

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. 61

Tuesday, June 15, 2004

Sixty-first Day

The House of Representatives meets at the State House in Providence, Tuesday, June 15, 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 71 members present and 4 members absent as follows:

PRESENT – 71: 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, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

ABSENT – 4: Representatives Harwood, Long, Palumbo, Scott.

INVOCATION

The Honorable Speaker presents Representative Naughton 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, June 10, 2004, is approved as printed.

**REPORTS OF COMMITTEES
TRANSFER OF BILLS**

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of transfer to the Committee on Health Education and Welfare.

House Bill No. 7444

BY Lima, Cerra, Wasylyk

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- MILK CONTENT
{LC1119/1}

06/15/2004 Read and transferred to the House Committee on H.E.W.

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of transfer to the Committee on Environment and Natural Resources:

Senate Bill No. 3113

BY McCaffrey, Paiva-Weed, Walaska, Sosnowski, Lenihan

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- THE RHODE ISLAND BAYS, RIVERS, AND WATERSHEDS COORDINATION TEAM {LC3386/1}

06/15/2004 Read and transferred to the House Committee on Environment and Natural Resources

Senate Bill No. 2097 SUB A

BY Sosnowski, Bates, Walaska, Felag, Paiva-Weed

ENTITLED, AN ACT RELATING TO GROUND WATER PROTECTION {LC768/1/A}

06/15/2004 Read and transferred to the House Committee on Environment and Natural Resources

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

Senate Bill No. 2773 as amended

BY Ruggerio, Gallo, Lanzi, Goodwin

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT REPORTING {LC2617/1}

06/15/2004 Read and transferred to the House Committee on Finance

Senate Bill No. 2760

BY Goodwin, Ruggerio, Perry

ENTITLED, AN ACT RELATING TO THE INDEBTEDNESS OF TOWNS AND CITIES (interest rates cities over 125,000) {LC1880/1}

06/15/2004 Read and transferred to the House Committee on Finance

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

Senate Bill No. 2515**BY** Tassoni, Polisena, Paiva-Weed, Damiani**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- TRAFFIC CONTROL DEVICES {LC2223/1}

06/16/2004 Read and transferred to the House Committee on Judiciary

Representative Giannini, for the Committee on Health, Education and Welfare, reports back the following measures, with recommendation of transfer to the Committee on Finance:

Senate Bill No. 2649 (Dept. of Human Services)**BY** Gibbs**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- DISPOSITION OF BODIES TO BE BURIED WITH PUBLIC FUNDS {LC2062/1}

06/16/2004 Read and transferred to the House Committee on Finance.

COMMITTEE ON CORPORATIONS

Representative Kennedy, for the Committee on Corporations, reports back the following measure, with recommendation of passage:

House Bill No. 8564**BY** Benson, Carter, Lally**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE THE CONSTRUCTION, REPLACEMENT, INSTALLATION AND/OR IMPROVEMENT OF AN IRRIGATION SYSTEM AT THE NORTH KINGSTOWN MUNICIPAL GOLF COURSE AND TO ISSUE NOT MORE THAN \$1,100,000 BONDS AND NOTES THEREFOR {LC3454/1}

06/15/2004 Placed on House Calendar

Senate Bill No. 3084 as amended**BY** Felag**ENTITLED**, AN ACT RELATING TO CITIES AND TOWNS - WARREN {LC3309/1}

06/15/2004 Placed on House Calendar

Senate Bill No. 2517 SUB A**BY** Breene**ENTITLED**, AN ACT RELATING TO TAXATION {LC1851/1/A}

06/15/2004 Placed on House Calendar

Senate Bill No. 2099 SUB B**BY** Bates, Blais, Paiva-Weed, Sosnowski, Sheehan**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES {LC30/1/B}

06/15/2004 Placed on House Calendar

COMMITTEE ON FINANCE

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

House Bill No. 7052 SUB A**BY** Trillo, Gallison, Long, Ginaitt, Amaral**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - WATER POLLUTION {LC539/3/A}

06/15/2004 Placed on House Calendar

House Bill No. 7964 SUB A**BY** Jacquard**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES {LC2574/1/A}

06/15/2004 Placed on House Calendar

Senate Bill No. 3034**BY** McBurney, Issa**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3056/1}

06/15/2004 Placed on House Calendar

Senate Bill No. 2159**BY** Sosnowski, Tassoni, Issa, Connors, Breene**ENTITLED**, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - LIABILITY AND COMPUTATION {LC770/1}

06/15/2004 Placed on House Calendar

House Bill No. 7346**BY** Shanley, Enos, Scott, Carter**ENTITLED**, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - LIABILITY AND COMPUTATION {LC1161/1}

06/15/2004 Placed on House Calendar

House Bill No. 8322**BY** Moura, Slater, McCauley, Ajello, Williams**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES {LC2954/1}

06/15/2004 Placed on House Calendar

Senate Bill No. 3088**BY** Sosnowski**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE CONSTRUCTION OF A SCHOOL/COMMUNITY GYMNASIUM AND TO ISSUE NOT MORE THAN \$1,550,000 BONDS THEREFOR {LC3314/1}

06/15/2004 Placed on House Calendar

COMMITTEE ON LABOR

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

Senate Bill No. 2029 SUB B**BY** Sosnowski, Roberts, Lenihan, Polisena, Sheehan**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND WORKERS' SAFETY ACT OF 2004 {LC237/2/B}

06/15/2004 Placed on House Calendar

NEW BUSINESS**House Bill No. 8650****BY** Scott, Carter**ENTITLED**, AN ACT CREATING THE EXETER FIRE DISTRICT {LC3636/1}

06/15/2004 Introduced, referred to House Corporations

House Resolution No. 8651**BY** Jacquard, Crowley, Shavers, Kilmartin, McNamara**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT GOVERNOR DONALD L. CARCIERI DECLARE FRIDAY, JUNE 11, 2004 A STATE HOLIDAY IN RHODE ISLAND {LC3660/1}

06/15/2004 Introduced, referred to House Finance

House Bill No. 8652**BY** Kilmartin**ENTITLED**, AN ACT RELATING TO RELIEF OF INJURED AND DECEASED FIRE FIGHTERS AND POLICE OFFICERS {LC3654/1}

06/15/2004 Introduced, referred to House Finance

House Bill No. 8653**BY** Scott**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3635/1}

06/15/2004 Introduced, referred to House Judiciary

House Bill No. 8654**BY** Brien T, Schadone, Winfield, Menard, Fox**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLE INSURANCE - UNINSURED OPERATION {LC3615/1}

06/15/2004 Introduced, referred to House Judiciary

House Bill No. 8655**BY** Ginaitt, Naughton, Malik**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- COASTAL RESOURCES MANAGEMENT COUNCIL {LC3648/1}

06/15/2004 Introduced, referred to House Environment and Natural Resources

House Resolution No. 8656**BY** Winfield**ENTITLED**, HOUSE RESOLUTION HONORING LILLIAN MCINTYRE ON HER RETIREMENT AFTER MORE THAN A DECADE OF OUTSTANDING LEADERSHIP IN THE FIELD OF EDUCATION {LC3646/1}

Representative Winfield requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Winfield seconded by Representatives Lewiss, Flaherty, Carter and by unanimous consent, on a voice vote.

House Resolution No. 8657**BY** Flaherty, Murphy**ENTITLED**, HOUSE RESOLUTION CONGRATULATING COLLEEN MCCARTHY LAPIERRE FOR WINNING THE BAYER CORPORATIONS "DREAM FUND CONTEST" {LC3644/1}

Representative Flaherty requests unanimous consent for immediate consideration.

There is no objection.

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

The Honorable Speaker Murphy presents Colleen McCarthy LaPierre with a citation from the House of Representatives.

House Resolution No. 8658**BY** Fox**ENTITLED,** HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC3676/1}

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. 8659**BY** Fox**ENTITLED,** HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC3677/1}

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.

CALENDAR

From the Calendar are taken:

1 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 Tuesday, June 22, 2004.

2 2004-H 8648**BY** Brien T**ENTITLED,** AN ACT RELATING TO TAXATION

Ordered on the Calendar

Representative Brien moves passage of the act, seconded by Representatives Landroche, Laroche, Picard and Williamson.

By unanimous consent, Representative Brien, seconded by Representatives Laroche, Landroche, Picard and Reilly offers a written motion to amend.

**FLOOR AMENDMENT
TO
2004 -- H 8648**

AN ACT RELATING TO TAXATION

Mr. Speaker:

I hereby move to amend 2004 -- H 8648, entitled "AN ACT RELATING TO TAXATION", as follows:

(1) On page 3, line 30, by deleting the language "or attributable to sales from such zone" after the language "MED zone".

(2) On page 5, line 1, by deleting the language "not only", after the word "allow".

(3) On page 5, lines 1 and 2, by deleting the language "but those attributable to sales from the zone" after the language "MED zone" on line 1.

Respectfully submitted,

REPRESENTATIVE BRIEN

Representatives Watson, Brien and Costantino discuss the amendment.

Read, and by unanimous consent, ordered to be placed on the bottom of the Calendar as item # 14a.

3 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 22, 2004.

4 2004-H 8443

BY Fox

ENTITLED, AN ACT RELATING TO THE CODE OF ETHICS

Committee on Judiciary recommends passage.

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

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, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kilmartin, Lally, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Voccola, Watson, Williamson, Winfield.

NAYS - 0.

REQUESTS

Representatives Anderson and Landroche requests the journal to reflect that if they had voted on (04-H 8443), they would have voted in the affirmative.

5 2004-H 8566

BY McManus

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Corporations recommends passage.

Representative McManus moves passage of the act, seconded by Representatives Menard and Petrarca.

Read and passed, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Caprio, Cerra, Coderre, Coogan, Corvese, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kilmartin, Lally, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Petrarca, Reilly, Rose, San Bento, Schadone, Shanley, Shavers, Story, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Landroche requests the journal to reflect that if he had voted on (04-H 8566), he would have voted in the affirmative.

6 2004-H 8580**BY Rose**

ENTITLED, AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE, TO FINANCE THE ACQUISITION OF A SITE AND THE DESIGN AND CONSTRUCTION OF A MULTI-PURPOSE COMMUNITY/RECREATION COMPLEX IN LIEU OF CONVERTING MARTIN MIDDLE SCHOOL TO SUCH PURPOSE, AS WAS PREVIOUSLY APPROVED BY THE VOTERS OF EAST PROVIDENCE, AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR

Committee on Corporations recommends passage.

Representative Rose moves passage of the act, seconded by Representatives Dennigan and Coogan.

Read and passed, 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, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kilmartin, Lally, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Landroche requests the journal to reflect that if he had voted on (04-H 8580), he would have voted in the affirmative.

7 2004-H 8578**BY McHugh**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF AN AUDITORIUM AT THE MIDDLE SCHOOL/HIGH SCHOOL IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$3,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Corporations recommends passage.

Representative McHugh moves passage of the act, seconded by Representatives Benson and Faria.

Minority Leader Watson moves to recommit (04-H 8578) to the committee on finance seconded by Representative Gorham.

The motion to recommit fails on a roll call vote, 18 members voting in the affirmative and 41 members voting in the negative as follows.

YEAS - 18: Representatives Amaral, Crowley, Fox, Giannini, Gorham, Handy, Jacquard, Kilmartin, McManus, Moffitt, Mumford, Naughton, Rose, Savage, Slater, Trillo, Voccola, Watson.

NAYS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Dennigan, DeSimone, Enos, Faria, Flaherty, Gallison, Gemma, Landroche, Laroche, Lewiss, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Petrarca, Reilly, San Bento, Schadone, Shanley, Shavers, Williamson, Winfield.

Representative Costantino moves to reconsider (04-H 8578) and recommit to the committee on Finance, seconded by Representative Moura. The motion to recommit prevails by unanimous consent on a voice vote.

Read and recommitted to the committee on Finance.

8 2004-H 8577

BY McHugh

ENTITLED, AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE CAPITAL COSTS ASSOCIATED WITH THE TOWN'S WITHDRAWAL FROM THE CHARIHO REGIONAL SCHOOL DISTRICT INCLUDING THE ACQUISITION OF LAND FOR AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A MIDDLE SCHOOL/HIGH SCHOOL COMPLEX AND THE RENOVATION, REHABILITATION, REPAIR, IMPROVEMENT AND EQUIPPING OF AND/OR ADDITIONS TO EXISTING SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$34,900,000 BONDS AND/OR NOTES THEREFOR

Committee on Corporations recommends passage.

Representative Costantino moves to recommit to the committee on Finance, seconded by Representative Moura.

Read and recommitted to the committee on Finance

9 2004-S 2051**BY Blais****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

Committee on Judiciary recommends passage in concurrence.

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

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, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 0.

10 2004-S 2421**BY Lenihan****ENTITLED, AN ACT RELATING TO THE CODE OF ETHICS**

Committee on Judiciary recommends passage in concurrence.

Representative Flaherty moves passage of the act, seconded by Representatives Carter, Benson, Lewiss, Reilly, Ginaitt, Gemma and Kilmartin.

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, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Voccola, Williams, Williamson, Winfield.

NAYS - 0.

11 2004-S 2129 SUB B**BY Polisena****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULTS**

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

Representative Flaherty moves passage of the act, seconded by Representatives Ginaitt and Landroche.

The bill marked Substitute "B" is read and passed and Substitute "A" and the original bill indefinitely postponed, 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, Amaral, Anderson, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jacquard, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUESTS

Representatives Montanaro and Giannini request the journal to reflect that if they had voted on (04-H 2129 SUB B), they would have voted in the affirmative.

12 2004-S 2747 SUB A as amended**BY Connors****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PLUMBERS AND IRRIGATORS**

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

Representative Corvese moves passage of the act, seconded by Representative Carter.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 51 members voting in the affirmative and 12 members voting in the negative as follows.

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy,

Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, McCauley, McNamara, Menard, Montanaro, Moran, Naughton, Petrarca, Reilly, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Voccola, Williams, Williamson, Winfield.

NAYS - 12: Representatives Amaral, Benson, Gorham, McHugh, McManus, Moffitt, Mumford, Picard, Savage, Story, Trillo, Watson.

REQUEST

Representative Trillo requests the journal to reflect that he voted incorrectly on (04-S 2747 SUB Aaa) he should have voted in the affirmative.

13 2004-S 2351

BY McBurney

ENTITLED, AN ACT RELATING TO VICTIMS ECONOMIC SECURITY AND SAFETY

Committee on Labor recommends passage in concurrence.

Representative Corvese moves passage of the act, seconded by Representatives San Bento and Gemma.

Read and passed, in concurrence, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

14 2004-S 3003

BY Pichardo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TRANSPORTATION OF WORKERS

Committee on Labor recommends passage in concurrence.

Representative Corvese moves passage of the act, seconded by Representative Laroche, Shavers, Williamson, and Slater.

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, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Shanley, Shavers, Slater, Story, Trillo, Voccola, Williams, Williamson.

NAYS - 0.

14a 2004-H 8648

BY Brien T

ENTITLED, AN ACT RELATING TO TAXATION

Ordered on the Calendar

Moved and seconded supra.

The motion to amend prevails 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, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Read and passed, as amended, on a roll call vote, 59 members voting in the affirmative and 2 members voting in the negative as follows.

YEAS - 59: The Honorable Speaker Murphy and Representatives Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coogan, Corvese, Costantino, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Voccola, Williams, Williamson, Winfield.

NAYS - 2: Representatives Gorham, Watson.

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, with the exception of all Senate bills except one, (04-S 2747).

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 Kennedy announces that the Joint Committee on Corporations and Senate Commerce, Housing and Municipal Government will meet tomorrow, at 3:00PM, in Room 313 of the State House.

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

Representative Jacquard congratulates Representative Gemma and his wife Ann on their 40th wedding anniversary.

The Honorable Speaker Murphy, also congratulates Representative Gemma and Mrs. Gemma on their 40th.

Representative Lima wishes Representative Winfield a very Happy Birthday.

Representative Costantino announces a Budget Briefing tomorrow, Wednesday at 3 o'clock P.M..

Representative Costantino also announces the deadline for amendments to the Budget have to be in to Legislative Council by the rise of the House on Wednesday, June 16, 2004. The Budget will be taken up on Friday, June 18, 2004, at 2 o'clock P.M..

GUEST

At 4:10 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Lima.

By unanimous consent, Representative Lima addresses the members of the House and welcomes to the House Vanessa Bissanti, Miss New Hampshire, U.S.A 2004.

By unanimous consent, Miss New Hampshire addresses the members of the House.

At 4:12 o'clock P.M. the Honorable Speaker returns to the rostrum.

Representatives Voccola and Cerra congratulate Vanessa, her parents, family and friends.

ADJOURNMENT

At 4:47 o'clock P.M. on motion of Representative Schadone, and as a further mark of respect to the memory of Leo Finneran; on motion of Representative Carter, and as a further mark of respect to the memory of Fenwick Reed; on motion of Representative Gemma and as a further mark of respect to the memories of James G. Nichols, and Howard R. Hocking; on motion of Representative Williamson, and as a further mark of respect to the memory of Sherri-Lynn Leitao; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE EILEEN S. NAUGHTON

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

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 2747 SUB A as amended

BY Connors, Badeau, McBurney

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PLUMBERS
AND IRRIGATORS {LC2597/1/A}

APPENDIX

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, JUNE 16, 2004:

1 2004-H 8551**BY Winfield****ENTITLED,** AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Corporations recommends passage.

2 2004-S 2953**BY Blais****ENTITLED,** AN ACT RELATING TO ELECTIONS

Committee on Corporations recommends passage in concurrence.

3 2004-S 2990**BY Parella****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Corporations recommends passage in concurrence.

4 2004-S 2991**BY Parella****ENTITLED,** AN ACT AMENDING AN ACT EXEMPTING FROM TAXATION AND AUTHORIZING THE HERRESHOFF MARINE MUSEUM TO INCREASE ITS HOLDINGS FROM AN AMOUNT NOT EXCEEDING ONE MILLION SIX HUNDRED THOUSAND DOLLARS (\$1,600,000) TO AN AMOUNT NOT EXCEEDING FOUR MILLION SIX HUNDRED THOUSAND DOLLARS (\$4,600,000)

Committee on Corporations recommends passage in concurrence.

5 2004-S 3021**BY Breene****ENTITLED,** AN ACT RELATING TO THE TOWN OF RICHMOND

Committee on Corporations recommends passage in concurrence.

6 2004-S 3058

BY Felag

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
TAXATION -- TIVERTON

Committee on Corporations recommends passage in concurrence.

Louis D'Antuono
Clerk of the House

Tuesday, June 15, 2004

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, JUNE 16, 2004:

1 2004-H 8558 as amended**BY Malik****ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- SHELLFISH
AND AQUACULTURE**

Committee on Environment and Natural Resources recommends passage as amended.

2 2004-H 8010 SUB A**BY McNamara****ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS**

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

3 2004-S 2166**BY Sosnowski****ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY --
RIGHT TO FARM**

Committee on Environment and Natural Resources recommends passage in concurrence.

4 2004-S 2330**BY Breene****ENTITLED, AN ACT RELATING TO DEER HUNTING**

Committee on Environment and Natural Resources recommends passage in concurrence.

5 2004-S 2726 SUB B**BY McCaffrey****ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND
PARTNERSHIPS**

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

6 2004-S 2340**BY McBurney****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Corporations recommends passage in concurrence.

7 2004-S 2105 SUB A**BY Cote****ENTITLED,** AN ACT RELATING TO DISTRIBUTION OF CREDIT CARDS

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

8 2004-S 2237**BY Revens****ENTITLED,** AN ACT RELATING TO AERONAUTICS -- UNIFORM AERONAUTICAL REGULATORY ACT

Committee on Corporations recommends passage in concurrence.

9 2004-S 2616**BY Polisena****ENTITLED,** AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICES ACT

Committee on Corporations recommends passage in concurrence.

10 2004-S 2693 SUB A**BY Roberts****ENTITLED,** AN ACT RELATING TO INSURANCE

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

11 2004-S 2757**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Corporations recommends passage in concurrence.

12 2004-S 2758 SUB A**BY McCaffrey****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES**

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

13 2004-S 2817 SUB A**BY Bates****ENTITLED, AN ACT RELATING TO INSURANCE -- FIRE INSURANCE POLICIES AND RESERVES**

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

14 2004-S 3043 SUB A**BY Connors****ENTITLED, AN ACT RELATING TO ANIMALS - DOGS**

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

15 2004-S 2623**BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION -- RHODE ISLAND LITERACY AND DROPOUT PREVENTION ACT**

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

16 2004-S 2590**BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE**

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

17 2004-S 2625**BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION -- DUTIES OF COMMISSIONER OF ELEMENTARY AND SECONDARY EDUCATION**

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

18 2004-S 2249**BY Blais****ENTITLED,** AN ACT RELATING TO CHILDREN, YOUTH AND FAMILIES
DEPARTMENT -- CONFIDENTIALITY OF RECORDS

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

19 2004-S 2681 SUB B**BY Blais****ENTITLED,** AN ACT RELATING TO PHYSICAL THERAPISTS

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

20 2004-S 2764 SUB A**BY Lenihan****ENTITLED,** AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

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

21 2004-S 2585 SUB A**BY Roberts****ENTITLED,** AN ACT RELATING TO HUMAN SERVICES

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

22 2004-S 2504 as amended**BY Fogarty P****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF
NURSING HOME PATIENTS

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

IN ORDER FOR THURSDAY, JUNE 17, 2004:**1 2004-H 8564****BY Benson**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE THE CONSTRUCTION, REPLACEMENT, INSTALLATION AND/OR IMPROVEMENT OF AN IRRIGATION SYSTEM AT THE NORTH KINGSTOWN MUNICIPAL GOLF COURSE AND TO ISSUE NOT MORE THAN \$1,100,000 BONDS AND NOTES THEREFOR

Committee on Corporations recommends passage.

2 2004-H 7052 SUB A**BY Trillo**

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - WATER POLLUTION

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

3 2004-H 7964 SUB A**BY Jacquard**

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES

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

4 2004-H 7346**BY Shanley**

ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - LIABILITY AND COMPUTATION

Committee on Finance recommends passage.

5 2004-H 8322**BY Moura**

ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Finance recommends passage.

6 2004-S 3084 as amended**BY Felag****ENTITLED, AN ACT RELATING TO CITIES AND TOWNS - WARREN**

Committee on Corporations recommends passage as amended in concurrence.

7 2004-S 2517 SUB A**BY Breene****ENTITLED, AN ACT RELATING TO TAXATION**

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

8 2004-S 2099 SUB B**BY Bates****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES**

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

9 2004-S 3034**BY McBurney****ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006**

Committee on Finance recommends passage in concurrence.

10 2004-S 3088**BY Sosnowski****ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE CONSTRUCTION OF A SCHOOL/COMMUNITY GYMNASIUM AND TO ISSUE NOT MORE THAN \$1,550,000 BONDS THEREFOR**

Committee on Finance recommends passage in concurrence.

11 2004-S 2159

BY Sosnowski

ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAXES -
LIABILITY AND COMPUTATION

Committee on Finance recommends passage in concurrence.

12 2004-S 2029 SUB B

BY Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --
RHODE ISLAND WORKERS' SAFETY ACT OF 2004

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

**SPECIAL ORDER OF BUSINESS IN ORDER FOR FRIDAY, JUNE 18, 2004 AT
2:00 PM**

1 2004-H 8219 SUB A

**ARTICLE 1 ARTICLE 2 ARTICLE 3 ARTICLE 4
ARTICLE 5 ARTICLE 6 ARTICLE 7 ARTICLE 8
ARTICLE 9 ARTICLE 10 ARTICLE 11 ARTICLE 12
ARTICLE 13 ARTICLE 14 ARTICLE 15 ARTICLE 16
ARTICLE 17 ARTICLE 18 ARTICLE 19 ARTICLE 20
ARTICLE 21 ARTICLE 22 ARTICLE 23 ARTICLE 24
ARTICLE 25 ARTICLE 26 ARTICLE 27 ARTICLE 28
ARTICLE 29 ARTICLE 30 ARTICLE 31 ARTICLE 32
ARTICLE 33 ARTICLE 34 ARTICLE 35 ARTICLE 36
ARTICLE 37 ARTICLE 38 ARTICLE 39 ARTICLE 40
ARTICLE 41 ARTICLE 42 ARTICLE 43 ARTICLE 44
ARTICLE 45 ARTICLE 46 ARTICLE 47 ARTICLE 48
ARTICLE 49 ARTICLE 50**

BY Watson

ENTITLED, AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE
SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE
30, 2005

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

IN ORDER FOR TUESDAY, JUNE 22, 2004:

1 2004-H 7425

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

2 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.

Louis D'Antuono
Clerk of the House

Tuesday, June 15, 2004