

**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. 33

Thursday, March 31, 2005

Thirty-third Day

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The House of Representatives meets at the State House in Providence, Thursday, March 31, 2005 and is called to order at 4:18 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 67 members present and 8 members absent as follows:

**PRESENT - 67:** The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williamson, Winfield.

**ABSENT – 8:** Representatives Faria, Kilmartin, Landroche, McManus, Naughton, San Bento, Scott, Williams.

**INVOCATION**

The Honorable Speaker presents Representative Pacheco 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 30, 2005 is approved as printed.

**ANNOUNCEMENTS**

Representative Eileen Naughton will be unable to attend session today, Thursday March 31, 2005.

Representative Norman Landroche will be unable to attend session today Thursday, March 31, 2005.

**APPOINTMENT**

March 31, 2005

As Speaker of the House, I hereby appoint John Faria to the Joint Committee to Study Transit & Service in the State of Rhode Island.

William J. Murphy  
SPEAKER

**REPORTS OF COMMITTEES  
COMMITTEE ON CORPORATIONS**

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

**Senate Bill** No. 198

**BY** Fogarty P, Perry, Walaska, Gallo, Levesque C

**ENTITLED**, AN ACT RELATING TO THE TOWN OF GLOCESTER (ratify amendments)  
{LC1245/1}

03/31/2005 Placed on House Calendar

**NEW BUSINESS**

**House Bill** No. 6299

**BY** Menard, Ucci, McHugh, Winfield, Petrarca

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY {LC2926/1}

03/31/2005 Introduced, referred to House Separation of Powers

**House Bill** No. 6300

**BY** Scott, Story, Moura, Shanley, Smith

**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL DEPARTMENT EMPLOYEES {LC2904/1}

03/31/2005 Introduced, referred to House H.E.W.

**House Bill No. 6301****BY** Scott, Story, Savage**ENTITLED**, AN ACT RELATING TO VITAL RECORDS -- ADOPTION {LC2905/1}

03/31/2005 Introduced, referred to House H.E.W.

**House Bill No. 6302****BY** Menard, Laroche, Brien T, Ucci, Giannini**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL HYGIENISTS {LC2950/1}

03/31/2005 Introduced, referred to House H.E.W.

**House Bill No. 6303****BY** Slater**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- HYDRANT TAMPERING {LC2839/1}

03/31/2005 Introduced, referred to House Judiciary

**House Bill No. 6304****BY** Fox**ENTITLED**, AN ACT RELATING TO ESTATES IN REAL PROPERTY {LC2913/1}

03/31/2005 Introduced, referred to House Judiciary

**House Bill No. 6305****BY** Diaz, Ajello, Almeida, Williams, Moura**ENTITLED**, AN ACT RELATING TO WEAPONS {LC2625/1}

03/31/2005 Introduced, referred to House Judiciary

**House Bill No. 6306****BY** Ajello, Williams**ENTITLED**, AN ACT RELATING TO REGULATION OF SALES {LC1234/1}

03/31/2005 Introduced, referred to House Corporations

**House Bill No. 6307****BY** Menard, Petrarca, McNamara**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS {LC2951/1}

03/31/2005 Introduced, referred to House Corporations

**House Bill No. 6308****BY** Gemma, Flaherty, Ginaitt, Naughton, Trillo**ENTITLED**, AN ACT RELATING TO HIGHWAYS -- ABANDONMENT BY TOWNS {LC2924/1}

03/31/2005 Introduced, referred to House Corporations

**House Bill No. 6309****BY** Slater, Williams, Diaz, Almeida**ENTITLED**, AN ACT RELATING TO TAXATION {LC2870/1}

03/31/2005 Introduced, referred to House Finance

**House Resolution No. 6310****BY** Slater, Williams, Diaz, Almeida**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (FREE PUBLIC SCHOOLS) {LC2871/1}

03/31/2005 Introduced, referred to House Finance

**House Bill No. 6311****BY** Slater, Almeida, Williams, Diaz, Ajello**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- THE I-195 REDEVELOPMENT ACT OF 2002 {LC2740/1}

03/31/2005 Introduced, referred to House Finance

**House Bill No. 6312****BY** Scott, Carter, Kennedy**ENTITLED**, AN ACT RELATING TO EDUCATION - ESTABLISHMENT OF REGIONAL SCHOOL DISTRICTS {LC2921/1}

03/31/2005 Introduced, referred to House Finance

**House Bill No. 6313****BY** Scott, Kennedy**ENTITLED**, AN ACT RELATING TO EDUCATION - ESTABLISHMENT OF REGIONAL SCHOOL DISTRICTS {LC2920/1}

03/31/2005 Introduced, referred to House Finance

**House Bill No. 6314****BY** Costantino, Carter, Slater, Malik, Lewiss**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- MERIT SYSTEM {LC2862/1}

03/31/2005 Introduced, referred to House Finance

**House Bill No. 6315****BY** McCauley, Slater, Almeida, Diaz**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES {LC2672/1}

03/31/2005 Introduced, referred to House Finance

**House Bill No. 6316****BY** Gemma, Flaherty, Ginaitt, Naughton, Trillo**ENTITLED**, AN ACT RELATING TO TAXATION {LC2923/1}

03/31/2005 Introduced, referred to House Finance

**House Bill No. 6317****BY** Williamson**ENTITLED**, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES TO INCLUDE A STATE-OPERATED CASINO {LC2949/1}

03/31/2005 Introduced, referred to House Finance

**House Resolution No. 6318****BY** Pacheco, Church, Lewiss, Slater**ENTITLED**, HOUSE RESOLUTION CONGRATULATING THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT ON THE RECOGNITION OF ZAMBARANO DAY {LC2702/1}

Representative Pacheco requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Pacheco seconded by Representatives Carter, Church, Gallison, Rice, and O'Neill by unanimous consent, on a voice vote.

**House Resolution No. 6319****BY** Lally**ENTITLED**, HOUSE RESOLUTION CONGRATULATING EDITH C. DAVIS ON THE CELEBRATION OF HER 90TH BIRTHDAY ON APRIL 6, 2005 {LC2894/1}

Representative Lally requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Lally seconded by Representatives Shanley and McHugh by unanimous consent, on a voice vote.

**House Resolution No. 6320****BY** Fox, Watson, Corvese, Giannini, Ajello**ENTITLED**, HOUSE RESOLUTION PROCLAIMING APRIL 24, 2005 AS "RHODE ISLAND DAY OF REMEMBRANCE OF THE ARMENIAN GENOCIDE" IN COMMEMORATION OF THE ARMENIAN GENOCIDE FROM 1915 TO 1923 AND HONORING ARMENIAN-AMERICANS {LC2971/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representatives Watson, Gallison, Lally, Pacheco, Handy, Ajello, Loughlin, Singleton, Trillo, Giannini, McNamara, Corvese, Gemma, Almeida, Melo and Lima by unanimous consent, on a voice vote.

**CALENDAR**

From the Calendar is taken:

**IN ORDER FOR THURSDAY, MARCH 31, 2005:****1 2005-H 6163****BY Church**

**ENTITLED,** AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND FOR A NEW MIDDLE SCHOOL AND IT'S FACILITIES AND THE CONSTRUCTION AND EQUIPPING OF A NEW MIDDLE SCHOOL AND IT'S FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$30,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

Representative Church moves passage of the act, seconded by Representatives Gemma, Lima, Rose, Coderre, and Lally.

Read and passed on a roll call vote, 54 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, 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.

**GUESTS**

Representatives Carter, Long and the Honorable Speaker welcome to the House Chamber as a guest former Governor of the State of Rhode Island, Bruce Sundlun.

Representative Ehrhardt welcomes to the House as guests a group of students from Germany.

Representative Carter introduces his intern, James DeCastro.

The Honorable Speaker welcomes to the Chamber Stephen G. Lakis, President of the State Legislator Leaders Foundation. The Honorable Speaker presents Mr. Lakis with a citation.

Representative Pacheco welcomes to House Chamber as guests from the Zambarano Hospital as follows: Residents-Frank Beazley-President of Patients for Progress; William Feole; Roy Shovelton; Rene Demers; John Holmes; along with their staff-Irene Nichols-Secretary to Administrator; Barbara Waterman-Professional Services Coordinator; Steve Westerman-Therapeutic Recreation; Debbie Stockwell-Maintenance & Plant Operations Secretary; Paul Despres-Administrator; Carol Krause-Ferraiolo-co-chair, Family Council; William McMahan-Therapeutic Recreation; Steve Westerman-Therapeutic Recreation.

### ADJOURNMENT

At 4:33 o'clock P.M. on motion of Representative Rice, and as a further mark of respect to the memory of John J. Bento; on motion of Representative Lima, and as a further mark of respect to the memory of Claire L. D'Alessandro Cataldo; on motion of Representative Church and as a further mark of respect to the memory of Lucille T. Tancrell; on motion of Representative Carter, and as a further mark of respect to the memory of Claude D. Brunelle; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

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

APPENDIX

INVOCATION

**REPRESENTATIVE EDWIN R. PACHECO**

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, APRIL 5, 2005:

**1 2005-H 5177****BY San Bento****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --  
COURTS

Committee on Judiciary recommends passage.

**2 2005-H 6160****BY Faria****ENTITLED,** HOUSE RESOLUTION CREATING A SPECIAL HOUSE  
COMMISSION TO STUDY AUTO BODY AND SALVAGE SHOPS

Committee on Labor recommends passage.

**3 2005-S 27****BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO VALIDATING AND RATIFYING  
AMENDMENTS TO THE CHARTER OF THE TOWN OF  
JAMESTOWN

Committee on Corporations recommends passage in concurrence.

**4 2005-S 50****BY Fogarty P****ENTITLED,** AN ACT RELATING TO THE TOWN OF BURRILLVILLE

Committee on Corporations recommends passage in concurrence.

**5 2005-S 924****BY Felag****ENTITLED,** AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE  
CHARTER OF THE TOWN OF TIVERTON

Committee on Corporations recommends passage in concurrence.

**6 2005-S 198****BY Fogarty P****ENTITLED,** AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Corporations recommends passage in concurrence

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

Thursday, March 31, 2005