

**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. 18

Wednesday, February 16, 2005

Eighteenth Day

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The House of Representatives meets at the State House in Providence, Wednesday, February 16, 2005 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, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, 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, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.

ABSENT – 4: Representatives DeSimone, Handy, Trillo, Williamson.

**INVOCATION**

The Honorable Speaker presents Representative Gemma 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 Tuesday, February 15, 2005 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 Environment and Natural Resources:

**House Bill No. 5362**

**BY** Gallison, Anguilla, Moura, Almeida, Jackson

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- REGULATION OF BOATS (LNG certified master mariner required on all liquefied natural gas vessels)

{LC1309/1}

02/16/2005 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:

**House Bill No. 5403**

**BY** Slater, Diaz, Almeida, Williams, Coderre E

**ENTITLED**, AN ACT RELATING TO INSURANCE - CASUALTY, LIABILITY AND FIRE AND MARINE INSURANCE RATING {LC540/1}

02/16/2005 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 Health, Education and Welfare:

**House Bill No. 5417**

**BY** Moura, Handy, Ajello, Diaz

**ENTITLED**, AN ACT RELATING TO INSURANCE {LC1131/1}

02/16/2005 Read and transferred to the House Committee on H.E.W.

**COMMITTEE ON CORPORATIONS**

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

**House Bill No. 5468**

**BY** Ehrhardt, Carter

**ENTITLED**, AN ACT RELATING TO VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF NORTH KINGSTOWN {LC1815/1}

02/16/2005 Placed on House Calendar

## NEW BUSINESS

**House Bill No. 5577****BY** Almeida, Gallison, Moura, Ajello, Anguilla**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- OBSTRUCTIONS TO NAVIGATION {LC1977/1}

02/16/2005 Introduced, referred to House Environment and Natural Resources

**House Bill No. 5578****BY** Moran**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- ELIGIBILITY TO VOTE AT FIRE DISTRICT MEETINGS {LC925/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5579****BY** San Bento**ENTITLED**, AN ACT RELATING TO ZONING ORDINANCES {LC2388/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5580****BY** San Bento, Malik**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- OPTOMETRISTS {LC2153/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5581****BY** Menard, Petrarca, McManus, Church, Singleton**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- LOW AN MODERATE INCOME HOUSING {LC799/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5582****BY** Laroche, Landroche, Ginaitt, Menard**ENTITLED**, AN ACT RELATING TO FIRE FIGHTERS -- ANNUITIES TO DEPARTMENTS {LC2186/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5583****BY** Fox**ENTITLED**, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- LAND SURVEYORS {LC2213/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5584****BY** Brien T, Petrarca, Ucci, Laroche**ENTITLED**, AN ACT RELATING TO REAL ESTATE APPRAISER CERTIFICATION {LC2024/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5585****BY** Brien T, Petrarca, Ucci, Laroche**ENTITLED**, AN ACT RELATING TO REAL ESTATE APPRAISAL CERTIFICATION -- CLASSES OF CERTIFICATION AND LICENSING {LC2023/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5586****BY** Lima, Slater, Anguilla, Coderre E, Dennigan**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING {LC2189/1}

02/16/2005 Introduced, referred to House Corporations

**House Resolution No. 5587****BY** McHugh**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT THE DIRECTOR OF BUSINESS REGULATIONS INVESTIGATE AND AUDIT BROKERAGE FIRMS AND BANKS THAT OFFER VARIABLE ANNUITIES {LC2379/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5588****BY** Carter**ENTITLED**, AN ACT RELATING TO INSURANCE -- WORKERS' COMPENSATION INSURANCE FUND {LC1895/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5589****BY** Ucci, Petrarca, Brien T**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES {LC1378/1}

02/16/2005 Introduced, referred to House Corporations

**House Bill No. 5590****BY** Giannini**ENTITLED**, AN ACT RELATING TO HEALTH -- CANCER TREATMENT FUND {LC143/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5591****BY** Giannini**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE ACCESS PLAN ACT {LC144/1}

02/16/2005 Introduced, referred to House Finance

**House Resolution No. 5592****BY** Fox**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$300,000 FOR CROSSROADS RHODE ISLAND {LC1936/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5593****BY** McHugh**ENTITLED**, AN ACT RELATING TO EDUCATION -- BOARD OF GOVERNORS FOR HIGHER EDUCATION {LC2350/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5594** (Secretary of State)**BY** Wasylyk**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF INSURANCE COMMISSIONER {LC1081/1}

02/16/2005 Introduced, referred to House Finance

**House Resolution No. 5595****BY** Anguilla, Gallison**ENTITLED**, JOINT RESOLUTION MAKING A SPECIAL APPROPRIATION OF \$50,000 FOR THE CORNERSTONE ADJUNCT SERVICES ALZHEIMERS PROGRAM IN BRISTOL {LC1399/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5596****BY** Moffitt, Long, Singleton, Davey, Kilmartin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ESTABLISHING AN OFFICE OF INSPECTOR GENERAL {LC1727/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5597****BY** Gorham, Watson**ENTITLED**, AN ACT RELATING TO THE STATE BUDGET {LC2145/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5598****BY** Mumford, Singleton, Long, Savage, Davey**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES {LC1538/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5599 (Governor)****BY** Mumford, Davey, Long, Savage, Singleton**ENTITLED**, AN ACT RELATING TO INSURANCE -- MANDATED BENEFITS {LC1971/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5600 (Governor)****BY** Mumford, Davey, Long, Savage, Singleton**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE EXECUTIVE DEPARTMENT -- ESTABLISHMENT OF THE SECRETARIAT OF HEALTH AND HUMAN SERVICES {LC1976/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5601****BY** Lewiss, Melo, Handy, Almeida, Gallison**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - CERTIFIED SCHOOL TEACHERS' ARBITRATION {LC940/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5602 (Lieutenant Governor)****BY** Kilmartin, Moran, Ucci, O'Neill**ENTITLED**, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX {LC672/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5603 (Attorney General)****BY** Kilmartin**ENTITLED**, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS {LC2141/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5604****BY** Kilmartin, Coderre E, San Bento, Rose, O'Neill**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION {LC602/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5605****BY** San Bento, Malik**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - CHILDREN, YOUTH, AND FAMILIES DEPARTMENT {LC2356/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5606****BY** Naughton, Ajello, San Bento, Williams, Almeida**ENTITLED**, AN ACT RELATING TO TAXATION -- SETOFF OF REFUND OF PERSONAL INCOME TAX {LC1913/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5607****BY** Naughton, Ajello, Slater, San Bento, Williams**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- PUBLIC ASSISTANCE ACT {LC1912/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5608****BY** Jackson, Crowley, Rice, Gallison, Sullivan**ENTITLED**, AN ACT RELATING TO TAXATION - HOTEL TAX - TIME SHARE {LC2179/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5609****BY** San Bento**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ACTIONS AGAINST THE STATE ON HIGHWAY AND PUBLIC WORKS CONTRACTS {LC2292/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5610****BY** San Bento, Malik**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES {LC2357/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5611****BY** San Bento, Malik**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- DEPARTMENT OF HUMAN SERVICES {LC2355/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5612****BY** San Bento, Malik**ENTITLED**, AN ACT RELATING TO FOSTER CARE {LC2353/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5613****BY** Costantino, Lewiss, Malik, Crowley, Carter**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- PUBLIC CORPORATION DEBT MANAGEMENT {LC2152/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5614****BY** Menard, Landroche, Malik, Winfield, Brien T**ENTITLED**, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS -- THE RHODE ISLAND GAMING CONTROL AND REVENUE ACT {LC2265/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5615****BY** Malik, Lewiss, Schadone, McNamara, Rose**ENTITLED**, AN ACT RELATING TO PUBLIC ACCESS DEFIBRILLATION {LC2371/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5616****BY** Lima**ENTITLED**, AN ACT IN AMENDMENT OF "AN ACT AUTHORIZING THE GIRL SCOUTS OF RHODE ISLAND, INCORPORATED TO HOLD PROPERTY EXEMPT FROM TAXATION," AS AMENDED {LC2236/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5617****BY** Pacheco**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- RELIEF OF FIREFIGHTERS AND POLICE OFFICERS {LC2224/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5618****BY** Flaherty, Moran**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS DEPARTMENT {LC1858/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5619** (by request)**BY** Loughlin, Singleton, Crowley, Malik, Anguilla**ENTITLED**, AN ACT RELATING TO TAXATION {LC1739/1}

02/16/2005 Introduced, referred to House Finance

**House Bill No. 5620****BY** Naughton, Schadone, Carter, San Bento, Almeida**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS {LC1911/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5621****BY** Lewiss, Malik, Corvese, Dennigan, Brien T**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - - PUBLIC BEACH SMOKING POLLUTION CONTROL ACT {LC220/1}

02/16/2005 Introduced, referred to House Judiciary



**House Bill No. 5622** (Attorney General)**BY** Malik, Lewiss, Brien T, Schadone, McNamara**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES {LC1340/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5623****BY** Story**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC1542/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5624****BY** Lewiss, Jackson, Schadone, Rice, O'Neill**ENTITLED**, AN ACT RELATING TO PROPERTY -- MORTGAGE RELEASES {LC685/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5625****BY** Menard, Petrarca, McManus**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS {LC2005/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5626****BY** Moffitt, Davey, Singleton, Long, Kilmartin**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- CODE OF ETHICS {LC2327/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5627****BY** Lima**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES {LC2257/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5628****BY** Giannini, DeSimone**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- UNBORN VICTIMS OF VIOLENCE ACT {LC139/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5629****BY** Giannini**ENTITLED**, AN ACT RELATING TO CRIMINAL LAWS -- DESTRUCTION OF PROPERTY {LC126/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5630****BY** Carter, Gallison, Lewiss, Faria, Laroche**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --  
PROCEDURE GENERALLY {LC2210/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5631****BY** Lewiss, Anguilla, San Bento, Shanley, Kennedy**ENTITLED**, AN ACT RELATING TO PROPERTY -- POWERS {LC214/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5632****BY** Lewiss, Rice, Anguilla, Jackson, Lally**ENTITLED**, AN ACT RELATING TO TRUSTS AND FIDUCIARIES {LC1295/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5633****BY** Lewiss, Anguilla, Rice, Jackson, Scott**ENTITLED**, AN ACT RELATING TO PROPERTY -- TRUSTS AND HOMESTEAD  
EXEMPTION {LC1303/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5634****BY** Lewiss, Anguilla, Rice, Jackson, Scott**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE  
{LC1297/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5635 (Attorney General)****BY** Kilmartin**ENTITLED**, AN ACT RELATING TO CRIMINAL LAW {LC1331/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5636****BY** Flaherty, Moran**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LAW  
ENFORCEMENT BILL OF RIGHTS {LC1863/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5637****BY** Picard**ENTITLED**, AN ACT RELATING TO HUNTING AND HUNTING SAFETY (size of  
weapons & ammunition) {LC2181/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5638****BY** Caprio D, Williamson, Scott**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -  
PROCEDURE GENERALLY - GOVERNMENTAL TORT LIABILITY {LC2054/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5639****BY** Picard**ENTITLED**, AN ACT RELATING TO HUNTING AND HUNTING SAFETY (size of  
weapons & ammunition) {LC2133/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5640****BY** Lewiss, Malik, Anguilla, Schadone, O'Neill**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - UNDERAGE  
POSSESSION {LC707/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5641****BY** Giannini**ENTITLED**, AN ACT RELATING TO LITTERING {LC119/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5642 (Attorney General)****BY** Kilmartin**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- DISORDERLY  
CONDUCT {LC1449/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5643****BY** Almeida, Williams, Slater, Diaz**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- COUNTY GRAND  
JURY {LC1941/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5644 (Attorney General)****BY** Kilmartin, Moran, Jacquard, Schadone, Lima**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS  
{LC1616/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5645****BY** Almeida, Williams, Slater, Diaz**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED  
SUBSTANCES ACT {LC2316/1}

02/16/2005 Introduced, referred to House Judiciary

**House Resolution No. 5646****BY** Almeida, Williams, Diaz**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (NAME OF THE STATE) {LC1950/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5647** (Attorney General)**BY** Kilmartin, Sullivan**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - VICTIM'S RIGHTS {LC1444/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5648****BY** Church**ENTITLED**, AN ACT RELATING TO HIGHWAYS -- DIRECTING THE DEPARTMENT OF TRANSPORTATION TO ERECT A SCHOOL ZONE TRAFFIC SIGNS {LC1289/1}

02/16/2005 Introduced, referred to Jt. Committee on Highway Safety

**House Bill No. 5649****BY** Moura, Slater, Diaz, McCauley**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT OF WOMEN AND CHILDREN {LC141/1}

02/16/2005 Introduced, referred to House Labor

**House Bill No. 5650****BY** Moura, Slater, Diaz, McCauley**ENTITLED**, AN ACT RELATING TO EMPLOYMENT OF WOMEN AND CHILDREN {LC138/1}

02/16/2005 Introduced, referred to House Labor

**House Bill No. 5651** (Attorney General)**BY** Jackson, Sullivan, Rice, Anguilla, Church**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE FACILITIES {LC1448/1}

02/16/2005 Introduced, referred to House H.E.W.

**House Bill No. 5652****BY** San Bento, Malik**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS {LC2352/1}

02/16/2005 Introduced, referred to House H.E.W.

**House Bill No. 5653****BY** San Bento, Malik**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LICENSING AND MONITORING OF CHILD CARE PROVIDERS {LC2359/1}

02/16/2005 Introduced, referred to House H.E.W.

**House Bill No. 5654 (Governor)****BY** Savage, Story, Rose, Crowley, Lewiss**ENTITLED**, AN ACT RELATING TO EDUCATION -- TRANSPORTATION OF PUPILS BEYOND CITY AND TOWN LIMITS {LC1685/1}

02/16/2005 Introduced, referred to House H.E.W.

**House Bill No. 5655****BY** Lima**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS' LICENSES {LC2244/1}

02/16/2005 Introduced, referred to House H.E.W.

**House Bill No. 5656****BY** San Bento, Malik**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LICENSING AND MONITORING OF CHILD CARE PROVIDERS {LC2354/1}

02/16/2005 Introduced, referred to House H.E.W.

**House Bill No. 5657****BY** Corvese**ENTITLED**, AN ACT RELATING TO INSURANCE -- HEALTH MAINTENANCE ORGANIZATION {LC2298/1}

02/16/2005 Introduced, referred to House H.E.W.

**House Bill No. 5658****BY** Giannini, Rose, Dennigan**ENTITLED**, AN ACT RELATING TO ABUSED AND NEGLECTED CHILDREN (shaken baby syndrome) {LC1157/1}

02/16/2005 Introduced, referred to House H.E.W.

**House Bill No. 5659 (Governor)****BY** McManus, Crowley, Mumford, Loughlin, Petrarca**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS {LC1649/1}

02/16/2005 Introduced, referred to House Labor

**House Bill No. 5660****BY** Handy, Ajello, Fox, Moura, Coderre E**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- PERSONS ELIGIBLE TO MARRY {LC765/1}

02/16/2005 Introduced, referred to House Judiciary

**House Bill No. 5661 (Governor)****BY** Story, Singleton, Loughlin, Ehrhardt, Davey**ENTITLED**, AN ACT RELATING TO LABOR RELATIONS -- PUBLIC EMPLOYEES {LC1654/1}

02/16/2005 Introduced, referred to House Finance

**House Resolution No. 5662****BY** Fox**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2414/1}

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. 5663****BY** Laroche, Menard, Story, McManus**ENTITLED**, HOUSE RESOLUTION PROCLAIMING FEBRUARY 13 - 19, 2005 TO BE "NATIONAL FUTURE BUSINESS LEADERS OF AMERICA - PHI BETA LAMBDA WEEK" IN THE STATE OF RHODE ISLAND {LC2284/1}

Representative Laroche requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Laroche seconded by Representatives Menard, Story, McManus, Brien and several other members of the House and by unanimous consent, on a voice vote.

**House Bill No. 5664****BY** Watson**ENTITLED**, AN ACT IN AMENDMENT OF CHAPTER 1039 OF THE PUBLIC LAWS, 1902, ENTITLED "AN ACT IN AMENDMENT OF AN IN ADDITION TO AN ACT ENTITLED AN ACT IN AMENDMENT OF THE CHARTER OF THE FIRE ENGINE COMPANY IN EAST GREENWICH, PASSED AT THE JANUARY SESSION 1882" PASSED AT THE JANUARY 1902 SESSION {LC1743/1}

Representative Watson requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Watson seconded by Representatives Moffitt, Loughlin, and Ehrhardt on a roll call vote, 57 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kilmartin, Lally, Landroche, Laroche, Lima, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Ucci, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representative San Bento.

### REQUEST

Representative Kennedy requests the journal to reflect that if he had voted on (05-H 5664), he would have voted in the affirmative.

#### **House Resolution No. 5665**

**BY** Gallison, Amaral, Almeida, Jackson, Anguilla

**ENTITLED**, HOUSE RESOLUTION RENAMING, AMENDING AND EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY THE TRANSPORTATION OF LIQUEFIED NATURAL GAS {LC2397/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Loughlin, McNamara, Malik and by unanimous consent, on a voice vote.

#### **House Resolution No. 5666**

**BY** Gemma, Gallison, Landroche, Ajello, Church

**ENTITLED**, HOUSE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE PASSAGE OF HR 418 -- "THE REAL ID ACT" {LC2446/1}

Majority Leader Fox, with the agreement of the majority and the minority, requests to place (05-H 5666) on the Calendar for Thursday, February 17, 2005.

There is no objection.

Ordered on the Calendar for Thursday, February 17, 2005.

### COMMUNICATION FROM THE SENATE

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

**Senate Bill** No. 28

**BY** Montalbano J

**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- REGISTRATION OF VEHICLES {LC1/1}

02/16/2005 Referred to House Finance

## CALENDAR

From the Calendar are taken:

**IN ORDER FOR WEDNESDAY, FEBRUARY 16, 2005:****1 2005-H 5234****BY Lewiss****ENTITLED, AN ACT RELATING TO THE WATCH HILL FIRE DISTRICT**

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representative Lewiss.

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, Anguilla, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

**2 2005-H 5574****BY Sullivan****ENTITLED, HOUSE RESOLUTION MEMORIALIZING CONGRESS ON  
MEDICAID IN THE STATE OF RHODE ISLAND**

Ordered on the Calendar

Representative Sullivan moves passage of the resolution, seconded by Representatives Williams, Savage, Jackson, Ajello, Moura, Wasylyk, Diaz, Pacheco, Fox, Singleton, Davey, Faria, Carter, Church, Lally, Loughlin, and Malik.

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, Anguilla, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.



NAYS - 0.

**3 2005-H 5575**

**BY Lewiss**

**ENTITLED,** HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY ALTERNATIVES TO ANIMAL EUTHANASIA BY CARBON MONOXIDE POISONING

Ordered on the Calendar

Representative Lewiss moves passage of the resolution, seconded by Representative Watson.

Read and passed, on a roll call vote, 59 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 59: Representatives Ajello, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Diaz, Ehrhardt, Faria, Flaherty, Gallison, Gemma, Giannini, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Ucci, Voccola, Wasyluk, Williams, Winfield.

NAYS - 0.

**4 2005-H 5576**

**BY Lewiss**

**ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Ordered on the Calendar

Representative Lewiss moves passage of the act, seconded by Representatives Gemma, Carter and Gallison.

By unanimous consent, Representative Lewiss, seconded by Representative Carter offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2005 -- H 5576**

**AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES**

Mr. Speaker:

I hereby move to amend 2005 -- H 5576, entitled "AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES", as follows:

(1) On page 2, line 10, by deleting the figure "2005" and inserting in place thereof the figure "2006".

(2) On page 2, line 11, by deleting the words "three hundred sixty-five" and restoring the word and figure "ninety (90)".

(3) On page 2, line 12, by deleting the figure "(365)".

(4) On page 2, line 12, by deleting the figure "2005" and inserting in place thereof the figure "2006".

(5) On page 2, between the lines 12 and 13, by inserting the following language:

"(6) Any rules and regulations promulgated pursuant to this section shall be suspended and shall not become effective until January 1, 2006".

Respectfully submitted,

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REPRESENTATIVE LEWISS

The motion to amend prevails 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, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Ucci, Voccola, Wasylyk, Williams, Winfield.

NAYS - 0.

Representatives Scott, Lewiss, and Winfield discuss the act as amended.

Read and passed, as amended, 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, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

**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.

**ANNOUNCEMENTS**

Representative Diaz 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 Coderre announces that the Committee on Separation of Powers will meet today, at the rise of the House, in Room 201 of the State House.

Representative Singleton introduces to the House a new House page, Anthony Salvatore.

**GUESTS**

Representative Laroche welcomes to the House Chamber as guests the Future Business Leaders of America as follows: Evan A Lemoine, Woonsocket High School; Joel Buff, Barrington High School; Emily J. Coutu, Lincoln High School, Rob Mainelli, Lincoln High School; Lucy Enright, Barrington High School, Chelsea L. Daigneault, Lincoln High School.

**ADJOURNMENT**

At 4:32 o'clock P.M. on motion of Representative Lima, and as a further mark of respect to the memory of Isaura D. Santos; on motion of Representative Singleton, and as a further mark of respect to the memory of Jim Claffey; on motion of Representative Watson and as a further mark of respect to the memory of John Sherer; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

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

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE AL GEMMA**

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 THURSDAY, FEBRUARY 17, 2005:

**1 2005-H 5164 SUB A****BY Naughton****ENTITLED,** HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2005-2006

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

**2 2005-H 5573****BY Landroche****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS

Ordered on the Calendar

**3 2005-H 5666****BY Gemma****ENTITLED,** HOUSE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE PASSAGE OF HR 418 -- "THE REAL ID ACT"

Ordered on the Calendar

## IN ORDER FOR WEDNESDAY, MARCH 2, 2005:

**1 2005-H 5468****BY Ehrhardt****ENTITLED,** AN ACT RELATING TO VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF NORTH KINGSTOWN

Committee on Corporations recommends passage.

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

Wednesday, February 16, 2005