

**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. 32

Tuesday, March 30, 2004

Thirty-second Day

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The House of Representatives meets at the State House in Providence, Tuesday, March 30, 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 72 members present and 2 members absent as follows:

**PRESENT** – 72: 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, 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, Reilly, Rose, San Bento, Savage, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

**ABSENT** – 2: Representatives Harwood and Schadone.

**INVOCATION**

The Honorable Speaker presents Representative Caprio 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 Thursday, March 25, 2004, is approved as printed.

**REPORT OF COMMITTEE****TRANSFER OF BILLS**

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of transfer to the Committee on Finance:

**House Bill No. 7549**

**BY** Lima, Cerra, Handy, Jacquard, Montanaro

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY- STATE BUILDING CODE  
{LC1499/1}

03/30/2004 Read and transferred to the House Committee on Finance

**House Bill No. 8122**

**BY** Reilly, Harwood, Picard, Menard, Petrarca

**ENTITLED**, AN ACT RELATING TO INSURANCE -- DUNCAN'S LAW {LC1844/1}

03/30/2004 Read and transferred to the House Committee on Finance

**NEW BUSINESS****House Bill No. 8353**

**BY** Flaherty

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - KENT COUNTY  
WATER DISTRICT {LC3074/1}

03/30/2004 Introduced, referred to House Corporations

**House Bill No. 8354**

**BY** Menard, Crowley, Shavers, Petrarca, Winfield

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE  
LOTTERY {LC3017/1}

03/30/2004 Introduced, referred to House Finance

**House Bill No. 8355**

**BY** Gallison, Aubin

**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES {LC2937/1}

03/30/2004 Introduced, referred to House Judiciary

**House Bill No. 8356**

**BY** Enos

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3080/1}

03/30/2004 Introduced, referred to House Judiciary

**House Bill No. 8357****BY** Trillo**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3079/1}  
03/30/2004 Introduced, referred to House Judiciary**House Resolution No. 8358****BY** McNamara, McHugh, Savage, Cerra, Handy**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING PROVISIONS TO INSURE THAT RHODE ISLAND'S CHILDREN WITH ASTHMA ARE MEDICALLY SAFE IN THE SCHOOL SETTING {LC3004/1}

03/30/2004 Introduced, referred to House H.E.W.

**House Bill No. 8359****BY** Naughton, Ginaitt, Giannini, Crowley, Carter**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- THE RHODE ISLAND BAYS AND WATERSHEDS COORDINATION TEAM {LC3070/1}

03/30/2004 Introduced, referred to House Environment and Natural Resources

**House Resolution No. 8360****BY** Naughton, Petrarca, Giannini, Carter, Cerra**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND CONGRESSIONAL DELEGATION TO SPONSOR AND VIGOROUSLY SUPPORT THE ENACTMENT OF THE "INSTRUCTIONAL MATERIALS ACCESSIBILITY ACT" IN THE 108TH SESSION OF CONGRESS {LC3022/1}

03/30/2004 Introduced, referred to House H.E.W.

**House Resolution No. 8361****BY** Murphy, Fox, Flaherty, Naughton, Coderre E**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE FLORENCE K. MURRAY {LC3107/1}

Representative Flaherty requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Flaherty seconded by Representatives Fox, Naughton, Benson, Cerra, Winfield, Faria, Ajello, Lally, Anguilla, Lewiss, Caprio, Dennigan, Williamson, Kennedy, McCauley and by unanimous consent, on a rising vote.

**House Resolution No. 8362****BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC3101/1}

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 voice vote.

**House Resolution No. 8363**

**BY** Fox, Watson

**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC3100/1}

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. 8364**

**BY** Murphy, Williamson, Landroche

**ENTITLED**, HOUSE RESOLUTION CONGRATULATING WEST WARWICK HOCKEY COACH KEN HOWELL ON HIS RETIREMENT AND HIS 28 YEARS OF DEDICATED AND DEVOTED SERVICE TO THE CITIZENS OF WEST WARWICK {LC3103/1}

Representative Williamson requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Williamson seconded by Representative Landroche and by unanimous consent, on a voice vote.

**CALENDAR**

From the Calendar are taken:

**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.

Representative Flaherty moves passage of the act, seconded by Representatives Anguilla, and Shavers.

Representatives Watson, Flaherty, Gorham, Montanaro, and Fox discuss the act.

Read and passed, 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, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, 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, Reilly, Rose, San Bento, Savage, Scott, Shanley, Shavers, Story, Trillo, Wasyluk, Watson, Williams, Williamson, Winfield.

NAY - 1: Representatives Gorham.

**2 2004-H 8220**

**BY Schadone**

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

Committee on Judiciary recommends passage.

Representative Flaherty moves passage of the act, seconded by Representatives Palumbo, Corvese, Fox, Lima, Menard, and Shavers.

Read and passed, 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, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, 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, Reilly, Rose, San Bento, Savage, Scott, Shanley, Shavers, Story, Trillo, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**3 2004-H 8261**

**BY Anguilla**

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

Committee on Judiciary recommends passage.

Representative Flaherty moves passage of the act, seconded by Representatives San Bento, Palumbo, Anguilla, Gallison, and Corvese.

Read and passed, 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, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, 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, Reilly, Rose, San Bento, Savage, Scott, Shanley, Shavers, Story, Trillo, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

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

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

Representative Ginaitt announces that the Committee on Environment and Natural Resources will meet tomorrow from 2-4 o'clock P.M. in Room 201.

Representatives Brien and Enos wish Representative Laroche a Happy "46<sup>th</sup>" Birthday.

Representative Watson congratulates Representative Mumford on the birth of her granddaughter Helen Ruth Caroline Alldridge on March 29, 2004 (8lbs14oz).

### GUESTS

Representative Kilmartin welcomes to the House Chambers as guests (for the second consecutive year), the 2004 MET C Championship Rhode Island Hockey Team, the Tolman Tigers as follows: Michael Tinley, Marcus Vecoli, Bryan Lang, Chad Warnock, Thomas Cute, Trevor Neville, Benjamin McGill, Ryan Leclair, Kyle Berube, Joshua Case, Merrick Williams, Erik Ullmann, Eric Gustafson, Scott Cute, Sergio Coelho, David Hall, David Baldwin, Cody Warnock, Jeffrey Lebeau, Norman Lamoureux, Zachary Casavant, Peter Gray. Nicholas Gustafson along with their Head Coach: Tom Vecoli and Assistant Coach Tony Silva.

### ADJOURNMENT

At 4:48 o'clock P.M. on motion of Representative Williamson, and as a further mark of respect to the memory of Stanley Bobola; on motion of Representative Kilmartin, and as a further mark of respect to the memory of Patrick McCabe; on motion of Representatives Lewiss and as a further mark of respect to the memory of Anthony J. Di Perrio and on a motion of Representatives Lewiss and McHugh and as a further mark of respect to the memory of Nicolina Agnelli; on motion of Representatives Montanaro and Moura, and as a further mark of respect to the memory of Gertrude Flynn; on motion of Representative Moura, and as a further mark of respect to the memory of Jim Peak; on motion of Representative San Bento, and as a further mark of respect to the memory of Elizabeth Pontarelli; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**

**Recording Clerk**

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE DAVID A. CAPRIO**

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



APPENDIX

CALENDAR

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

Tuesday, March 30, 2004