

**State of Rhode Island and Providence Plantations**

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**JOURNAL**  
**-OF THE-**  
**HOUSE OF REPRESENTATIVES**

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**JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the sixth day of January in the year of Our Lord two thousand and four.**

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Volume 131, No. 46

Tuesday, May 11, 2004

Forty-sixth Day

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The House of Representatives meets at the State House in Providence, Tuesday, May 11, 2004 and is called to order at 4:10 o'clock P.M., by the Honorable William J. Murphy, Speaker

The roll is called and a quorum is declared present with 71 members present and 4 members absent as follows:

**PRESENT** – 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**ABSENT** – 4: Representatives Faria, Harwood, Palumbo, Reilly.

**INVOCATION**

The Honorable Speaker presents Representative Corvese 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 6, 2004, 2004, is approved as printed.

**ANNOUNCEMENTS**

Representative Donald Reilly, Jr. will be out of state on business and unable to attend session May 11, 12 and 13, 2004.

Representative Steven Smith will be attending an education conference and unable to attend session on May 12 and 13, 2004.

**COMMUNICATION FROM THE SENATE**

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

**Senate Bill No. 3038**

**BY** McBurney, Issa

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,025,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3053/1}

05/11/2004 Referred to House Corporations

**Senate Bill No. 3037**

**BY** McBurney, Issa

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE IMPROVEMENT AND REPLACEMENT OF ROAD AND TRAFFIC CONTROL DEVICES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$125,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3054/1}

05/11/2004 Referred to House Corporations

**Senate Bill No. 3036**

**BY** McBurney, Issa

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND RECONSTRUCTION OF STREETS AND SIDEWALKS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3058/1}

05/11/2004 Referred to House Corporations

**Senate Bill No. 3035**

**BY** McBurney, Issa

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING

THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3047/1}

05/11/2004 Referred to House Corporations

**Senate Bill No. 3034**

**BY** McBurney, Issa

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3056/1}

05/11/2004 Referred to House Corporations

**Senate Bill No. 3033**

**BY** McBurney, Issa

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND RECONSTRUCTION AND EQUIPPING OF PUBLIC RECREATION FACILITIES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$500,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3061/1}

05/11/2004 Referred to House Corporations

**Senate Bill No. 3032**

**BY** McBurney, Issa

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$50,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3050/1}

05/11/2004 Referred to House Corporations

**Senate Bill No. 3029**

**BY** Felag, Bates, Parella

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF BRISTOL TO FINANCE ROAD AND SIDEWALK IMPROVEMENT PROJECTS

**BY** ISSUANCE OF NOT MORE THAN \$5,000,000 BONDS THEREFOR {LC3180/1}

05/11/2004 Referred to House Corporations

With agreement of the Minority, Representative Fox requests to place (04S 3109) on the Calendar for May 12, 2004. There is no objection.

**Senate Bill No. 3109****BY** DaPonte**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES {LC3397/1}

05/11/2004 Placed on House Calendar

**REPORTS OF COMMITTEES****TRANSFER OF BILLS**

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

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

05/11/2004 Read and transferred to the House Committee on Finance

**House Bill No. 8320****BY** Moura, McCauley, Ajello, Williams, DeSimone**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - STORMWATER MANAGEMENT DISTRICTS {LC2957/1}

05/11/2004 Read and transferred to the House Committee on Finance

**House Bill No. 8260****BY** Moura, Slater**ENTITLED**, AN ACT RELATING TO THE INDEBTEDNESS OF TOWNS AND CITIES {LC1513/1}

05/11/2004 Read and transferred to the House Committee on Finance

**House Bill No. 8259****BY** Ajello**ENTITLED**, AN ACT RELATING TO PARKING SURCHARGES IN THE PROVIDENCE PARKING DISTRICT {LC1535/1}

05/11/2004 Read and transferred to the House Committee on Finance

**House Bill No. 8255****BY** Ajello**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - LAUNDRIES {LC2498/1}

05/11/2004 Read and transferred to the House Committee on Finance

**COMMITTEE ON CORPORATIONS**

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

**House Bill No. 8467****BY** Anguilla**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF EAGLE ENTERPRISES INC. {LC3255/1}

05/11/2004 Placed on House Calendar

**House Bill No. 8433****BY** Anguilla, Gallison**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PEDY CASH PROPERTIES, INC. {LC3213/1}

05/11/2004 Placed on House Calendar

**House Bill No. 8417****BY** Anguilla, Gallison**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF BRISTOL TO FINANCE ROAD AND SIDEWALK IMPROVEMENT PROJECTS**BY** ISSUANCE OF NOT MORE THAN \$5,000,000 BONDS THEREFOR {LC3184/1}

05/11/2004 Placed on House Calendar

**House Bill No. 8404****BY** Malik**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC3140/1}

05/11/2004 Placed on House Calendar

**COMMITTEE ON JUDICIARY**

Representative Flaherty, for the Committee on Judiciary, reports back the following measure, with recommendation of passage:

**House Bill No. 8411****BY** Lewiss**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3154/1}

05/11/2004 Placed on House Calendar

**House Bill No. 8444****BY** Lally**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3177/1}  
05/11/2004 Placed on House Calendar**House Bill No. 8448****BY** San Bento, Shanley**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3200/1}  
05/11/2004 Placed on House Calendar**COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

Representative Ginaitt, for the Committee on Environment and Natural Resources, reports back the following measure, with recommendation of passage:

**House Bill No. 8359** SUB A as amended**BY** Naughton, Ginaitt, Giannini, Crowley, Carter**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- THE RHODE ISLAND BAYS, RIVERS, AND WATERSHEDS COORDINATION TEAM {LC3070/4/A}  
05/11/2004 Placed on House Calendar**NEW BUSINESS****House Resolution No. 8506****BY** Fox, Ajello, Naughton, Crowley, Lima**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR OF THE STATE OF RHODE ISLAND TO INSTITUTE PROGRAMS THAT WILL HELP TO REDUCE THE ALLOWABLE AMOUNT OF TOXIC CHEMICALS USED IN LAWN AND GARDEN LANDSCAPING {LC3383/1}

05/11/2004 Introduced, referred to House H.E.W.

**House Bill No. 8507** (by request)**BY** Gallison, Enos, Amaral, Callahan, Watson**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,500,000 TO CONSTRUCT A GYMNASIUM, FOR PORTSMOUTH HIGH SCHOOL {LC3356/1}

05/11/2004 Introduced, referred to House Corporations

**House Bill No. 8508****BY** Corvese, Lima, McNamara, Montanaro, Gallison**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PUBLIC ACCOUNTANCY {LC3225/1}

05/11/2004 Introduced, referred to House Corporations

**House Bill No. 8509****BY** Menard, Reilly, Petrarca, Moran, Winfield**ENTITLED**, AN ACT RELATING TO EDUCATION - FOUNDATION LEVEL SCHOOL SUPPORT {LC3362/1}

05/11/2004 Introduced, referred to House Finance

**House Bill No. 8510****BY** Ginaitt, Naughton, Savage, Long, Gemma**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- MAINTENANCE OF MARINE WATERWAYS AND BOATING FACILITIES {LC3361/1}

05/11/2004 Introduced, referred to House Finance

**House Bill No. 8511****BY** Watson, Trillo, Scott, Mumford, Moffitt**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND LABOR AND LABOR RELATIONS {LC3347/1}

05/11/2004 Introduced, referred to House Labor

**House Bill No. 8512****BY** Ginaitt, Landroche, Trillo, McHugh, Carter**ENTITLED**, AN ACT RELATING TO WATER -- SALE OF WATER {LC3349/1}

05/11/2004 Introduced, referred to House Environment and Natural Resources

**House Bill No. 8513****BY** Giannini, Naughton, Lewiss, Corvese, Kennedy**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE DEPARTMENT OF BUSINESS REGULATION -- HEALTH INSURANCE {LC3363/1}

05/11/2004 Introduced, referred to House Finance

**House Resolution No. 8514****BY** Corvese, Anguilla, Story, Menard, Lima**ENTITLED**, JOINT RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF BUSINESS REGULATION TO CONDUCT A COMPREHENSIVE STUDY OF HEALTH INSURANCE MARKET REFORM - THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004: EVALUATION OF INSURANCE REFORMS {LC3372/1}

05/11/2004 Introduced, referred to House H.E.W.

**House Bill No. 8515****BY** Crowley, Dennigan, Slater, Kennedy, Anguilla**ENTITLED**, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS -- THE RI HEALTHCARE REFORM ACT OF 2004 -- NONPROFIT INSURERS' MISSION AND GOVERNANCE {LC3369/1}

05/11/2004 Introduced, referred to House Corporations

**House Bill No. 8516****BY** Kennedy, Dennigan, Slater, Anguilla, Lima**ENTITLED**, AN ACT RELATING TO HEALTH INSURANCE -- THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 -- HEALTH INSURANCE REGULATION

{LC3374/1}

05/11/2004 Introduced, referred to House Corporations

**House Bill No. 8517****BY** Costantino, Corvese, Kennedy, Menard, Lima**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 -- RESTRUCTURING STATE GOVERNMENT

REGULATION OF HEALTH INSURANCE {LC3371/1}

05/11/2004 Introduced, referred to House Corporations

**House Resolution No. 8518****BY** Carter, Moffitt, Shanley, Gallison, Malik**ENTITLED**, HOUSE RESOLUTION AMENDING HOUSE RESOLUTION 04-R-003, 2004 H 7010, ENACTED JANUARY 7, 2004, CREATING THE PERMANENT ADVISORY COUNCIL FOR THE RHODE ISLAND HOUSE VETERANS' AFFAIRS COMMITTEE

{LC3377/1}

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Carter seconded by Representatives Crowley, Gallison, Aubin, Winfield, San Bento, Benson and by unanimous consent, on a voice vote.

**House Resolution No. 8519****BY** Murphy, Fox, Menard, Lima, Winfield**ENTITLED**, HOUSE RESOLUTION CONGRATULATING MARTY GATEMEN ON BEING INDUCTED INTO THE ROYAL CLUB'S SAUGEEN SHORES HALL OF FAME

{LC3378/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

**House Resolution No. 8520****BY** Fox**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC3395/1}

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. 8521**

**BY** Fox

**ENTITLED,** HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC3394/1}

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.

**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 a bill being held on the desk.

**CALENDAR**

From the Calendar are taken:

**IN ORDER FOR TUESDAY, MAY 11, 2004:**

**1 2004-H 8127**

**BY Anguilla**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE ACCESSIBILITY ASSURANCE

Committee on Corporations recommends passage.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HOUSE OF REPRESENTATIVES

**AFFIDAVIT**

I, Roger Picard, State Representative, District 51, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon (04H 8127)
2. (Nature of the potential conflict) I have the following interest in the matter:

My wife works for a pharmacy chain.

3B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

Roger A. Picard  
Representative, District 51

State of Rhode Island  
County of Providence

Subscribed and sworn to before me this 11<sup>th</sup> day of May, 2004

David Dumas  
Notary Public

Representative Picard is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

WILLIAM J. MURPHY  
Speaker of the House of Representatives

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, William McManus, State Representative, District 46, hereby under oath depose and say:

- 1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (04H 8127)
- 2. (Nature of the potential conflict) I have the following interest in the matter:  
Employed by CVS, Inc.

3B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

William McManus  
Representative, District 46

State of Rhode Island  
County of Providence

Subscribed and sworn to before me this 11<sup>th</sup> day of May, 2004

David Dumas  
Notary Public

Representative McManus is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

WILLIAM J. MURPHY  
Speaker of the House of Representatives

Representative Kennedy moves passage of the act, seconded by Representatives Anguilla, Dennigan, Gallison, and Gemma.

By unanimous consent, Representative Anguilla, seconded by Representatives Gallison, Dennigan, and Gemma offers a written motion to amend.

F L O O R   A M E N D M E N T  
T O  
2004 -- H 8127

AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE ACCESSIBILITY  
ASSURANCE

Mr. Speaker:

I hereby move to amend 2004 -- H 8127, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE ACCESSIBILITY ASSURANCE", as follows:

(1) On page 7, by deleting lines 27 through 34 and on page 8, by deleting lines 1 through 19, and inserting in place thereof the following language:

“(14) When a health plan provides a pharmacy benefit, then the plan shall comply with the following:

(a) If the plan’s pharmacy benefit has a dollar limit, the enrollee’s use of such benefit shall be determined based on the actual cost paid for the covered drug by the health plan to purchase the drug or paid for the covered drug by the health plan to any pharmacy benefits management company or similar entity that administers a drug program on behalf of the health plan that provides the drug to an enrollee. In determining the actual cost paid for the covered drug, the health plan shall take into account any discount or fixed rebate received by the plan from a pharmacy benefits manager, pharmacy manufacturer or wholesaler or distributor from whom the drug was purchased.

(b) If the plan charges a co-payment for covered prescription drugs that is based on a percent of the drug cost:

(i) the plan shall require group policy holders to disclose to individual enrollees whether the co-payment is based on the plan’s actual cost to purchase the drug or some other cost basis such as average wholesale price or retail price; and

(ii) the plan shall disclose to individual subscribers whether the co-payment is based on the plan’s actual cost to purchase the drug or some other cost basis such as average wholesale price or retail price.

(c) The plan shall not require any co-payment for a covered drug that is greater than the plan’s actual cost to purchase the drug, taking into consideration any discounts obtained, or the

amount of reimbursement paid for the drug by the plan to a pharmacy benefits management entity or other third-party.

(d) In order to determine if a plan is in violation of this section in regards to a covered prescription drug or drugs, the plan shall disclose to the director, at the director's request and on a confidential basis, the price it paid for the covered prescription drug or drugs in question and any financial arrangements the plan has with drug manufacturers, drug wholesalers, drug distributors and pharmacy benefits managers for rebates, discounts or other financial incentives or payments related to the purchase of the covered prescription drug or drugs. This proprietary information shall not be deemed to be public, and shall be excepted from the Access to Public Records Act pursuant to subsection 38-2-2(4)(i)(B) and shall not be disclosed by the director or any employee of the department, except to another employee as required by the employee's responsibilities or by order of a state or federal court."

Respectfully submitted,

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REPRESENTATIVE ANGUILLA

The motion to amend prevails on a roll call vote 47 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Aubin, Brien, Callahan, Caprio, Cerra, Coderre, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Giannini, Gorham, Handy, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McHugh, McNamara, Menard, Moffitt, Montanaro, Mumford, Naughton, Petrarca, Rose, San Bento, Savage, Shanley, Shavers, Slater, Story, Trillo, Watson, Winfield.

NAYS - 0.

### REQUESTS

Representative Tejada, Anderson, and Gemma request the journal to reflect that if they had voted on the amendment to (04-H 8127), they would have voted in the affirmative.

Read and passed, as amended, 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, Anderson, Anguilla, Aubin, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McNamara, Menard, Moffitt, Montanaro, Mumford, Naughton, Petrarca, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Story, Tejada, Trillo, Watson, Winfield.

NAYS - 0.

**REQUESTS**

Representative Ginaitt and Amaral request the journal to reflect that if they had voted on (04-H 8127aa), they would have voted in the affirmative.

**2 2004-H 8151****BY Watson****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
EMPLOYMENT SECURITY -- BENEFITS

Committee on Labor recommends passage.

By unanimous consent, Representative Fox moves to recommit to Labor seconded by Representative Menard.

Read and recommitted to the committee on Labor.

**3 2004-H 8162****BY Moffitt****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
BARBERS, HAIRDRESSERS, COSMETICIANS, MANICURIST AND  
ESTHETICIANS

Committee on Labor recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 18, 2004.

**4 2004-H 7714 SUB A****BY Anderson R****ENTITLED,** AN ACT RELATING TO EDUCATION -- CURRICULUM

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

Representative McNamara moves to recommit to Finance seconded by Representative Anderson. By unanimous consent on a voice vote.

Read and recommitted to the committee on Finance.

**5 2004-H 7713****BY Dennigan****ENTITLED,** AN ACT RELATING TO THE HEALTH CARE FOR FAMILIES ACT

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Dennigan, Gallison, Rose, Almeida, Ajello, Laroche, Shanley, Anguilla, Handy, Gemma Cerra, and Shavers.

Representatives Gorham, Dennigan, and Watson discuss the act.

Read and passed, on a roll call vote, 55 members voting in the affirmative and 8 members voting in the negative as follows.

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Wasyluk, Winfield.

NAYS - 8: Representatives Callahan, Gorham, McManus, Moffitt, Mumford, Scott, Trillo, Watson.

### REQUEST

Representative Amaral request the journal to reflect that if he had voted on (04-H 7713), he would have voted in the affirmative.

### **6 2004-H 7129**

**BY Laroche**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS**

Committee on Corporations recommends passage.

### STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS HOUSE OF REPRESENTATIVES

### AFFIDAVIT

I, Roger Picard, State Representative, District 51, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon (04H 7129)
2. (Nature of the potential conflict) I have the following interest in the matter:  
My wife works for a pharmacy chain.

3B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

Roger A. Picard  
Representative, District 51

State of Rhode Island  
County of Providence

Subscribed and sworn to before me this 11<sup>th</sup> day of May, 2004

David Dumas  
Notary Public

Representative Picard is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

WILLIAM J. MURPHY  
Speaker of the House of Representatives

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, William McManus, State Representative, District 46, hereby under oath depose and say:

- 1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (04H 7129)
- 2. (Nature of the potential conflict) I have the following interest in the matter:  
Employed by CVS, Inc.

3B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

William McManus  
Representative, District 46

State of Rhode Island  
County of Providence

Subscribed and sworn to before me this 11<sup>th</sup> day of May, 2004

David Dumas  
Notary Public

Representative McManus is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

WILLIAM J. MURPHY  
Speaker of the House of Representatives

Representative Kennedy moves passage of the act, seconded by Representatives Naughton, Petrarca, Lowe, Trillo, Rose, Anderson, Almeida, Long, Landroche, Laroche, Anderson, Moura, Enos, Montanaro, Shanley, Kilmartin, San Bento, McHugh, Giannini, Carter, Aubin, and Benson.

Representatives Gemma and Laroche discuss the act.

By unanimous consent, Representative Laroche, seconded by Representatives Gemma and Lowe offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2004 -- H 7129**

**AN ACT RELATING TO BUSINESSES AND PROFESSIONS**

Mr. Speaker:

I hereby move to amend 2004 -- H 7129, entitled "AN ACT RELATING TO BUSINESSES AND PROFESSIONS", as follows:

- (1) On page 2, by deleting all of the language on lines 9 and 10.
- (2) On page 2, line 11, by changing the numbers "5-19.3-6" to "5-19.3-5".
- (3) On page 2, line 14, by changing the numbers "5-19.3-7" to "5-19.3-6".
- (4) On page 2, line 18, by changing the numbers "5-19.3-8" to "5-19.3-7".

Respectfully submitted,  
REPRESENTATIVE LAROCHE

Representatives Trillo, Kennedy, Moura, Enos, and Mumford discuss the amendment.

The motion to amend prevails on a roll call vote 60 members voting in the affirmative and 0 members voting in the negative as follows:



YEAS - 60: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Trillo, Wasyluk, Watson, Winfield.

NAYS - 0.

Read and passed, as amended, 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, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Trillo, Wasyluk, Watson, Winfield.

NAYS - 0.

### REQUEST

Representative Ginaitt requests the journal to reflect that if he had voted on (04-H 7129aa), he would have voted in the affirmative.

### TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, and the Honorable Senate forthwith with the exception of a bill being held on the desk.

**7 2004-H 7417**

**BY Kennedy**

**ENTITLED, AN ACT RELATING TO INSURANCE**

Committee on Corporations recommends passage.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HOUSE OF REPRESENTATIVES

### AFFIDAVIT

I, Roger Picard, State Representative, District 51, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon (04H 7417)

2. (Nature of the potential conflict) I have the following interest in the matter:  
My wife works for a pharmacy chain.

3B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

Roger A. Picard  
Representative, District 51

State of Rhode Island  
County of Providence

Subscribed and sworn to before me this 11<sup>th</sup> day of May, 2004

David Dumas  
Notary Public

Representative Picard is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

WILLIAM J. MURPHY  
Speaker of the House of Representatives

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, William McManus, State Representative, District 46, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (04H 7417)

2. (Nature of the potential conflict) I have the following interest in the matter:  
Employed by CVS, Inc.

3B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

William McManus  
Representative, District 46

State of Rhode Island  
County of Providence

Subscribed and sworn to before me this 11th day of May, 2004

David Dumas  
Notary Public

Representative McManus is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

WILLIAM J. MURPHY  
Speaker of the House of Representatives

Representative Kennedy moves passage of the act, seconded by Representatives Naughton, Giannini, Rose, Montanaro, Carter, McHugh, and several other members of the House.

Representatives Gemma, Kennedy, and Gorham discuss the act.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasyluk, Watson, Williams, Winfield.

NAYS - 0.

#### REQUEST

Representative Ginaitt requests the journal to reflect that if he had voted on (04-H 7417), he would have voted in the affirmative.

#### **8 2004-H 7670**

**BY Fox**

**ENTITLED, AN ACT RELATING TO SPORTS RACING AND ATHLETICS --  
BOXING AND WRESTLING**

Committee on Labor recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, May 27, 2004.

**9 2004-H 8197****BY Flaherty****ENTITLED,** AN ACT RELATING TO AERONAUTICS -- PERMANENT AIR QUALITY MONITORING ACT

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the act, seconded by Representatives Giannini, Trillo, Tejada, Lima, Benson, Handy, Gemma, Cerra, and Shavers.

Representative Gemma discusses the act.

Read and passed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

**REQUEST**

Representative Ginaitt requests the journal to reflect that if he had voted on (04-H 8197), he would have voted in the affirmative.

**10 2004-H 7666****BY Handy****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Health, Education & Welfare recommends passage.

Representative Handy moves passage of the act, seconded by Representatives Ajello, Lima, and Giannini.

Representatives Mumford, and Handy discuss the act.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 12, 2004.

**11 2004-H 7158****BY Savage****ENTITLED,** AN ACT RELATING TO EDUCATION -- ESTABLISHMENT OF  
CHARTER PUBLIC SCHOOLS

Committee on Health, Education & Welfare recommends passage.

Representative Giannini moves passage of the act, seconded by Representatives McNamara, Cerra, Savage, Amaral, and Mumford.

Representatives Gemma, McNamara, Montanaro, Savage, and Gorham discuss the act.

Read and passed, on a roll call vote, 57 members voting in the affirmative and 10 members voting in the negative as follows.

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Giannini, Gorham, Handy, Jacquard, Landroche, Laroche, Lewiss, Lima, Long, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Rose, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Wasyluk, Watson, Williamson, Winfield.

NAYS - 10: Representatives Benson, Coogan, Gemma, Kennedy, Kilmartin, Lally, Lowe, Montanaro, Picard, San Bento.

**12 2004-H 7050****BY Giannini****ENTITLED,** AN ACT RELATING TO HEALTH INSURANCE COVERAGE

Committee on Health, Education & Welfare recommends passage.

Representative Giannini moves passage of the act, seconded by Representatives McNamara, Petrarca, Gemma, Benson, Aubin, Cerra, Kennedy, Shavers, San Bento, Corvese, Laroche, Landroche, Williams, and Long.

Representatives Watson, Giannini, Montanaro, McNamara, and Kennedy discuss the act.

Read and passed, on a roll call vote, 64 members voting in the affirmative and 3 members voting in the negative as follows.

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Trillo, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Callahan, Gorham, Watson.

**13 2004-H 7717**

**BY Ginaitt**

**ENTITLED,** AN ACT RELATING TO ASSISTED LIVING RESIDENCES

Committee on Health, Education & Welfare recommends passage.

Representative Giannini moves passage of the act, seconded by Representatives Ginaitt, McNamara, Ajello, Williams, Cerra, Benson and Shavers.

Representatives Watson, Giannini and Ginaitt discuss the act.

Read and passed, on a roll call vote, 62 members voting in the affirmative and 3 members voting in the negative as follows.

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, Menard, Moffitt, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Trillo, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Callahan, Gorham, Watson.

**14 2004-H 7658**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
BOARD OF RADIOLOGIC TECHNOLOGY

Committee on Health, Education & Welfare recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, May 27, 2004.

**15 2004-H 7788****BY Gallison****ENTITLED,** AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the act, seconded by Representatives Gallison, Malik, Anguilla and Benson.

Read and passed, on a roll call vote, 64 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewis, Lima, Long, Lowe, Malik, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Story, Trillo, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Shanley.

**REQUEST**

Representative Shanley requests the journal to reflect that he voted incorrectly on (04-H 7788), he should have voted in the affirmative.

**16 2004-H 8225****BY Menard****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- COMMUNITY RESIDENCES

Committee on Health, Education & Welfare recommends passage.

Representative Giannini moves passage of the act, seconded by Representatives Lima, Menard, Fox, Brien, Picard, Shavers, Cerra, Kennedy, Dennigan, McNamara, Slater, Laroche, and Landroche.

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

NAYS - 0.

**17 2004-H 7729**

**BY Petrarca**

**ENTITLED,** AN ACT RELATING TO THE BOARD OF MEDICAL LICENSURE  
AND DISCIPLINE

Committee on Health, Education & Welfare recommends passage.

Representative Ajello moves passage of the act, seconded by Representatives McNamara, Petrarca, Benson, Giannini, and Cerra,

Representatives Covese and Ajello discuss the act.

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

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

NAYS - 0.

**REQUEST**

Representative Gemma requests the journal to reflect that if he had voted on (04-H 7729), he would have voted in the affirmative.



**18 2004-H 7503 SUB A****BY Gianni****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
DISABILITY BUSINESS ENTERPRISES

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

Representative Gianni moves passage of the act, seconded by Representatives Naughton, Cerra, Shavers and Moffitt.

The bill marked Substitute "A" is read and passed, 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, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Flaherty, Fox, Gallison, Gemma, Gianni, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewis, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Trillo, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**19 2004-H 7585 SUB A****BY Gianni****ENTITLED,** AN ACT RELATING TO HUMAN SERVICES - ABUSED AND  
NEGLECTED CHILDREN

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, May 27, 2004.

**20 2004-H 7718 SUB A****BY McNamara****ENTITLED,** AN ACT RELATING TO INSURANCE COVERAGE -- CANCER  
EXAMINATIONS AND TESTS

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

Representative McNamara moves passage of the act, seconded by Representatives Naughton, Corvese, Montanaro, McManus, and Benson.

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

F L O O R   A M E N D M E N T  
T O  
2004 -- H 7718 SUBSTITUTE A

AN ACT RELATING TO INSURANCE COVERAGE -- CANCER EXAMINATIONS AND TESTS

Mr. Speaker:

I hereby move to amend 2004 -- H 7718 SUBSTITUTE A, entitled "AN ACT RELATING TO INSURANCE COVERAGE -- CANCER EXAMINATIONS AND TESTS", as follows:

1. On page 1, line 10, by adding the following language after the word and punctuation "individuals.":

"Provided, however, this section shall not apply to insurance coverage providing benefits for: (1) hospital confinement indemnity; (2) disability income; (3) accident only; (4) long-term care; (5) Medicare supplement; (6) limited benefit health; (7) specified disease indemnity; (8) sickness or bodily injury or death by accident or both; and (9) other limited benefit policies."

Respectfully submitted,  
REPRESENTATIVE MCNAMARA

The motion to amend prevails on a roll call vote 58 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Smith, Story, Trillo, Williams, Williamson, Winfield.

NAYS - 7: Representatives Benson, Callahan, Ginaitt, Gorham, Montanaro, Wasylyk, Watson.

The bill marked substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 63 members voting in the affirmative and 2 members voting in the negative as follows.

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shavers, Smith, Story, Trillo, Wasylyk, Williams, Williamson, Winfield.

NAYS - 2: Representatives Callahan, Watson.

### **TRANSMITTAL**

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, and the Honorable Senate forthwith with the exception of a bill being held on the desk.

### **ANNOUNCEMENTS**

Representative Kennedy announces that the Committee on Corporations will meet today, at the rise of the House, in Room 203 of the State House.

Representative San Bento informs the House, that Representative Harwood had a gall bladder operation and wishes him well.

The Honorable Speaker Murphy and Majority Leader Fox wish Representative Harwood a speedy recovery.

### **GUESTS**

Representative Lima welcomes to the House Chamber Michael Sepe Sr., and Jackie Motta.

Also:

At 4:20 o'clock P.M. the Honorable Speaker yields the rostrum to Representatives Winfield and Petrarca.

By unanimous consent, Representative Winfield addresses the members of the House and welcomes to the House the undefeated Northern Rhode Island Vikings Mite All Star Hockey Team.

Representatives Winfield and Petrarca present the team with citations.

At 4:26 o'clock P.M. the Honorable Speaker returns to the rostrum.

Also:

Representative Enos welcomes to the House Mrs. MacNeill's Homeroom class, grade 8 as follows:

Humphrey, Nicole; Kenahan, Bridget; Larkin, Benjamin; Lafrance, Devin; Lambert, Patrick; Lewis, James; Libutti, James; Lolio, Heather; Marion, Anna; Marks, Patrick; Marshall, Benjamin; McBurney, Meghan; Mc Kinnon, Matthew; Medeiros, Hannah; Needham, Malynda; O'Connor, James; Reckas, Emily; Oliveira, Adam; Ouellette, Kimberly; Peckham-Pat, Silas; Pineau, Lauren; Poirier, Amanda; Poitras, Evan; Robichaud, Erik Michael; Sisson, Richard; Sterns, Douglas; Sylvia, Amanda; Torre, Zachary; Turcotte, Jessica; White, Richard; Wyatt, Meagen; Allen, Atticus; Babbitt, Alyssa; Barros, Chelsey; Bender, Christine; Bodington, Jessica; Couto, David; Couto, Whitney; Demers, Christopher; Evans, Courtney; Farrell, Jacquelyn; Filippo, Benjamin; Frady, Kristen; Fraser, Julia; Gould, Rebecca; Hartnett, Miles; and Harvey,Rebecca.

### ADJOURNMENT

At 5:36 o'clock P.M. on motion of Representative Kilmartin, San Bento, and Moran, and as a further mark of respect to the memory of Timothy E. Allen, Sr.; on motion of Representative Story, and as a further mark of respect to the memory of Ian D Malcolm; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**

**Recording Clerk**

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE ARTHUR J. CORVESE**

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 WEDNESDAY, MAY 12, 2004:

**1 2004-H 7666****BY Handy****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Health, Education &amp; Welfare recommends passage.

**2 2004-H 7397 SUB A****BY Winfield****ENTITLED,** AN ACT RELATING TO EDUCATION

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

**3 2004-H 7711 SUB A****BY Fox****ENTITLED,** AN ACT RELATING TO THE RHODE ISLAND HUMAN  
RESOURCE INVESTMENT COUNCIL

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

**4 2004-H 8038 SUB A****BY Kilmartin****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --  
COMMUNITY ANTENNA TELEVISION SYSTEMS

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

**5 2004-H 7323 SUB A as amended****BY Kilmartin****ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY --  
REGULATION OF VICIOUS DOGS

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

**6 2004-H 7104**

**BY Kilmartin**

**ENTITLED,** AN ACT RELATING TO TOBACCO SALES

Committee on Judiciary recommends passage.

**7 2004-H 7510**

**BY Picard**

**ENTITLED,** AN ACT RELATING TO GENERAL POWERS

Committee on Judiciary recommends passage.

**8 2004-H 8141**

**BY Trillo**

**ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

Committee on Judiciary recommends passage.

**9 2004-S 3109**

**BY DaPonte**

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

Ordered on the Calendar

**IN ORDER FOR THURSDAY, MAY 13, 2004:****1 2004-H 7799 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS - -  
COMMUNITY OBLIGATIONS AND BANKING OFFENSES

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

**2 2004-H 8142 SUB A****BY Trillo****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE

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

**3 2004-H 8152 SUB A****BY Trillo****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS - LIE  
DETECTOR TESTS AS CONDITIONS OF EMPLOYMENT

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

**4 2004-H 7282 SUB A****BY Trillo****ENTITLED,** AN ACT RELATING TO SMALL EMPLOYER HEALTH  
INSURANCE

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

**5 2004-H 7806****BY Coderre E****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Corporations recommends passage.

**6 2004-H 7659****BY Giannini****ENTITLED,** AN ACT RELATING TO DELINQUENT AND DEPENDENT  
CHILDREN -- O'ROURKE CHILDREN'S CENTER

Committee on Health, Education & Welfare recommends passage.



**7 2004-H 7664****BY Handy****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS

Committee on Health, Education &amp; Welfare recommends passage.

**8 2004-H 7534 SUB A****BY Trillo****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - - NONTRANSPARENT WINDSHIELDS AND WINDOWS

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

**9 2004-H 7647 SUB A****BY Fox****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT

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

**10 2004-H 7425****BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

**11 2004-H 8411****BY Lewiss****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

**12 2004-H 8444****BY Lally****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

**13 2004-H 8448****BY San Bento****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

**14 2004-H 8359 SUB A as amended****BY Naughton****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- THE RHODE ISLAND BAYS, RIVERS, AND WATERSHEDS COORDINATION TEAM

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

**15 2004-H 8467****BY Anguilla****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF EAGLE ENTERPRISES INC.

Committee on Corporations recommends passage.

**16 2004-H 8433****BY Anguilla****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PEDY CASH PROPERTIES, INC.

Committee on Corporations recommends passage.

**17 2004-H 8417****BY Anguilla****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF BRISTOL TO FINANCE ROAD AND SIDEWALK IMPROVEMENT PROJECTS BY ISSUANCE OF NOT MORE THAN \$5,000,000 BONDS THEREFOR

Committee on Corporations recommends passage.

**18 2004-H 8404****BY Malik****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Corporations recommends passage.

**IN ORDER FOR TUESDAY, MAY 18, 2004:****1 2004-H 8162****BY Moffitt****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
BARBERS, HAIRDRESSERS, COSMETICIANS, MANICURIST AND  
ESTHETICIANS

Committee on Labor recommends passage.

**2 2004-H 8237 SUB A****BY Moura****ENTITLED,** AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION  
AND PRACTICESCommittee on Corporations recommends indefinite postponement of the original bill  
and passage of Substitute A.**IN ORDER FOR THURSDAY, MAY 20, 2004:****1 2004-H 7368****BY Giannini****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS-DOMESTIC  
ABUSE PREVENTION

Committee on Health, Education &amp; Welfare recommends passage.

**2 2004-H 7369****BY Giannini****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --  
DOMESTIC ASSAULT

Committee on Health, Education &amp; Welfare recommends passage.

**IN ORDER FOR THURSDAY, MAY 27, 2004:****1 2004-H 7670****BY Fox****ENTITLED,** AN ACT RELATING TO SPORTS RACING AND ATHLETICS --  
BOXING AND WRESTLING

Committee on Labor recommends passage.

**2 2004-H 7658**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
BOARD OF RADIOLOGIC TECHNOLOGY

Committee on Health, Education & Welfare recommends passage.

**3 2004-H 7585 SUB A**

**BY Giannini**

**ENTITLED,** AN ACT RELATING TO HUMAN SERVICES - ABUSED AND  
NEGLECTED CHILDREN

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

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

Tuesday, May 11, 2004