

**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. 45

Tuesday, May 10, 2005

Forty-fifth Day

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The House of Representatives meets at the State House in Providence, Tuesday, May 10, 2005 and is called to order at 4:12 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 3 members absent as follows:

PRESENT - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, 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, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

ABSENT – 3: Representatives Corvese, Singleton, Smith.

**INVOCATION**

The Honorable Speaker presents Representative Lima 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, May 5, 2005 is approved as printed.

**ANNOUNCEMENTS**

Representative Richard Singleton will be unable to attend session Tuesday, May 10, and Wednesday, May 11, 2005.

also:

As Speaker of the House, I hereby appoint:

Representative Thomas Slater  
Representative Raymond Church  
Representative Edwin Pacheco  
Representative Carol A. Mumford  
Ms. Cindy Lucier-Zambarano Hospital Employee  
Mr. Norman Manville-Burrillville resident; and  
Councilman Ronald Faford-Burrillville Town Council Member

To the Special House Commission to Study the Feasibility of Establishing an Institution of Higher Learning at the Zambarano Hospital Facility.

Sincerely,

William J. Murphy

**NEW BUSINESS****House Bill No. 6468**

**BY** Costantino, Pacheco, Slater

**ENTITLED**, AN ACT RELATING TO HEALTH INSURANCE --COPAYMENTS (collected by insurers) {LC3218/1}

05/10/2005 Introduced, referred to House Finance

**House Resolution No. 6469**

**BY** Fox, Watson

**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC3275/1}

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. 6470****BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC3274/1}

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 Bill No. 6471****BY** Mumford, Carter, Moffitt, Gallison, Rose**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES - ADJUTANT GENERAL EMERITUS {LC3273/1}

Representative Mumford requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Mumford seconded by Representatives Moffitt, Watson, Rose, Carter, Fox, and Gemma on a roll call vote, 67 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, 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, Slater, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Loughlin.

**House Resolution No. 6472****BY** McNamara, Davey, Watson, Singleton, Mumford**ENTITLED**, HOUSE RESOLUTION PROCLAIMING THE MONTH OF MAY, 2005 AS "VIRAL HEPATITIS AWARENESS MONTH" {LC3247/1}

Representative McNamara requests unanimous consent for immediate consideration.

There is no objection.

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

**House Resolution No. 6473****BY** McNamara, Kilmartin, Faria**ENTITLED**, HOUSE RESOLUTION HONORING JOSEPH ANTHONY CUNHA ON HIS RETIREMENT AFTER MORE THAN THIRTY-FIVE YEARS OF DEDICATED SERVICE TO THE CHILDREN OF RHODE ISLAND {LC3175/1}

Representative McNamara requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative McNamara seconded by Representatives Pacheco and Williams by unanimous consent, on a voice vote.

**House Resolution No. 6474****BY** Rice, Gallison, Amaral, Loughlin**ENTITLED**, HOUSE RESOLUTION CONGRATULATING NANCY L. SOUZA ON BEING NAMED "RHODE ISLAND CERTIFIED SCHOOL NURSE-TEACHER OF THE YEAR" {LC3271/1}

Representative Rice requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Rice seconded by Representatives Gallison, Crowley, Amaral, and Jackson by unanimous consent, on a voice vote.

**House Resolution No. 6475****BY** Anguilla, Gallison**ENTITLED**, HOUSE RESOLUTION CELEBRATING THE 100TH ANNIVERSARY OF THE DEFIANCE FIRE COMPANY IN BRISTOL, RHODE ISLAND {LC3139/1}

Representative Anguilla requests unanimous consent for immediate consideration.

There is no objection.

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

**House Resolution No. 6476****BY** Amaral, Loughlin**ENTITLED**, HOUSE RESOLUTION EXPRESSING SYMPATHY ON THE PASSING OF RAYMOND J. KNIGHT SR. {LC3272/1}

Representative Amaral requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Amaral seconded by Representative Loughlin and by unanimous consent, on a rising vote.

**House Bill No. 6477****BY** Coderre E, Ginaitt, Naughton, Crowley, Almeida**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS {LC3182/1}

05/10/2005 Introduced, referred to House Separation of Powers

**House Resolution No. 6478****BY** Ajello**ENTITLED**, JOINT RESOLUTION TO CONSIDER VARIOUS CLAIMS {LC3224/1}

05/10/2005 Introduced, referred to House Finance

**House Bill No. 6479 (Attorney General)****BY** Anguilla**ENTITLED**, AN ACT RELATING TO ELECTIONS -- CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING {LC3237/1}

05/10/2005 Introduced, referred to House Judiciary

**COMMUNICATION FROM THE SENATE**

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

**House Bill No. 5041** as amended**BY** Crowley, Rice, Jackson, Gallison**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

NEWPORT COUNTY CONVENTION AND VISITORS' BUREAU (reconstitute) {LC463/1}

05/10/2005 House held on desk

**Senate Bill No. 77 SUB A****BY** Blais**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - INTEREST AND USURY {LC10/1/A}

05/10/2005 Referred to House Corporations

**Senate Bill No. 327 SUB A (Business Regulation)****BY** Bates, Breene**ENTITLED**, AN ACT RELATING TO INSURANCE -- FIRE INSURANCE POLICIES AND RESERVES (notice to policy holders about flood insurance) {LC1706/1/A}

05/10/2005 Referred to House Corporations

**Senate Bill No. 548 SUB A (Business Regulation)****BY** Bates, Walaska**ENTITLED**, AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION AND PRACTICES ( notice to all commercial insureds at renewal when premium or coverage changes) {LC1720/2/A}

05/10/2005 Referred to House Corporations

**Senate Bill** No. 1015 SUB A**BY** Walaska, Bates, Paiva-Weed, Polisena**ENTITLED**, AN ACT RELATING TO INSURANCE -- PRODUCER LICENSING ACT

(rules for compensation disclosure) {LC2995/1/A}

05/10/2005 Referred to House Corporations

**Senate Bill** No. 772 SUB A (Lieutenant Governor)**BY** Blais, Walaska, Bates, Breene, Algieri**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

ECONOMIC DEVELOPMENT CORPORATION -- SMALL BUSINESS ADVOCATE (create a small business advocate at the economic development corporation) {LC2097/1/A}

05/10/2005 Referred to House Finance

**Senate Bill** No. 435 as amended**BY** Caprio F**ENTITLED**, AN ACT RELATING TO FIDUCIARIES (representation by person having substantially identical interest) {LC1361/1}

05/10/2005 Referred to House Judiciary

**Senate Bill** No. 709**BY** Badeau, Tassoni, Ruggiero, Ciccone, Polisena**ENTITLED**, AN ACT RELATING TO COURTS -- SUPERIOR COURT (expand the duties of the Drug Court Magistrate) {LC1917/1}

05/10/2005 Referred to House Judiciary

**Senate Bill** No. 54 SUB A**BY** Polisena**ENTITLED**, AN ACT RELATING TO EDUCATION -- OFFENSES RELATED TO SCHOOLS (commercial activity and fundraising in schools) {LC61/2/A}

05/10/2005 Referred to House H.E.W.

**Senate Bill** No. 795 SUB A as amended**BY** Issa**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

LICENSING AND MONITORING OF CHILD CARE PROVIDERS (child day care programs operate without the necessity of a separate fire, building, or radon inspection certificate)

{LC2081/1/A}

05/10/2005 Referred to House H.E.W.

**Senate Bill** No. 864 SUB A**BY** Gallo, Fogarty P, Levesque C, Walaska, Felag**ENTITLED**, AN ACT RELATING TO EDUCATION -- CURRICULUM (civics education)

{LC2658/1/A}

05/10/2005 Referred to House H.E.W.

**Senate Bill** No. 133

**BY** Blais

**ENTITLED**, AN ACT RELATING TO MILITARY SERVICE -- ACTIVE DUTY TAX EXEMPTION {LC819/1}

05/10/2005 Referred to House Veterans Affairs

**Senate Bill** No. 193 SUB A as amended

**BY** Paiva-Weed

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- NEWPORT COUNTY CONVENTION AND VISITORS' BUREAU (reconstitute) {LC722/1/A}

05/10/2005 Referred to House Separation of Powers

### CALENDAR

From the Calendar are taken:

#### IN ORDER FOR TUESDAY, MAY 10, 2005:

**1 2005-H 5167**

**BY** Church

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- FAILURE TO PAY CHILD SUPPORT

Committee on Judiciary recommends passage.

Representative Anguilla moves passage of the act, seconded by Representatives Church, Gemma, Scott and Moffitt.

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: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Laroche, Lewiss, Lima, Long, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Williamson, Winfield.

NAYS - 0.

**2 2005-H 5461**

**BY** Fox

**ENTITLED**, AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION PUBLICATION OF DISTRIBUTION OF ACTS

Committee on Judiciary recommends passage.

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

Read and passed on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Williams, Winfield.

NAYS - 0.

**3 2005-H 5631**

**BY Lewiss**

**ENTITLED, AN ACT RELATING TO PROPERTY -- POWERS**

Committee on Judiciary recommends passage.

Representative Anguilla moves passage of the act, seconded by Representatives Lewiss and Handy.

Read and passed on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Carter, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Watson, Winfield.

NAYS - 0.

**REQUEST**

Representative Church requests the journal to reflect that if he had voted on (05-H 5631), he would have voted in the affirmative.

**4 2005-H 6103**

**BY Ajello**

**ENTITLED, AN ACT RELATING TO EDUCATION**

Committee on Judiciary recommends passage.



Representative Anguilla moves passage of the act, seconded by Representatives Ajello, Gemma, Handy, and Carter.

Read and passed on a roll call vote, 56 members voting in the affirmative and 7 members voting in the negative as follows.

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McNamara, Menard, Moffitt, Moura, Mumford, Naughton, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Story, Sullivan, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 7: Representatives Kilmartin, McManus, Melo, Moran, Picard, Scott, Trillo.

**5 2005-H 5548 as amended**

**BY Rice**

**ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE**

Committee on Judiciary recommends passage as amended.

Representative Anguilla moves passage of the act, seconded by Representatives Williams, San Bento, and Rice.

Read, and by unanimous consent, ordered to be placed on the top of the Calendar for Wednesday, May 11, 2005.

**6 2005-H 5333**

**BY Kilmartin**

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
OPEN MEETINGS**

Committee on Judiciary recommends passage.

Representative Anguilla moves passage of the act, seconded by Representatives Kilmartin, Moran, and Ucci.

By unanimous consent, Representative Kilmartin, seconded by Representative Moran offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2005 -- H 5333**

**AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS**

Mr. Speaker:

I hereby move to amend 2005 -- H 5333, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS", as follows:

1. On page 2, line 23, after the word "communication" by deleting the word "or".
2. On page 2, line 24, by deleting the words "telephonic communication (telephone conferencing)" and substituting in place thereof the following: ", including telephonic communication and telephone conferencing".
3. On page 2, line 28, by deleting the words "or telephonic communication (telephone conferencing)" and substituting in place thereof the following: ", including telephonic communication and telephone conferencing".
4. On page 2, by inserting the following after line 29: "Provided, further however, that a member of a public body may participate by use of electronic communication or telephone communication while on active duty in the armed service of the United States."

Respectfully submitted,

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REPRESENTATIVE KILMARTIN

Representative Kilmartin discusses the amendment.

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, Amaral, Anguilla, Brien, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

By unanimous consent, Representative Gorham, seconded by Representatives Mumford, Story, and Davey offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 5333**

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

Mr. Speaker:

I hereby move to amend 2005 -- H 5333, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS", as follows:

1. On page 1, line 15, by deleting the words "collective bargaining or".
2. On page 1, line 16, by deleting the words "collective bargaining or".

Respectfully submitted,

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REPRESENTATIVE GORHAM

Representatives Gorham and Kilmartin discuss the amendment.

Representative Kilmartin moves to lay the amendment on the table, seconded by Representative Lally.

The motion to lay the amendment on the table prevails on a roll call vote, 41 members voting in the affirmative and 22 members voting in the negative as follows

YEAS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Church, Costantino, Crowley, Dennigan, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Jacquard, Kilmartin, Lally, Lewiss, Lima, Malik, McNamara, Melo, Menard, Moran, Moura, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, San Bento, Schadone, Shanley, Slater, Sullivan, Ucci, Williamson.

NAYS - 22: Representatives Carter, Coderre, Davey, DeSimone, Ehrhardt, Gorham, Handy, Laroche, Loughlin, McCauley, McHugh, McManus, Moffitt, Mumford, Palumbo, Petrarca, Savage, Scott, Story, Trillo, Watson, Winfield.

### REQUEST

Representative Long requests the journal to reflect that if he had voted on the motion to lay the amendment on the table, he would have voted in the negative.

By unanimous consent, Representative Gorham, seconded by Representatives Davey and Mumford, offers a written motion to amend.

### FLOOR AMENDMENT TO 2005 -- H 5333

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS

Mr. Speaker:

I hereby move to amend 2005 -- H 5333, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS", as follows:

On page 2, lines 21 and 22, by deleting the number and all language thereon.

Respectfully submitted,

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REPRESENTATIVE GORHAM

Representatives Gorham and Crowley discuss the amendment.

Representative Fox moves to lay the amendment on the table, seconded by Representative Kilmartin.

The motion to lay the amendment on the table prevails on a roll call vote, 41 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Carter, Church, Coderre, Costantino, Crowley, Dennigan, Diaz, Faria, Fox, Gallison, Gemma, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, San Bento, Schadone, Shanley, Sullivan, Ucci, Williamson.

NAYS - 22: Representatives Amaral, Davey, DeSimone, Ehrhardt, Gorham, Handy, Laroche, Long, Loughlin, McCauley, McHugh, McManus, Moffitt, Mumford, Palumbo, Petrarca, Savage, Scott, Story, Trillo, Watson, Winfield.

Representatives Gorham and Crowley discuss the act, as amended.

Read and passed, as amended, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, 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, Slater, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williamson, Winfield.

NAYS - 0.

**7 2005-H 5712**

**BY Jacquard**

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS**

Committee on Judiciary recommends passage.

Representative Anguilla moves passage of the act, seconded by Representatives Gemma and Brien.

Read and passed, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, 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, Slater, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**8 2005-H 5045**

**BY Kilmartin**

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

Committee on Judiciary recommends passage.

Representative Anguilla moves passage of the act, seconded by Representatives Brien, Moran, Scott, Gemma, and Kilmartin.

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

**9 2005-H 5634**

**BY Lewiss**

**ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE**

Committee on Judiciary recommends passage.

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

Read and passed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, 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, Slater, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williamson, Winfield.

NAYS - 0.

**10 2005-H 5622 SUB A****BY Malik****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -  
REGULATION OF SALES**

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

Representative Anguilla moves passage of the act, seconded by Representatives Malik, San Bento, Moran, Ginaitt, Carter, Mumford, Rose, Story, Brien, Lewiss, Gemma and Williamson.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, 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, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**11 2005-H 5827****BY Costantino****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- CARE FOR THE  
ELDERLY**

Committee on Finance recommends passage.

Representative Costantino moves passage of the act, seconded by Representatives Gemma, Carter, Rose, Amaral, Mumford, Story, Naughton, Jackson, Church, San Bento, Diaz, Lally and Coderre.

Representatives Watson and Costantino discuss the act.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 11, 2005.

**12 2005-H 5161****BY Gallison****ENTITLED, AN ACT RELATING TO DISTRIBUTION OF CREDIT CARDS**

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives San Bento, Gallison, Gemma, and Lima.

Representative Trillo discusses the act.

By unanimous consent, Representative Gallison, seconded by Representative Kilmartin offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2005 -- H 5161**

AN ACT RELATING TO DISTRIBUTION OF CREDIT CARDS

Mr. Speaker:

I hereby move to amend 2005 -- H 5161, entitled "AN ACT RELATING TO DISTRIBUTION OF CREDIT CARDS", as follows:

1. On page 2, line 2, after the word "number", by inserting the language, "other than the last five (5) digits or other characters on any receipt provided to the card holder or retained by the provider".

2. On page 2, line 20, by deleting the numeral "2007" and inserting in place thereof the numeral "2006".

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE GALLISON

Representatives Gallison, Gemma, Caprio, McManus, Palumbo, Trillo, and Crowley discuss the amendment.

The motion to amend prevails on a roll call vote 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, 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, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

Read and passed, as amended, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Caprio, Carter, Church, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, 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, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**13 2005-H 5496 SUB A**

**BY Sullivan**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION**

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

Representative Kennedy moves passage of the act, seconded by Representatives Landroche, Ucci, Rice, Naughton, Handy, and Savage.

By unanimous consent, Representative Ucci, seconded by Representatives Voccola and Petrarca offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2005 -- H 5496 SUBSTITUTE A**

**AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION**

Mr. Speaker:

I hereby move to amend 2005 -- H 5496 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION", as follows:

1. On page 1, line 9, by deleting the words and figures "five thousand dollars (\$5,000)" and inserting in place thereof the words and figures "two hundred fifty thousand dollars (\$250,000)".

2. On page 2, between lines 1 and 2, by adding the following designation and language, "(c) Any fine collected pursuant to the provisions of this section shall be remitted to the town of Johnston."

Respectfully submitted,

---

REPRESENTATIVE UCCI



Representatives Ucci and Rice discuss the amendment.

The motion to amend prevails on a roll call vote 51 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 51: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Caprio, Carter, Church, Crowley, Davey, Dennigan, DeSimone, Ehrhardt, Faria, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Lally, Laroche, Long, Loughlin, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Pacheco, Palumbo, Petrarca, Rice, Rose, Savage, Scott, Shanley, Story, Ucci, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 13: Representatives Ajello, Coderre, Costantino, Diaz, Fox, Kennedy, Kilmartin, Landroche, Melo, O'Neill, San Bento, Slater, Sullivan.

By unanimous consent, Representative Gorham, seconded by Representative Watson offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**T O**  
**2005 -- H 5496 SUBSTITUTE A**

AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE  
RECOVERY CORPORATION

Mr. Speaker:

I hereby move to amend 2005 -- H 5496 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION", as follows:

On page 2, line 1, after the word "period" by adding the following language: "and shall be under oath, stating that the oath is made under the pains and penalties of perjury".

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE GORHAM

The motion to amend prevails on a roll call vote 51 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Ehrhardt, Fox, Giannini, Ginaitt, Gorham, Handy, Jackson, Laroche, Lewiss, Long, Loughlin, Malik, McHugh, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Scott, Shanley, Story, Trillo, Ucci, Voccola, Watson, Williams, Winfield.

NAYS - 15: Representatives Diaz, Faria, Gallison, Gemma, Jacquard, Kennedy, Kilmartin, Lally, Landroche, McNamara, Moura, San Bento, Schadone, Slater, Sullivan.

Representatives Mumford and Sullivan discuss the act, as amended.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Caprio, Carter, Church, Coderre, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, 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, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Majority Leader Fox requests to hold item # 13 (05-H 5496 SUB Aaa) on the desk. There is no objection.

**14 2005-H 5205 SUB A**

**BY Kennedy**

**ENTITLED, AN ACT RELATING TO INSURANCE -- CLAIMS ADJUSTERS**

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

Representative Kennedy moves passage of the act, seconded by Representatives Gemma, Petrarca, and Watson.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, 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, Slater, Story, Sullivan, Ucci, Voccola, Wasyluk, Watson, Williams, Winfield.

NAYS - 0.

**14A 2005-H 5045****BY Kilmartin****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

Committee on Judiciary recommends passage.

The act has been moved and seconded supra.

Read and passed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gemma, Giannini, Handy, 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, Story, Sullivan, Trillo, Ucci, Voccola, Wasyluk, Watson, Williams, Winfield.

NAYS - 0.

**REQUEST**

Representative Gallison requests the journal to reflect that if he had voted on item # 14A (05-H 5045), he would have voted in the affirmative.

**15 2005-H 6002****BY Sullivan****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION**

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Sullivan, Ucci, Gemma, Handy, Naughton, and Moura.

Read and passed, on a roll call vote, 71 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, 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, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasyluk, Watson, Williams, Winfield.

NAYS - 0.

**16 2005-H 5999 SUB A****BY Gemma****ENTITLED, AN ACT RELATING TO ACCIDENT AND SICKNESS INSURANCE POLICIES**

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

Representative Kennedy moves passage of the act, seconded by Representatives Jacquard, Ajello, Pacheco, Rice, Ginaitt, Giannini, Diaz, Handy, Williams, Lally and Naughton.

By unanimous consent, Representative Gemma, seconded by Representatives Rice, McNamara, and Naughton offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 5999 SUBSTITUTE A/2**

AN ACT RELATING TO ACCIDENT AND SICKNESS INSURANCE POLICIES

Mr. Speaker:

I hereby move to amend 2005 -- H 5999 SUBSTITUTE A/2, entitled "AN ACT RELATING TO ACCIDENT AND SICKNESS INSURANCE POLICIES", as follows:

(1) On page 1, line 14, by inserting the language "or atypical ductal hyperplasia", following the word and punctuation "situ)".

Respectfully submitted,

---

REPRESENTATIVE GEMMA

The motion to amend prevails on a roll call vote 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, 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, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

Representatives Slater, Gemma, McManus and Costantino discuss the act, as amended.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, 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, Rose, Savage, Schadone, Scott, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

### REQUESTS

Representative Gemma requests the journal to reflect that if he had voted on (05-H 5999 SUB Aaa), he would have voted in the affirmative.

Representative Gemma requests to hold (05-H 5999 SUB Aaa) on the desk. There is no objection.

Representative Voccola requests the journal to reflect that if he had voted on item #'s 1-4 & 6-10 & # 12, he would have voted in the affirmative.

Representative Rice requests the journal to reflect that if she had voted on item #'s 1-4, she would have voted in the affirmative.

#### **17 2005-H 5107 SUB A**

**BY Sullivan**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

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

Representative Kennedy moves passage of the act, seconded by Representatives McNamara, Coderre, Naughton, Almeida, Handy, Melo, Ajello, Rice, Pacheco, Ginaitt, Picard, Anguilla, Sullivan, Moura, Church, Jackson, Kilmartin, Gemma, and Williams.

Representatives Moura, and McNamara discuss the act.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, 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, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

**18 2005-H 5985 SUB A**

**BY Lima**

**ENTITLED, AN ACT RELATING TO DECEPTIVE TRADE PRACTICES  
--MODEL FAIR CONSUMER CONTRACTS ACT**

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

Representative Kennedy moves passage of the act, seconded by Representatives Lima, Palumbo, and Diaz.

By unanimous consent, Representative Lima, seconded by Representatives Palumbo and Naughton offers a written motion to amend.

**F L O O R   A M E N D M E N T  
T O  
2005 -- H 5985 SUBSTITUTE A/3**

**AN ACT RELATING TO DECEPTIVE TRADE PRACTICES --MODEL FAIR CONSUMER  
CONTRACTS ACT**

Mr. Speaker:

I hereby move to amend 2005 -- H 5985 SUBSTITUTE A, entitled "AN ACT AN ACT RELATING TO DECEPTIVE TRADE PRACTICES --MODEL FAIR CONSUMER CONTRACTS ACT", as follows:

(1) On page 2, line 11, by deleting the words "an arbitration" and inserting in place thereof the word "a".

(2) On page 2, line 11, by deleting the word "arbitrating" and inserting in place thereof the word "pursuing".

(3) On page 2, by deleting all the language on line 12 and inserting in place thereof the language "on behalf of a class. Any such clause in a consumer contract involving a consumer transaction shall be void."

(4) On page 2, by deleting all of the numbers and language on lines 13 through 15.

(5) On page 2, line 16, by deleting the numbers "6-13.4-6" and inserting the numbers "6-13.4-5".

Respectfully submitted,

---

REPRESENTATIVE LIMA

Representative McHugh discusses the amendment.

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, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Davey, Dennigan, DeSimone, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Story, Sullivan, Trillo, Ucci, Voccola, Watson, Williams, Winfield.

NAYS - 0.

Representatives Lima, Watson, Caprio, Jacquard, Trillo, Amaral, and McHugh discuss the act as amended.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 45 members voting in the affirmative and 24 members voting in the negative as follows:

YEAS - 45: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Carter, Coderre, Costantino, Dennigan, DeSimone, Diaz, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lima, Malik, McCauley, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Schadone, Slater, Sullivan, Ucci, Voccola, Williams, Williamson.

NAYS - 24: Representatives Amaral, Brien, Caprio, Church, Davey, Ehrhardt, Faria, Gorham, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Mumford, San Bento, Savage, Scott, Shanley, Story, Trillo, Watson, Winfield.

**19 2005-H 5774 SUB A**

**BY Kennedy**

**ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS --  
HAWKERS AND PEDDLERS**

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

Representative Kennedy moves passage of the act, seconded by Representatives Lima, Caprio, Moura and Melo.

Representatives Trillo, Moura, San Bento, Gorham, Kennedy, Williamson, Costantino, Giannini, Watson, and Shanley discuss the act.

Read, and by unanimous consent, ordered to be placed on the top of the Calendar for Wednesday, May 11, 2005 as item # 2.

On suggestion of Representative Kilmartin, and by unanimous consent, the remainder of the Calendar for today is continued to Wednesday, May 11, 2005.

### 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 item #'s 13 (05-H 5496 SUB Aaa) & 16 (05-H 5999 SUB Aaa).

### ANNOUNCEMENTS

Representative Costantino announces that the Committee on Finance will meet today, at the rise of the House, in Room 35 of the State House.

Representative Watson announces that Representative Singleton was stricken ill on Friday and is now at Landmark Hospital and wishes him a speedy recovery.

### GUESTS

Representative Pacheco welcomes to the House Chamber as guests Andrew Hyde, a student at Burrillville High School, along with Polly Hyde and Elaine Pomposelli.

Representative Caprio welcomes back to the Chamber as a guest Chairman of the South County Tourism, and former Representative Myrna George. The Honorable Speaker also welcomes former Representative George back.

### ADJOURNMENT

At 6:15 o'clock P.M. on motion of Representative Amaral, and as a further mark of respect to the memory of Raymond J. Knight, Sr; on motion of Representative Menard, and as a further mark of respect to the memory of Michael Monteleone (see appendix of this journal for Representative Menard's tribute); on motion of Representative Moran and as a further mark of respect to the memory of Manuel V. Oliver seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

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



**APPENDIX**

**INVOCATION**

**REPRESENTATIVE CHARLENE M. LIMA**

Lord may it be Thy will, not our own, which governs our deliberations this day. Amen

**APPENDIX****REPRESENTATIVE MENARD'S TRIBUTE**

Michel Monteleone

This is a saddening and quite difficult thing for me to do.

Who was Michael Monteleone?

He was a 14-year-old freshman at Lincoln High School, and honor student, a member of the Lincoln Little League 2003 State Championship team, a member of the St. Ambrose's Boys Basketball Team, a member of the Lincoln Middle School 2004 Boy's State Championship Basketball Team, a member of the Lincoln High School Freshman Basketball Team and a member of Lincoln High School Junior Varsity Baseball Team.

Yesterday after practicing with the Junior Varsity Baseball Team at Chet Nicholas Field, at the high school, he told his mom to wait for him, he went to the dugout to retrieve his belongings.

Mike collapsed and never regained consciousness. This is a tragic incident that will leave a mark forever on his family, our community, and our state.

What can anyone say to his mother Patricia, his father Anthony, and his sister Jenna?

I would just ask that my colleagues join Linda, Matthew, Brittany and I, in keeping the Monteleone family in our thoughts and prayers to give them the strength and courage they need to deal with this very difficult time.

Thank you

## APPENDIX

## CALENDAR

## IN ORDER FOR WEDNESDAY, MAY 11, 2005:

**1 2005-H 5548 as amended****BY Rice****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE**

Committee on Judiciary recommends passage as amended.

**2 2005-H 5774 SUB A****BY Kennedy****ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS --  
HAWKERS AND PEDDLERS**

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

**3 2005-H 5827****BY Costantino****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- CARE FOR THE  
ELDERLY**

Committee on Finance recommends passage.

**4 2005-H 6001 SUB A****BY McCauley****ENTITLED, AN ACT RELATING TO PROPERTY -- RESIDENTIAL  
LANDLORD AND TENANT ACT**

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

**5 2005-H 5320 SUB A****BY Jacquard****ENTITLED, AN ACT RELATING TO BANKING AND INSURANCE  
CONSUMER PROTECTION**

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

**6 2005-H 5100 SUB A****BY Coderre E****ENTITLED, AN ACT RELATING TO INSURANCE -- MEDICARE  
SUPPLEMENT INSURANCE**

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

**7 2005-H 5816 SUB A****BY Coderre E****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

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

**8 2005-H 6206 as amended****BY Crowley****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS --  
EDUCATION**

Committee on Separation of Powers recommends passage as amended.

**9 2005-H 6430****BY Malik****ENTITLED, AN ACT RELATING TO VETERANS' AFFAIRS**

Ordered on the Calendar

**10 2005-H 5204 SUB A****BY San Bento****ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION  
AND PRACTICES**

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

**11 2005-H 5464 SUB A****BY Schadone****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS**

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

**12 2005-H 5500 SUB A****BY Lewiss****ENTITLED, AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS**

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

**13 2005-H 6164 SUB A****BY Coderre E****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

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

**14 2005-H 5773 SUB A****BY Kennedy****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

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

**15 2005-H 5753****BY Lewiss****ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS**

Committee on Corporations recommends passage.

**16 2005-H 6279****BY Moura****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

**17 2005-H 5349****BY Anguilla****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST**

Committee on Judiciary recommends passage.

**18 2005-H 5887****BY Lally****ENTITLED, AN ACT RELATING TO SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION**

Committee on Judiciary recommends passage.

**19 2005-H 5327****BY Lally****ENTITLED,** AN ACT RELATING TO RESIDENTIAL LANDLORD AND TENANT

Committee on Judiciary recommends passage.

**20 2005-H 6007****BY McCauley****ENTITLED,** AN ACT RELATING TO LAND SURVEYORS

Committee on Corporations recommends passage.

**21 2005-H 6004****BY McCauley****ENTITLED,** AN ACT RELATING TO BUSINESS AND PROFESSIONS --  
CONTRACTORS' REGISTRATION

Committee on Corporations recommends passage.

**22 2005-H 6000****BY McCauley****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
ARCHITECTS

Committee on Corporations recommends passage.

**23 2005-H 5319 SUB A****BY Jacquard****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- DECEPTIVE  
TRADE PRACTICESCommittee on Corporations recommends indefinite postponement of the original bill  
and passage of Substitute A.**24 2005-H 5316 SUB A****BY O'Neill****ENTITLED,** AN ACT RELATING TO THE PUBLIC UTILITIES AND CARRIERSCommittee on Corporations recommends indefinite postponement of the original bill  
and passage of Substitute A.**25 2005-H 6248 SUB A****BY Moura****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
AUTOMOBILE BODY REPAIR SHOPSCommittee on Corporations recommends indefinite postponement of the original bill  
and passage of Substitute A.

**26 2005-H 5759 SUB A****BY Kilmartin****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
SUNDAY BUSINESS

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

**27 2005-H 5158 SUB A****BY Gemma****ENTITLED,** AN ACT RELATING TO INSURANCE -- UNINSURED MOTORIST  
COVERAGE

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

**28 2005-H 5756 SUB A****BY Melo****ENTITLED,** AN ACT RELATING TO RESIDENTIAL LANDLORD AND  
TENANT ACT

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

**29 2005-H 6233 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE -- PRODUCER LICENSING  
ACT

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

**30 2005-H 6211 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES

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

**31 2005-H 6232 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- GENERAL  
REGULATORY PROVISIONS -- ELECTRONIC MAIL FRAUD

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

**32 2005-H 5414 SUB A****BY Kilmartin****ENTITLED,** AN ACT RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

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

**33 2005-H 5412 SUB A****BY Anguilla****ENTITLED,** AN ACT RELATING TO PUBLIC ACCOUNTANCY

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

**34 2005-H 5304****BY McNamara****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

Committee on Corporations recommends passage.

**35 2005-H 5027 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES

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

**36 2005-H 5962****BY Ehrhardt****ENTITLED,** AN ACT RELATING TO INSURANCE AND REPORTING REQUIREMENTS

Committee on Corporations recommends passage.

**37 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.

**38 2005-H 5494 SUB A****BY Moura****ENTITLED,** AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICES ACT

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



**39 2005-H 5627 SUB A****BY Lima****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

**40 2005-H 5640****BY Lewiss****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES - UNDERAGE POSSESSION

Committee on Judiciary recommends passage.

**41 2005-H 5305****BY Ginaitt****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- SALE OF WATER

Committee on Corporations recommends passage.

**42 2005-H 5451****BY McNamara****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- BICYCLE FACILITIES

Committee on Highway Safety recommends passage.

**43 2005-H 5648****BY Church****ENTITLED,** AN ACT RELATING TO HIGHWAYS -- DIRECTING THE DEPARTMENT OF TRANSPORTATION TO ERECT A SCHOOL ZONE TRAFFIC SIGNS

Committee on Highway Safety recommends passage.

**44 2005-H 6173****BY Long****ENTITLED,** AN ACT RELATING TO HIGHWAYS

Committee on Highway Safety recommends passage.

**45 2005-H 6205****BY Gemma****ENTITLED,** AN ACT RELATING TO THE PAINTING OF TRAFFIC LINES ON GREENWICH AVENUE AND PONTIAC AVENUE IN THE CITY OF WARWICK

Committee on Highway Safety recommends passage.

**46 2005-H 6466****BY Gallison****ENTITLED,** HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE IMPOSITION OF THE DEATH PENALTY IN CERTAIN CIRCUMSTANCES

Ordered on the Calendar

**47 2005-H 6174****BY Gemma****ENTITLED,** JOINT RESOLUTION RESPECTFULLY REQUESTING THE STATE TRAFFIC COMMISSION TO MOVE THE EXISTING TRAFFIC SIGNAL BETWEEN NORWOOD AVENUE AND WELFARE AVENUE IN THE CITY OF WARWICK

Committee on Highway Safety recommends passage.

**IN ORDER FOR THURSDAY, MAY 12, 2005:****1 2005-H 6104 SUB A****BY Fox****ENTITLED,** AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION

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

**2 2005-H 5089 SUB A****BY Gallison****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

**3 2005-H 5911 SUB A****BY Ginaitt****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY REDUCTION AND EDUCATION ACT

Committee on Environment and Natural Resources recommends indefinite postponement of the original bill and passage of Substitute A.

**4 2005-H 6249****BY Flaherty****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Corporations recommends passage.

**5 2005-H 6167****BY Kilmartin****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
CERTIFICATES OF TITLE AND SECURITY INTERESTS

Committee on Corporations recommends passage.

**6 2005-H 5191****BY Lima****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Labor recommends passage.

**7 2005-H 5420 SUB A****BY Lima****ENTITLED,** AN ACT RELATING TO LABOR -- MINIMUM WAGESCommittee on Labor recommends indefinite postponement of the original bill and  
passage of Substitute A.**8 2005-H 5553****BY Diaz****ENTITLED,** HOUSE RESOLUTION HONORING CESAR ESTRADA CHAVEZ  
(1927-1993)

Committee on Labor recommends passage.

**9 2005-H 5718****BY Carter****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
MECHANICAL TRADES

Committee on Labor recommends passage.

**10 2005-H 5849****BY Moura****ENTITLED,** AN ACT RELATING TO LABOR - PRIVACY PROTECTION

Committee on Labor recommends passage.

**IN ORDER FOR THURSDAY, MAY 19, 2005:****1 2005-H 5717****BY Malik****ENTITLED,** AN ACT RELATING TO LABOR RELATIONS ACT

Committee on Labor recommends passage.

**2 2005-H 5850**

**BY Moura**

**ENTITLED,** AN ACT RELATING TO LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage.

**3 2005-H 5650**

**BY Moura**

**ENTITLED,** AN ACT RELATING TO EMPLOYMENT OF WOMEN AND CHILDREN

Committee on Labor recommends passage.

**4 2005-H 5649 SUB A**

**BY Moura**

**ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT OF WOMEN AND CHILDREN

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

**IN ORDER FOR THURSDAY, MAY 26, 2005:**

**1 2005-H 6192**

**BY Jacquard**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

Committee on Environment and Natural Resources recommends passage.

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

**Tuesday, May 10, 2005**