on the Calendar

Louis D'Antuono
Clerk of the House

Thursday, March 25, 2004