

State of Rhode Island and Providence Plantations

JOURNAL
-OF THE-
HOUSE OF REPRESENTATIVES

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

Volume 131, No. 60

Thursday, June 10, 2004

Sixtieth Day

The House of Representatives meets at the State House in Providence, Thursday, June 10, 2004 and is called to order at 4:23 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, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, 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, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 4: Representatives Coogan, Flaherty, Harwood, Palumbo,

INVOCATION

The Honorable Speaker presents Representative San Bento who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Wednesday, June 9, 2004, is approved as printed.

CORRECTION

By unanimous consent, the House Journal of Thursday, June 3, 2004 is hereby corrected on page 21, after line 34, by inserting the following under Transmitted to the Governor:

Senate Bill No. 2143**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION -- SOUTH KINGSTOWN {LC1024/1}**Senate Bill No. 2620****BY** Fogarty P, Gallo, Walaska, Tassoni, Goodwin**ENTITLED**, AN ACT RELATING TO TAXATION {LC2113/1}**Senate Bill No. 2621 SUB A****BY** Fogarty P, Gallo, Walaska, Tassoni, Goodwin**ENTITLED**, AN ACT RELATING TO TAXES -- BURRILLVILLE {LC2103/1/A}**Senate Bill No. 2923****BY** DaPonte, Ruggerio, Damiani, Bates**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- RENTAL VEHICLES -- INSURANCE {LC1806/1}**Senate Bill No. 3057****BY** Polisen, Walaska**ENTITLED**, AN ACT RELATING TO INSURANCE - COMMERCIAL SPECIAL RISKS {LC3244/1}**Senate Bill No. 3086****BY** Sosnowski**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE CAPITAL TRANSPORTATION IMPROVEMENT PROJECTS AND TO ISSUE NOT MORE THAN \$200,000 BONDS THEREFOR {LC3315/1}**Senate Bill No. 3087****BY** Sosnowski**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE ACQUISITION OF LAND FOR OPEN SPACE, RECREATION AND AGRICULTURAL PURPOSES AND TO ISSUE NOT MORE THAN \$2,000,000 BONDS THEREFOR {LC3313/1}**COMMUNICATION FROM THE SENATE**

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

Senate Bill No. 2222 as amended
BY Lanzi, Ciccone, Badeau, Polisen, DaPonte
ENTITLED, AN ACT RELATING TO DISABILITY BUSINESS ENTERPRISES
{LC1346/1}
06/10/2004 Referred to House Corporations

Senate Bill No. 2288 SUB A (Dept. of Labor and Training)
BY Bates
ENTITLED, AN ACT RELATING TO MECHANICAL TRADES {LC1385/1/A}
06/10/2004 Referred to House Labor

Senate Bill No. 2294 SUB A as amended
BY Lanzi, Ciccone, Badeau, Connors, DaPonte
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
GOVERNMENT OVERSIGHT AND FISCAL ACCOUNTABILITY REVIEW ACT
{LC1348/1/A}
06/10/2004 Referred to House Finance

Senate Bill No. 2725 as amended
BY Ciccone, Pichardo, DaPonte, Goodwin, Ruggerio
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - ABANDONED CARS
(auctions) {LC2241/1}
06/10/2004 Referred to House Finance

Senate Bill No. 2753 SUB A
BY McCaffrey
ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS - - COMMUNITY
OBLIGATIONS AND BANKING OFFENSES {LC2153/2/A}
06/10/2004 Referred to House Corporations

Senate Bill No. 2791
BY Goodwin, Perry, Ciccone, Pichardo, DaPonte
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- TOWING
STORAGE ACT {LC2467/1}
06/10/2004 Referred to House Corporations

Senate Bill No. 3004
BY Alves
ENTITLED, AN ACT RELATING TO PROPERTY {LC3077/1}
06/10/2004 Referred to House Judiciary

REPORTS OF COMMITTEES**TRANSFER OF BILLS**

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

House Bill No. 7933

BY Brien T, Laroche, Menard, Winfield

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- CAMPING RECREATIONAL VEHICLE {LC1863/1}

06/10/2004 Read and transferred to the House Committee on Corporations

COMMITTEE ON CORPORATIONS

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

Senate Bill No. 2726 SUB B

BY McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS {LC2505/1/B}

06/10/2004 Placed on House Calendar

Senate Bill No. 2340

BY McBurney

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC2013/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2105 SUB A

BY Cote, Walaska, Tassoni

ENTITLED, AN ACT RELATING TO DISTRIBUTION OF CREDIT CARDS {LC765/2/A}

06/10/2004 Placed on House Calendar

Senate Bill No. 2237

BY Revens, McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO AERONAUTICS -- UNIFORM AERONAUTICAL REGULATORY ACT {LC1565/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2616 (by request)

BY Polisena, Damiani, McCaffrey

ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICES ACT {LC2305/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2693 SUB A

BY Roberts

ENTITLED, AN ACT RELATING TO INSURANCE {LC2631/1/A}

06/10/2004 Placed on House Calendar

Senate Bill No. 2757 (Lieutenant Governor)

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (garden of heroes) {LC2720/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2758 SUB A

BY McCaffrey

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC2160/1/A}

06/10/2004 Placed on House Calendar

Senate Bill No. 2817 SUB A (Dept. of Business Regulations)

BY Bates, Breene

ENTITLED, AN ACT RELATING TO INSURANCE -- FIRE INSURANCE POLICIES AND RESERVES {LC2292/1/A}

06/10/2004 Placed on House Calendar

Senate Bill No. 3043 SUB A

BY Connors, Montalbano J

ENTITLED, AN ACT RELATING TO ANIMALS - DOGS {LC3197/1/A}

06/10/2004 Placed on House Calendar

House Bill No. 8551

BY Winfield, Petrarca

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES {LC3427/1}

06/10/2004 Placed on the House Consent Calendar

Senate Bill No. 2953

BY Blais

ENTITLED, AN ACT RELATING TO ELECTIONS {LC2785/1}

06/10/2004 Placed on the House Consent Calendar

Senate Bill No. 2990

BY Parella, Felag, Bates

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC3000/1}

06/10/2004 Placed on the House Consent Calendar

Senate Bill No. 2991

BY Parella, Bates, Felag

ENTITLED, AN ACT AMENDING AN ACT EXEMPTING FROM TAXATION AND AUTHORIZING THE HERRESHOFF MARINE MUSEUM TO INCREASE ITS HOLDINGS FROM AN AMOUNT NOT EXCEEDING ONE MILLION SIX HUNDRED THOUSAND DOLLARS (\$1,600,000) TO AN AMOUNT NOT EXCEEDING FOUR MILLION SIX HUNDRED THOUSAND DOLLARS (\$4,600,000) {LC3002/1}

06/10/2004 Placed on the House Consent Calendar

Senate Bill No. 3021

BY Breene

ENTITLED, AN ACT RELATING TO THE TOWN OF RICHMOND {LC3045/1}

06/10/2004 Placed on the House Consent Calendar

Senate Bill No. 3058

BY Felag, Gibbs

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION -- TIVERTON {LC3226/1}

06/10/2004 Placed on the House Consent Calendar

COMMITTEE ON FINANCE

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

House Bill No. 8219 SUB A (Governor)

BY Watson, Callahan, Story, Long, Scott

ENTITLED, AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005 {LC2792/1/A}

06/11/2004 Placed on House Calendar

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

Representative Giannini, for the Committee on Health, Education and Welfare, reports back the following measure, with recommendation of passage:

House Bill No. 8010 SUB A

BY McNamara

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS {LC2581/1/A}

06/10/2004 Placed on House Calendar

Senate Bill No. 2623**BY** Gallo, Fogarty P**ENTITLED**, AN ACT RELATING TO EDUCATION -- RHODE ISLAND LITERACY AND DROPOUT PREVENTION ACT {LC2379/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2590**BY** Gallo, Issa, Walaska**ENTITLED**, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE {LC2377/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2625**BY** Gallo, Walaska**ENTITLED**, AN ACT RELATING TO EDUCATION -- DUTIES OF COMMISSIONER OF ELEMENTARY AND SECONDARY EDUCATION {LC2378/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2249 (Dept. Children, Youth and Families)**BY** Blais, Parella**ENTITLED**, AN ACT RELATING TO CHILDREN, YOUTH AND FAMILIES DEPARTMENT -- CONFIDENTIALITY OF RECORDS {LC1384/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2681 SUB B**BY** Blais**ENTITLED**, AN ACT RELATING TO PHYSICAL THERAPISTS {LC1918/1/B}

06/10/2004 Placed on House Calendar

Senate Bill No. 2764 SUB A**BY** Lenihan**ENTITLED**, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS (approval by board of governors only) {LC2570/2/A}

06/10/2004 Placed on House Calendar

Senate Bill No. 2585 SUB A**BY** Roberts, Gibbs, Tassoni, Felag, Issa**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES {LC1907/2/A}

06/10/2004 Placed on House Calendar

Senate Bill No. 2504 as amended (Lt. Governor)**BY** Fogarty P, Goodwin, Gibbs, Connors, Roberts**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS {LC1908/1}

06/10/2004 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:

Senate Bill No. 2166

BY Sosnowski, Blais, Breene, Connors, Felag

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- RIGHT TO FARM {LC149/1}

06/10/2004 Placed on House Calendar

Senate Bill No. 2330

BY Breene, Tassoni, Blais, Ciccone, Walaska

ENTITLED, AN ACT RELATING TO DEER HUNTING {LC1353/1}

06/10/2004 Placed on House Calendar

House Bill No. 8558 as amended

BY Malik, Anguilla

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- SHELLFISH AND AQUACULTURE {LC3461/1}

06/10/2004 Placed on House Calendar

NEW BUSINESS

House Bill No. 8638

BY Ginaitt, Giannini, Naughton, Crowley, Long

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION {LC3556/1}

06/10/2004 Introduced, referred to House Environment and Natural Resources

House Resolution No. 8639

BY Ginaitt

ENTITLED, HOUSE RESOLUTION RESPECTFULLY URGING THE MERCURY REDUCTION OVERSIGHT COMMISSION TO PREVENT MERCURY POLLUTION FROM AUTO PARTS {LC3637/1}

06/10/2004 Introduced, referred to House Environment and Natural Resources

House Bill No. 8640

BY Ginaitt, Handy, Naughton, Crowley, Long

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - WATERS AND NAVIGATION {LC3557/1}

06/10/2004 Introduced, referred to House Environment and Natural Resources

House Bill No. 8641**BY** Naughton, Crowley, Giannini, Cerra, Long**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION {LC3558/1}

06/10/2004 Introduced, referred to House Environment and Natural Resources

House Bill No. 8642**BY** Naughton, Crowley, Giannini, Cerra, Ginaitt**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION {LC3626/1}

06/10/2004 Introduced, referred to House Environment and Natural Resources

House Bill No. 8643**BY** Lima**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3510/1}

06/10/2004 Introduced, referred to House Judiciary

House Bill No. 8644**BY** Lowe**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CARMELOT REALTY, INC. {LC3659/1}

Representative Lowe requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Lowe seconded by Representative Schadone and by unanimous consent, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Scott, Shanley, Shavers, Story, Tejada, Trillo, Watson, Williams, Winfield.

NAYS - 0.

House Resolution No. 8645**BY** Schadone, Ajello, Corvese, Fox**ENTITLED**, HOUSE RESOLUTION PROCLAIMING THE YACHT CLUB BOTTLING WORKS, INC., LOCATED IN THE TOWN OF NORTH PROVIDENCE, AS THE STATE SODA/WATER COMPANY OF RHODE ISLAND {LC3661/1}

Representative Schadone requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Schadone seconded by Representatives Ajello, Corvese, San Bento and by unanimous consent, on a voice vote.

House Resolution No. 8646

BY Montanaro, Fox, Watson, Crowley, Carter

ENTITLED, HOUSE RESOLUTION CONGRATULATING DR LENORE A. DELUCIA ON HER RETIREMENT AFTER 42 YEARS OF DEDICATED SERVICE TO THE STATE OF RHODE ISLAND {LC3665/1}

Representative Montanaro requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Montanaro seconded by Representatives Slater, Winfield, Crowley and by unanimous consent, on a voice vote.

House Resolution No. 8647

BY Moura, Rose, Faria, Williams, Ajello

ENTITLED, HOUSE RESOLUTION PROCLAIMING THE MONTH OF JUNE AS "PORTUGUESE AMERICAN MONTH" IN THE STATE OF RHODE ISLAND {LC3663/1}

Representative Moura requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Moura seconded by Representatives Faria, Rose, Enos, Ajello, Savage, Amaral, San Bento and by unanimous consent, on a voice vote.

House Bill No. 8648

BY Brien T, Laroche, Picard, Kilmartin, Fox

ENTITLED, AN ACT RELATING TO TAXATION {LC3655/1}

06/10/2004 Placed on House Calendar

House Resolution No. 8649

BY Murphy, Moura, DeSimone, Lima, Watson

ENTITLED, HOUSE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES ON THE PASSING OF DORIA A. COPPOLA {LC3632/1}

Representative Lima requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Lima seconded by Representative Giannini and several other members of the House and by unanimous consent, on a voice vote.

CONSENT CALENDAR

From the Consent Calendar are taken:

IN ORDER FOR THURSDAY, JUNE 10, 2004:

1 2004-S 2210

BY Breene

ENTITLED, AN ACT RELATING TO THE EXETER-WEST GREENWICH SCHOOL DISTRICT

Committee on Corporations recommends passage in concurrence.

2 2004-S 2151

BY McBurney

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS - CITY OF PAWTUCKET

Committee on Corporations recommends passage in concurrence.

Read and passed, in concurrence, on a motion of Majority Leader Fox, seconded by Minority Leader Watson, by unanimous consent on a voice vote.

CALENDAR

From the Calendar are taken:

IN ORDER FOR THURSDAY, JUNE 10, 2004:

1 2004-H 7484

BY San Bento

ENTITLED, AN ACT RELATING TO TAXATION -- TAX SALES

Committee on Judiciary recommends passage.

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

By unanimous consent, Representative Anguilla offers Representative San Bento's written motion to amend, seconded by Representative Shavers.

FLOOR AMENDMENT

TO
2004 -- H 7484

AN ACT RELATING TO TAXATION -- TAX SALES

Mr. Speaker:

I hereby move to amend 2004 -- H 7484, entitled "AN ACT RELATING TO TAXATION -- TAX SALES", as follows:

On page 4, lines 23 and 24, by deleting the sentence "The redemption amount, including net rents, shall not vary regardless of the identity of the redeeming party."

Respectfully submitted,

REPRESENTATIVE SAN BENTO

Representatives Watson and Anguilla discuss the amendment.

The motion to amend prevails on a roll call vote 59 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Watson, Williamson, Winfield.

NAYS - 2: Representatives Gorham, Trillo

Representatives Scott, Anguilla and Gorham discuss the act as amended.

Read and passed, on a roll call vote, 49 members voting in the affirmative and 8 members voting in the negative as follows.

YEAS - 49: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Crowley, Dennigan, DeSimone, Faria, Gallison, Gemma, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lima, Lowe, Malik, McNamara, Menard, Moran, Moura, Mumford, Naughton, Picard, Rose, San Bento, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Williamson, Winfield.

NAYS - 8: Representatives Gorham, Lally, McHugh, McManus, Moffitt, Savage, Story, Watson.

2 2004-H 7445 SUB A
BY Lima

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
VETERINARY PRACTICE**

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

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

By unanimous consent, Representative Lima, seconded by Representative Benson offers a written motion to amend.

**F L O O R A M E N D M E N T
T O
2004 -- H 7445 SUBSTITUTE A**

AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- VETERINARY PRACTICE

Mr. Speaker:

I hereby move to amend 2004 -- H 7445 SUBSTITUTE A, entitled "AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- VETERINARY PRACTICE", as follows:

By deleting all the language after the enactment clause and inserting in place thereof the following language:

"SECTION 1. Sections 5-25-6, 5-25-10 and 5-25-12 of the General Laws in Chapter 5-25 entitled "Veterinary Practice" are hereby amended to read as follows:

5-25-6. Board and division -- Powers and duties. Board and department -- Powers and duties. -- The board is authorized to recommend to the ~~division of professional regulation~~ department and director of health for his or her approval, the adoption, and from time to time, the revision, of any rules and regulations not inconsistent with law that are necessary to enable the ~~division~~ department to carry into effect the provisions of this chapter, including, but not limited to, regulations establishing continuing professional education requirements for veterinarians licensed under this chapter. The board shall recommend for licensure only duly qualified applicants. The board shall review applicants at least twice a year. It shall recommend the tests taken by applicants for licensure. The ~~division of professional regulation~~ department shall adopt all policies to be followed in the examination, licensure, and renewal of license of duly qualified applicants and has full authority to accept or reject the recommendations of the board. The ~~division of professional regulation~~ department is responsible for granting all licenses to practice veterinary medicine. The ~~division~~ department shall conduct hearings upon charges calling for the discipline of licensees or revocation of licenses. The ~~administrator of the division of professional regulation~~ department has the power to issue subpoena and compel the attendance of witnesses and administer oaths to persons giving testimony at hearings. The ~~division~~ department shall cause the prosecution of all persons violating this chapter. The ~~division~~ department shall keep a record of all its proceedings. The ~~division~~ department may delegate to any other persons that are

necessary to carry on the work of the ~~division~~ department.

5-25-10. Qualifications for licensure. -- Any applicant for licensure shall submit to the ~~division~~ department written evidence on forms furnished by the ~~division of professional regulation~~ department verified by oath that the applicant meets all of the following requirements:

(1) Be a graduate of a school or college of veterinary medicine recognized and accredited by the American Veterinary Medical Association and by the ~~division~~ department or certification by the Educational Council for Foreign Veterinary Graduates;

(2) Pay an application fee of twenty-five dollars (\$25.00) at the time of submitting the application, which, in no case is returned to the applicant;

(3) Be of good moral character, evidenced in the manner prescribed by the ~~division~~ department; ~~and~~

(4) Comply with any other qualifications that the ~~division~~ department prescribes by regulation; ~~and~~

(5) Comply with the continuing education requirements adopted by the department.

5-25-12. Expiration and renewal of licenses. -- (a) The certificate of every person licensed as a veterinarian under the provisions of this chapter expires on the first day of May of each even numbered year. On or before the first day of March of each two (2) year period, the administrator of the ~~division of professional regulation~~ department shall mail an application for renewal of license to every person to whom a license has been issued or renewed during the current licensure period. Every person so licensed who desires to renew his or her license shall file with the ~~division of professional regulation~~ department a renewal application duly executed together with a renewal fee of two hundred fifty dollars (\$250) on or before the thirty-first day of March of each even year.

(b) Upon receipt of an application, and payment of the renewal fee, the administrator of ~~professional regulation~~ the department shall grant a renewal license effective the second day of May, and expiring on the first day of May of the next even numbered year.

(c) Any person who allows his or her license to lapse by failing to renew it on or before the thirty-first day of March of the next even year, as provided above, may be reinstated by the administrator of ~~professional regulation~~ the department on payment of the current renewal fee plus an additional fee of sixty-two dollars and fifty cents (\$62.50).

(d) Any person using the title "veterinarian" during the time that his or her license has lapsed is subject to the penalties provided for violations of this chapter.

(e) Every veterinarian licensed to practice veterinary medicine within the state shall, in connection with renewal of licensure, provide satisfactory evidence to the department that in the preceding two-year period the veterinarian has completed a prescribed course of continuing professional education established by an appropriate professional veterinary medicine association and approved by rule or regulation of the department. The department may extend for only one six (6) month period, these education requirements if the department is satisfied that the applicant has suffered hardship which prevented meeting the educational requirement.

SECTION 2. This act shall take effect upon passage and shall apply to all licenses issued by the department of health effective May 2, 2007 and thereafter."

Respectfully submitted,
REPRESENTATIVE LIMA

The motion to amend prevails on a roll call vote 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Watson, Williams, Williamson, Winfield.

NAYS - 0.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, 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, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Williamson, Winfield.

NAYS - 3: Representatives Gorham, Mumford, Watson.

3 2004-H 7425

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 15, 2004.

4 2004-H 8530 as amended

BY Coderre E

ENTITLED, HOUSE RESOLUTION CREATING THE HOUSE OVERSIGHT COMMITTEE

Committee on Rules recommends passage as amended.

Representative Kilmartin moves passage of the resolution, seconded by Representatives Montanaro, Lally, Crowley, Naughton, McHugh, Brien, Carter, Reilly, Landroche, Laroche, Coderre, Cerra, Anguilla, Lewiss, Picard, Benson, Ginaitt, Lima, Giannini and Story.

Read and passed, as amended, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Corvese requests the journal to reflect that if he had voted on (04-H 8530aa), he would have voted in the affirmative.

5 2004-H 7646

BY Aubin

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- BURRILLVILLE

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Lowe, Gallison, Benson, Aubin, and Moran.

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, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Crowley, Dennigan, DeSimone, Enos, Faria, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Story, Tejada, Watson, Williamson, Winfield.

NAYS - 0.

6 2004-H 7945 SUB A

BY Anguilla

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS

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 Anguilla, and San Bento.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Watson, Williamson, Winfield.

NAYS - 0.

NOW PRESIDING

At 4:50 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to Deputy Speaker Winfield.

CALENDAR

7 2004-H 8484

BY Ginaitt

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the act, seconded by Representative Ginaitt.

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

NAYS - 0.

8 2004-H 7986

BY Crowley

ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE

Committee on Health, Education & Welfare recommends passage.

Representative Giannini moves passage of the act, seconded by Representatives McNamara, Montanaro, Cerra, Aubin, and Benson.

Read and passed, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 62: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Watson, Williamson, Winfield.

NAYS - 0.

9 2004-H 8180

BY Crowley

ENTITLED, AN ACT RELATING TO EDUCATION -- RHODE ISLAND LITERACY AND DROPOUT PREVENTION ACT

Committee on Health, Education & Welfare recommends passage.

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

Read and passed, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 62: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Watson, Williamson, Winfield.

NAYS - 0.

10 2004-H 7989

BY Crowley

ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS

Committee on Health, Education & Welfare recommends passage.

Representative Giannini moves passage of the act, seconded by Representatives McNamara, Benson, and Aubin.

Representatives Amaral, Giannini, Montanaro, Gorham, Menard, Faria, and Watson. discuss the act.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 3 members voting in the negative as follows.

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

NAYS - 3: Representatives Faria, Gorham, Watson.

HOLD ON DESK

Representatives Amaral and Faria request to hold (04-H 7989) on the desk.

11 2004-H 8492

BY Winfield

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 Ginaitt and several other members of the House.

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: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, 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, Watson, Williams, Williamson, Winfield.

NAYS - 0.

NOW PRESIDING

At 4:58 o'clock P.M. the Deputy Speaker yields the rostrum to the Honorable Speaker.

CALENDAR

By unanimous consent, Representative Ginaitt seconded by Representative Fox moves to take number 24 (04-S 2045 SUB A) on today's calendar as the next item.

There is no objection.

24 2004-S 2045 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

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

Representative McNamara moves passage of the act, seconded by Representatives Winfield, Ginaitt, Corvese, Benson, Giannini, Gemma, Cerra, and Shavers.

The bill marked Substitute "A" is read and passed, in concurrence, 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, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Watson, Williams, Williamson, Winfield.

NAYS - 0.

By unanimous consent, Majority Leader Fox moves to take up item number 7 (04-H 8598) on Tuesday's calendar as the next item, seconded by Representative San Bento.

There is no objection.

7 2004-H 8598

BY San Bento

**ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF TONY REALTY CORPORATION**

Committee on Corporations recommends passage.

Representative Fox moves passage of the act, seconded by Representative San Bento.

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, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Smith, Story, Tejada, Trillo, Watson, Williams, Williamson.

NAYS - 0.

12 2004-H 8392

BY Fox

ENTITLED, AN ACT RELATING TO WORKPLACE SAFETY

Committee on Labor recommends passage.

Representative Fox moves passage of the act, seconded by Representative Naughton, Corvese, NcNamara, Almeida, Dennigan, McManus, Ajello, Amaral, Shavers, Lewiss, Ginaitt, Moffitt, Shavers, Amaral, Trillo, Handy, Fox, Landroche, Moura, Reilly, Slater, Cerra, and Gemma.

By unanimous consent, Representative Fox, seconded by Representatives Menard., Gallison, Aubin, Naughton, McNamara, Costantino and several other members of the House offers a written motion to amend.

**FLOOR AMENDMENT
TO
2004 -- H 8392**

AN ACT RELATING TO WORKPLACE SAFETY

Mr. Speaker:

I hereby move to amend 2004 -- H 8392, entitled "AN ACT RELATING TO WORKPLACE SAFETY", as follows:

By deleting all the language after the enactment clause and inserting in place thereof the following language:

"SECTION 1. Chapters 23-20.6, 23-20.7 and 23-20.7.1 of the General Laws entitled "Smoking in Public Places" are hereby repealed in their entirety.

~~CHAPTER 23-20.6~~

~~Smoking in Public Places~~

~~23-20.6-1. Legislative intent. — The use of tobacco for smoking purposes is being found to be increasingly dangerous, not only to the person smoking, but also to the non-smoking person who is required to breathe the contaminated air. The most pervasive intrusion of the non-smoker's right to unpolluted air space is the uncontrolled smoking in public places. The legislature intends, by the enactment of this chapter, to protect the health and atmospheric environment of the non-smoker by regulating smoking in certain public areas.~~

~~23-20.6-2. Smoking prohibited in certain public areas — Smoking sections in eating facilities. — (a) Smoking tobacco in any form is a public nuisance and dangerous to public health and shall not be permitted in any of the following places used by or open to the public: the state house, elevators, indoor movie theaters, libraries, art galleries, museums, concert halls, auditoriums, buses, primary, secondary or post secondary school buildings, colleges and universities (including dormitories), and public hallways in court buildings, hallways of elderly housing complexes, supermarkets, medical offices, public laundries as defined in chapter 16 of title 5 and hospitals and other health care and assisted living facilities.~~

~~(b) The proprietor or other person in charge of a public area listed in subsection (a) shall make reasonable efforts to prevent smoking and shall post no smoking and warning signs conspicuously in these areas.~~

~~(c) Any person who violates this chapter shall be deemed to be contributing to the maintenance of a public nuisance in a public place and shall be subject to a fine of not less than fifty dollars (\$50.00), nor more than five hundred dollars (\$500), which shall be assessed and recovered in a civil action brought by the attorney general in any court of competent jurisdiction. Each day the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any penalty assessed and recovered in an action brought under this subsection shall be paid to the general treasurer and added to the general fund.~~

~~(d) This section does not prohibit smoking in the areas listed in subsection (a) if the smoking is confined to areas separated from those used by the general public and identified by signs as smoking areas.~~

~~(e) (1) Eating facilities with a seating capacity of fifty (50) or more persons shall have separate seating for nonsmokers and smokers. For purposes of this section, an "eating facility" means any building, structure, room or area maintained as, or held out to the public as, an enclosure where meals are served for consideration of payment; excluded, however, are bars, nightclubs, lounges, dance clubs, and privately sponsored social affairs. Appropriate arrangements shall be made to ask patrons their preference for the non-smoking or smoking section prior to being seated.~~

~~(2) The proprietor or person in charge of the eating facility shall post signs as follows:~~

~~(A) At the entry stating that the establishment is required by law to have a no-smoking section; and~~

~~(B) In the smoking sections identifying the area.~~

~~(3) The department of health is authorized to adopt rules and regulations necessary for the implementation and enforcement of this subsection.~~

~~23-20.6-3. Severability.— If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and this holding shall not affect the validity of the remaining portions of this chapter.~~

~~23-20.6-4. Signs.— Signs required by this chapter may be provided by the state department of health at cost.~~

CHAPTER 23-20.7

Workplace Smoking Pollution Control Act

~~23-20.7-1. Legislative intent.— The use of tobacco for smoking purposes is being found to be increasingly dangerous, not only to the person smoking but also to the nonsmoking person who is required to breathe the contaminated air. The most pervasive intrusion of the nonsmoker's right to unpolluted air space is the uncontrolled smoking in the workplace. The legislature intends, by the enactment of this chapter, to protect the health and atmospheric environment of the nonsmoker by regulating smoking in the workplace.~~

~~23-20.7-2. Short title.— This chapter shall be known as the "Rhode Island Workplace Smoking Pollution Control Act".~~

~~23-20.7-3. Purpose.— (a) Because the smoking of tobacco or any other weed or plant is a danger to health and is a cause of material annoyance and discomfort to those who are present in confined places, the legislature declares that the purposes of this chapter are:~~

~~(1) To protect the public health and welfare by regulating smoking in the workplace; and~~

~~(2) To minimize the toxic effects of smoking in the workplace by requiring an employer to adopt a policy that will accommodate, insofar as possible, the preferences of nonsmokers and smokers.~~

~~(b) This chapter is not intended to create any right to sue or to impair or alter an employer's prerogative to prohibit smoking in the workplace. If an employer allows employees to smoke in the workplace, this chapter requires:~~

~~(1) That the employer make reasonable accommodations for the preferences of both nonsmoking and smoking employees, particularly those employees who, as a result of physical condition, are unduly sensitive to tobacco smoke;~~

~~(2) All nonsmoking areas shall be designated and conspicuously marked with signs;~~

~~(3) Employers are prohibited from terminating, without due cause, or discriminating against an employee solely because the employee exercised his or her right under this chapter.~~

~~23-20.7-4. Definitions.— As used in this chapter:~~

~~(1) "Employee" means any person who is employed by any employer in consideration for direct or indirect monetary wage or profit;~~

~~(2) "Employer" means any person who employs the service of an individual person;~~

~~(3) "Enclosed" means closed in by a roof and four walls with appropriate openings for ingress and egress and is not intended to mean areas commonly described as public lobbies;~~

~~(4) "Legislature" means the general assembly of the state of Rhode Island;~~

~~(5) "Person" means any individual person, firm, partnership, association, corporation, company, organization, or legal entity of any kind;~~

~~(6) "Smoking" or "to smoke" or "smoke" means and includes the inhaling, exhaling, burning, or carrying of any lighted smoking equipment or paraphernalia for tobacco or any other weed or plant; and~~

~~(7) "Workplace" means any enclosed area of a structure or portion of the structure intended for occupancy by business entities which will provide primarily, but not exclusively, clerical, professional, or business services of the business entity, or which will provide primarily, but not exclusively, clerical, professional, or business services to other business entities or to the public, at that location. The workplace includes, but is not limited to, office spaces in office buildings, office spaces in all state and municipal office buildings, office spaces in all federal office buildings where other than federal employees are present, medical office waiting rooms, all factory or manufacturing plant areas, libraries, museums, hospitals, nursing homes, other medical treatment facilities, and in all the mentioned places.~~

~~23-20.7-5. Regulation of smoking in the workplace. (a) Each employer who operates a workplace in this state shall within three (3) months of adoption of this chapter adopt, implement, and maintain a written smoking policy which will contain, at a minimum, a policy which is designed to protect the health and atmospheric environment of the nonsmoker and to ensure a comfortable environment for all employees, and the requirement that any nonsmoking employee may object to his or her employer about the smoke hazard or discomfort in his or her workplace. Using existing means of ventilation or separation or partition of the work space:~~

~~(1) The employer shall attempt to reach a reasonable accommodation to protect the health and atmospheric environment of the nonsmoking employees and to ensure a comfortable environment for all employees.~~

~~(2) The employer shall either make accommodations or completely prohibit smoking in those areas of the workplace where nonsmoking employees may reasonably be expected to be adversely affected by passive cigarette smoke.~~

~~(b) The employer's smoking policy shall be announced within three (3) weeks of adoption to all employees working in workplaces in this state and posted conspicuously in all workplaces under the employer's jurisdiction.~~

~~(c) The director of the department of health shall promulgate rules and regulations to enforce the provisions of this chapter.~~

~~23-20.7-6. Where smoking not regulated. This chapter is not intended to regulate smoking in the following places and under the following conditions within the state:~~

~~(1) A private home which may serve as a workplace;~~

~~(2) Any office space leased or rented by a sole independent contractor for his or her own use;~~

~~(3) A private enclosed workplace occupied exclusively by smokers, even though this workplace is visited by nonsmokers, excepting places in which smoking is prohibited by the fire marshal or by other law, ordinance, or regulation.~~

~~23-20.7-7. Penalties and enforcement. (a) The department of health, having received a written and signed letter of complaint from an employee citing a violation of this chapter, shall enforce this entire chapter against violations by either of the following actions:~~

~~(1) Serving written notice to comply to an employer, with a copy of the notice to the complaining employee, requiring the employer to correct within ten (10) days any violation of a section of this chapter.~~

~~(2) Upon receiving a second complaint at the department of health for the same or continued violation by the same employer, the complaint shall be resolved by calling upon the~~

attorney general to maintain, without delay, an action for injunction to enforce the provisions of this chapter, to cause the correction of this violation, and for assessment and recovery of a civil penalty for this violation.

~~(b) An employer who violates this chapter shall be liable for a civil penalty, not to be less than fifty dollars (\$50.00) nor to exceed five hundred dollars (\$500) which shall be assessed and recovered in a civil action brought by the attorney general in any court of competent jurisdiction. Each day the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as a separate offense. Any penalty assessed and recovered in an action brought pursuant to this subsection shall be paid to the general treasurer and added to the general fund.~~

~~(c) In undertaking the enforcement of this chapter, the state is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that this breach proximately caused injury.~~

CHAPTER 23-20.7.1

Off-Duty Rights to Privacy by Employees

~~23-20.7.1-1. Prohibited condition of employment — Smoking by employees outside course of employment. — (a) No employer or agent of any employer shall require, as a condition of employment, that any employee or prospective employee refrain from smoking or using tobacco products outside the course of his or her employment, or otherwise discriminate against any individual with respect to his or her compensation, terms, conditions, or privileges of employment for smoking or using tobacco products outside the course of his or her employment. Provided, however, that the following employers shall be exempt from the provisions of this chapter: Any employer which is a nonprofit organization which as one of its primary purposes or objectives discourages the use of tobacco products by the general public.~~

~~(b) In any civil action alleging a violation of this chapter the court may:~~

~~(1) Award up to three (3) times the actual damages to a prevailing employee or prospective employee;~~

~~(2) Award court costs to a prevailing employee or prospective employee;~~

~~(3) Afford injunctive relief against any employer who commits or proposes to commit a violation of this chapter.~~

~~(c) Nothing contained in this chapter shall be construed to affect the provisions of chapter 20.7 of this title.~~

SECTION 2. Title 23 of the General Laws entitled "Health and Safety" is hereby amended by adding thereto the following chapter:

CHAPTER 20.10

PUBLIC HEALTH AND WORKPLACE SAFETY ACT

23-20.10-1. Short title. — This chapter shall be known as the "Public Health and Workplace Safety Act."

23-20.10-2. Definitions. — The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

(1) "Assisted living residence" means a residence that provides personal assistance, and meals to adults in accordance with chapter 23-17.4 of the general laws.

(2) "Bar" means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including, but not limited to, taverns, nightclubs, cocktail

lounges and cabarets.

(3) "Business" means a sole proprietorship, partnership, joint venture, corporation, or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medial, dental, engineering, architectural or other professional services are delivered.

(4) "Employee" means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for a nonprofit entity.

(5) "Employer" means a person, business, partnership, association, corporation, including a municipal corporation, trust or nonprofit entity that employs the services of one or more individual persons.

(6) "Enclosed area" means all space between a floor and ceiling that is enclosed on all sides by solid walls or windows (exclusive of doorways), which extend from the floor to the ceiling.

(7) "Health care facility" means an office or institution providing care or treatment of diseases, whether physical, mental, emotional, or other medical, physiological or psychological conditions, including, but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semi-private rooms and wards within health care facilities.

(8) "Place of employment" means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employees lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, and hallways. Vehicles owned by a public or private employer are covered under this definition provided that the vehicle is used by more than one (1) person. A private residence is not a "place of employment" unless it is used as a child care, adult day care or health care facility.

(9) "Public place" means an enclosed area to which the public is invited or in which the public is permitted, including, but not limited to, banks, bars, educational facilities, health care facilities, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, the state house, theaters and waiting rooms. A private residence is not a "public place" unless it is used as a child care, adult day care or health care facility.

(10) "Restaurant" means an eating establishment, including, but not limited to, coffee shops, cafeterias, and private and public school cafeterias, which gives or offers for sale food to the public, guests or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.

(11) "Retail tobacco store" means a retail store utilized primarily for the sale of tobacco products and accessories in which the total annual revenues generated by the sale of other products are no greater than twenty-five percent (25%) of the total revenue for the establishment. The division of taxation shall be responsible for the determination under this section and shall promulgate any rules or forms necessary for the implementation of this section.

(12) "Service line" means an indoor line in which one (1) or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money.

(13) "Shopping mall" means an enclosed public walkway or hall area that serves to connect retail or professional establishments.

(14) "Smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, weed, plant, or other combustible substance in any manner or in any form; provided, however, that smoking shall not include burning during a religious ceremony.

(15) (a) "Smoking bar" means an establishment whose business is primarily devoted to the serving of tobacco products for consumption on the premises, in which the annual revenues generated by tobacco sales are greater than fifty percent (50%) of the total revenue for the establishment and the serving of food or alcohol is only incidental to the consumption of such tobacco products. The establishment must annually demonstrate that revenue generated from the serving of tobacco products is greater than the total combined revenue generated by the serving of beverages and food. The division of taxation in the department of administration shall be responsible for the determination under this section and shall promulgate any rules or forms necessary for the implementation of this section.

(b) Smoking bars shall only allow consumption of food and beverages sold by the establishment on the premises and the establishment shall have public access only from the street.

(c) Any smoking bar as defined herein, is required to provide a proper ventilation system which will prevent the migration of smoke into the street.

(16) "Sports arena" means sports pavilions, stadiums, (indoor or outdoor) organized sports fields, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition or witness sports or other events.

(17) "Legislature" means the general assembly of the state of Rhode Island.

23-20.10-3. Prohibition of smoking in public places. – Smoking shall be prohibited in all enclosed public places within the state of Rhode Island, including, but not limited to, the following places:

(1) Aquariums, galleries, libraries and museums;

(2) Areas available to and customarily used by the general public in businesses and nonprofit entities patronized by the public, including, but not limited to, professional offices, banks, laundromats, hotels and motels.

(3) Bars;

(4) Bingo facilities when a bingo game is in progress;

(5) Convention facilities;

(6) Elevators;

(7) Facilities primarily used for exhibiting a motion picture, stage, drama, lecture, musical, recital or other similar performance;

(8) Health care facilities;

(9) Licensed child care and adult day care facilities;

(10) Lobbies, hallways and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes and other multiple unit residential facilities with more than four (4) units;

(11) Polling places;

(12) Public transportation facilities, including buses and taxicabs, under the authority of the state of Rhode Island, and ticket, boarding and waiting areas of public transit depots;

(13) Restaurants;

(14) Restrooms, lobbies, reception areas, hallways and other common use areas;

(15) Retail stores;

(16) Rooms, chambers, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee or council of the state of Rhode Island or a political subdivision of the state when a public meeting is in progress, to the extent the place is subject to the jurisdiction of the state of Rhode Island;

(17) Schools; including, primary, secondary and post-secondary education facilities;

(18) Service lines;

(19) Shopping malls;

(20) Sports arenas, including outdoor arenas.

23-20.10-4. Prohibition of smoking in places of employment. – Smoking shall be prohibited in all enclosed facilities within places of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.

This prohibition on smoking shall be communicated to all existing employees by the effective date of this chapter and to all prospective employees upon their application for employment.

23-20.10-5. Outdoor smoking space. – Nothing in this chapter shall prohibit an employer from providing an outdoor smoking space for their employees. Provided, however, that any employer who provides an outdoor area for its employees to smoke must provide an area which is physically separated from the enclosed workplace so as to prevent the migration of smoke into the workplace.

23-20.10-6. Where smoking not regulated. – (a) Notwithstanding any other provision of this chapter to the contrary, the following areas shall be exempt from the provisions of this chapter.

(1) Private residences, except when used as a licensed child care, adult day care or health care facility;

(2) Hotel and motel rooms that are rented to guests and are designated as smoking rooms; provided, however, that not more than fifty percent (50%) of rooms rented to guests in a hotel or motel may be so designated;

(3) Retail tobacco stores; provided that smoke from these places does not infiltrate into areas where smoking is prohibited under the provisions of this chapter;

(4) Private and semi-private rooms or designated areas in assisted living residences and nursing facilities as allowed by regulation of the department of health under chapters 23-17.4 and 23-17 of the general laws;

(5) Outdoor areas of places of employment, except those covered by the provisions of section 23-20.10-5;

(6) Any smoking bar as defined in section 23-20.10-2(15);

(7) Any facility operated under a class D liquor license provided the class D liquor license is held by a nonprofit charitable corporation with a defined membership, is not ordinarily a place of public accommodation but is distinctly private, and employs not more than ten (10) employees;

(8) Any facility operated exclusively under a class C liquor license and employs not more than ten (10) employees.

(b) Exemptions (7) and (8) above shall remain in effect until October 1, 2006.

(c) The provisions of this chapter shall not apply to any stage performance provided that smoking is part of a theatrical production.

23-20.10-6.1. Pari mutual facilities. – (a) Any pari mutual facility established under chapter 3.1 or 7 of title 41 or any pari mutual licensee under chapter 61.2 of title 42 shall provide designated smoking and nonsmoking gaming areas in their facilities.

(b) The designated nonsmoking gaming area shall be physically separated from any smoking area and shall be required to have separate and distinct ventilation systems so as to prohibit the migration of smoke into the nonsmoking area.

(c) Except as provided for in paragraph (d), any bar or restaurant located in a pari mutual facility shall be nonsmoking and be physically separate from any smoking area and shall have a separate ventilation system so as to prohibit the migration of smoke into the restaurant.

(d) The prohibitions of this chapter shall not apply to any bar which is presently in existence, located in, and not physically separated from a designated smoking area.

(e) Any licensee of a pari mutual facility shall promulgate rules and regulations to allow their employees the right to work in a smoke free environment. These rules shall include, but not be limited to, provisions on the right to opt out of working in a smoking area and a provision that no adverse impact or action could take place against the employee if they request to opt out of a smoking area. The rules promulgated by the licensee shall be filed with the lottery commission with copies to the general assembly and the department of health no later than March 1, 2005.

(f) Commencing January 1, 2005, any pari mutual licensee shall file an annual report with the lottery commission with copies to the general assembly and department of health detailing smoke mitigation efforts undertaken by the licensee during the previous year and plans for the upcoming year. The licensee shall be required to monitor air quality with current appropriate technology. A professional HVAC engineer (or other appropriate professional) shall certify the monitoring process and results. The results of the monitoring process shall be included in the annual report.

(g) Any enactment relating to the provisions of this section on pari mutual facilities or licensees shall be by statute as enacted by the general assembly, provided however that the general assembly may by statute delegate such authority to the cities and towns.

23-20.10-7. Posting of signs. – (a) "No smoking" signs or the international "No smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this chapter, by the owner, operator, manager or other person in control of that place. Signs required by this chapter may be provided by the state department of health at cost.

(b) Every public place and place of employment where smoking is prohibited by this chapter shall have posted at every entrance a conspicuous sign clearly stating that smoking is prohibited.

(c) All signs necessary to comply with this section shall be attached at eye level and shall contain the following words "IT IS ILLEGAL TO SMOKE IN THIS ESTABLISHMENT". To report a violation call " _____."

23-20.10-8. Nonretaliation. – No person or employer shall discharge, refuse to hire or in any manner retaliate against an employee, applicant for employment or customer because that employee, applicant or customer exercises any rights afforded by this chapter or reports or attempts to prosecute a violation of this chapter.

23-20.10-9. Enforcement. – (a) The director of health shall promulgate such rules and

regulations including the complaint forms, as are necessary to carry out the mandates of this chapter within one hundred eighty (180) days of passage.

(b) Notice of the provisions of this chapter shall be given to all applicants for a business license in the state of Rhode Island, to all law enforcement agencies, and to any business required to be registered with the secretary of state's office.

(c) Any citizen who desires to register a complaint under this chapter may initiate such a complaint with the department of health.

(d) The department of health, having received a written and signed letter of complaint citing a violation of this chapter, shall enforce this entire chapter against violations by either of the following actions:

(1) Serving written notice to comply to an employer, with a copy of the notice to the complaining individual, requiring the employer to correct immediately any violation or section of this chapter.

(2) Upon receiving a second complaint at the department of health for the same or continued violation by the same employer, the complaint shall be resolved by notifying the city or town solicitor, having jurisdiction over the licensed holder, to initiate, without delay, an action for injunction to enforce the provisions of this chapter, to cause the correction of such violation or section, and for assessment and recovery of a civil penalty for such violation.

(e) The department of health, local fire department, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this chapter.

(f) An owner, manager, operator, or employee of an establishment regulated by this chapter shall inform persons violating this chapter of the appropriate provisions thereof.

(g) In addition to the remedies provided by the provisions of this section, the department of health, aggrieved by the failure of the owner, operator, manager or other person in control of a public place or place of employment to comply with the provisions of this chapter, may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

23-20.10-10. Violations and penalties. – (a) An employer who violates this chapter shall be liable for a civil penalty as follows:

(1) A penalty of two hundred fifty dollars (\$250) for the first violation;

(2) A penalty of five hundred dollars (\$500) for the second violation;

(3) A penalty of one thousand dollars (\$1,000) for the third and subsequent violations;

which shall be assessed and recovered in a civil action brought by the city or town solicitor, having jurisdiction over the licensed holder, in the city or town municipal court or any court of competent jurisdiction. Each day the violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as a separate offense. One-half (1/2) of any penalty assessed and recovered in an action brought pursuant to this subsection shall be transferred to the municipality in which the civil action originated and the other one-half (1/2) of any penalty assessed and recovered shall be transferred to the general fund.

(b) Any fines owed under this chapter shall be paid within thirty (30) days of judgment entered. Failure to pay within thirty (30) days will result in the doubling of the penalty.

(c) In undertaking the enforcement of this chapter, the state is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that this breach proximately caused injury.

23-20.10-11. Public education. – The department of health shall engage in a continuing

program to explain and clarify the purposes and requirements of this chapter to citizens affected by it, and to guide owners, operators and managers in their compliance with it. The program may include publication of a brochure for affected businesses and individuals explaining the provisions of this ordinance.

23-20.10-12. Governmental agency cooperation. – The state of Rhode Island and its designees shall annually request other governmental and educational agencies having facilities within the state to establish local operating procedures in cooperation and compliance of this chapter. This includes urging all federal, state, municipal and school district agencies to update their existing smoking control regulations to be consistent with the current health findings regarding secondhand smoke.

23-20.10-13. Other applicable laws. – This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

23-20.10-14. Prohibited condition of employment – Smoking by employees outside course of employment. – (a) No employer or agent of any employer shall require, as a condition of employment, that any employee or prospective employee refrain from smoking or using tobacco products outside the course of his or her employment, or otherwise discriminate against any individual with respect to his or her compensation, terms, conditions or privileges of employment for smoking or using tobacco products outside the course of his or her employment. Provided, however, that the following employers shall be exempt from the provisions of this section: Any employer that is a nonprofit organization which as one of its primary purposes or objectives discourages the use of tobacco products by the general public.

(b) In any civil action alleging a violation of this section, the court may:

(1) Award up to three (3) times the actual damages to a prevailing employee or prospective employee;

(2) Award court costs to a prevailing employee or prospective employee;

(3) Afford injunctive relief against any employer who commits or proposes to commit a violation of this chapter.

(c) Nothing contained in this chapter shall be construed to affect any other provisions of this title.

23-20.10-15. Statewide Uniformity (Effective until October 1, 2006). – (a) It is the declared policy of this state that there be uniformity in the application and enforcement of smoking prohibitions as defined in this chapter. Any enactment relating to prohibitions in an area defined in this chapter shall be by statute as enacted by the general assembly; provided, however, that the general assembly may by statute delegate such authority to the cities and towns.

23-20.10-16. Severability. – If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and this holding shall not affect the validity of the remaining portions of this chapter.

SECTION 3. This act shall take effect on March 1, 2005."

Respectfully submitted,

REPRESENTATIVE FOX

Representatives Fox, Trillo, Watson, McNamara, Enos, Moura, Slater, Lowe discuss the amendment.

Representative Trillo requests to vote page 11, lines 2-8 separately.

The Honorable Speaker rules it is divisible.

By unanimous consent, Representative Lowe, seconded by Representatives Fox and Corvese offers an oral motion to amend. Representative Trillo discusses the oral amendment.

Representative Long objects to the oral amendment. The Honorable Speaker rules objection is not timely.

Representative Long and Corvese discuss the oral amendment.

Majority Leader Fox moves to withdraw the Representative Lowe's oral amendment and replaces it with another oral amendment on page 11, line 3, seconded by Representatives Costantino, Montanaro, Shavers, Cerra Corvese, San Bento, Lowe, and Gemma.

Representatives Long, Trillo, Fox, Gemma, Dennigan, and Scott discuss the oral amendment.

The oral motion to amend prevails on a roll call vote 52 members voting in the affirmative and 13 members voting in the negative as follows

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McManus, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Schadone, Scott, Shanley, Shavers, Tejada, Williams, Williamson, Winfield.

NAYS - 13: Representatives Almeida, Amaral, Benson, Callahan, Dennigan, Gorham, Long, McHugh, Moffitt, Savage, Story, Trillo, Watson.

Majority Leader Fox, San Bento, Williamson, Caprio, Shanley, Lima, Fox and Gorham continue discussion on the Majority Leader Fox's written amendment.

Representative Gorham request to vote in sections on page 8, lines 22-34, and page 9 line 1; Page 10, lines 30-32; Page 11, lines 1-8; Page 14 lines 17-26; Page 11 lines 11-34; and page 12 lines 1-5.

Representatives Corvese and Amaral continue discussion on the written amendment.

Representative Amaral offers an oral motion to amend page 13, line 20, seconded by Representative Scott.

The oral amendment on page 13, line 20 fails on a roll call vote 15 members voting in the affirmative and 48 members voting in the negative as follows:

YEAS - 15: Representatives Amaral, Benson, Callahan, Enos, Gorham, Long, McManus, Moffitt, Mumford, Picard, Savage, Scott, Smith, Trillo, Watson.

NAYS - 48: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Moran, Moura, Naughton, Petrarca, Reilly, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Tejada, Williams, Winfield.

REQUEST

Representative Montanaro requests the journal to reflect that if he had voted on the last oral amendment, he would have voted in the negative.

Representative Amaral offers an oral motion to amend page 13, line 27, seconded by Representative Scott. Representative Menard objects.

Representative Long and Fox continue discussion.

Representative Long requests to vote separately on page 11, lines 21 & 22.

Representatives Handy, Montanaro, Fox, and Mumford continue discussion on the written amendment.

Votes in Sections on Majority Leader Fox's Amendment

Page 8, lines 22-34 and page 9, line 1, prevails on a roll call vote 55 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Slater, Smith, Tejada, Williams, Winfield.

NAYS - 6: Representatives Gorham, Long, McManus, Mumford, Trillo, Watson.

Page 10, lines 30-32 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, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Tejada, Williams, Winfield.

NAYS - 7: Representatives Gorham, Long, McManus, Mumford, Scott, Trillo, Watson.

Page11, line 1, prevails on a roll call vote 58 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Tejada, Williams, Williamson, Winfield.

NAYS - 8: Representatives Gorham, Long, McHugh, McManus, Mumford, Scott, Trillo, Watson.

Page11, lines 2-8, prevails on a roll call vote 58 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McManus, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Tejada, Williams, Williamson, Winfield.

NAYS - 9: Representatives Amaral, Gorham, Long, McHugh, Moffitt, Mumford, Scott, Trillo, Watson.

Page11, lines 11-34, and page 12 lines 1-5, prevails on a roll call vote 59 members voting in the affirmative and 8 members voting in the negative as follows:

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

NAYS - 8: Representatives Amaral, Gorham, Long, McHugh, Mumford, Scott, Trillo, Watson.

Page14, lines 17-26, prevails on a roll call vote 57 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Naughton, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Tejada, Williams, Williamson, Winfield.

NAYS - 9: Representatives Amaral, Enos, Gorham, Long, Mumford, Petrarca, Scott, Trillo, Watson.

Page11, lines 21+22, prevails on a roll call vote 56 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, McCauley, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Tejada, Williams, Williamson, Winfield.

NAYS - 10: Representatives Ginaitt, Gorham, Long, Malik, McManus, Moffitt, Mumford, Scott, Trillo, Watson.

Representative Amaral discusses the written amendment.

By unanimous consent, Representative Amaral, seconded by Representatives Long and Scott offers a written motion to amend.

**FLOOR AMENDMENT
TO**

FLOOR AMENDMENT

2004 -- H 8392 (LC 3133/2)

AN ACT RELATING TO WORKPLACE SAFETY

Mr. Speaker:

I hereby move to amend the Floor Amendment to 2004 -- H 8392 (LC3133/2), entitled "AN ACT RELATING TO WORKPLACE SAFETY", as follows:

1. On page 13, line 27, by deleting the language "One-half (1/2)" and inserting in place thereof the language "Two-thirds (2/3)".

2. On page 13, lines 29 and 30, by deleting the language "one-half (1/2)" and inserting in place thereof the language "one-third (1/3)".

Respectfully submitted,
REPRESENTATIVE AMARAL

Representatives Fox, Benson, Gorham, Long, Amaral, and Gorham discuss the amendment to the amendment.

The motion to amend the amendment fails on a roll call vote 16 members voting in the affirmative and 47 members voting in the negative as follows:

YEAS - 16: Representatives Amaral, Callahan, Enos, Ginaitt, Gorham, Long, McManus, Moffitt, Mumford, Naughton, Rose, Savage, Scott, Shanley, Trillo, Watson.

NAYS - 47: The Honorable Speaker Murphy and Representatives Ajello, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Faria, Fox, Gallison, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lima, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Petrarca, Picard, Reilly, San Bento, Schadone, Shavers, Slater, Smith, Tejada, Williams, Williamson, Winfield.

REQUEST

Representative Gemma requests the journal to reflect that if he had voted on the amendment to the amendment, he would have voted in the negative.

The remainder of Majority Leader Fox's amendment prevails 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, Anderson, Anguilla, Aubin, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, 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, Reilly, Rose, San Bento, Savage, Schadone, Scott,

Shanley, Shavers, Slater, Smith, Tejada, Trillo, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Crowley requests the journal to reflect that if he had voted on the remainder of the amendment, he would have voted in the affirmative.

The act passes as amended, 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, Anderson, Anguilla, Aubin, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, 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, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUESTS

Representatives Benson and Story request the journal to reflect that if they had voted on the act, as amended, they would have voted in the affirmative.

13 2004-H 7900

BY Crowley

ENTITLED, AN ACT RELATING TO EDUCATION -- DUTIES OF
COMMISSIONER OF ELEMENTARY AND SECONDARY
EDUCATION

Committee on Health, Education & Welfare recommends passage.

Representative Giannini moves passage of the act, seconded by Representatives Cerra, Lima, Benson, Landroche, and McNamara.

Read and passed, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Tejada, Trillo, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

14 2004-H 7074

BY Williamson

ENTITLED, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS

Committee on Finance recommends passage.

Representative Williamson moves passage of the act, seconded by Representatives Schadone, and Benson, Representatives Gorham, and Williamson discuss the act.

Read and passed, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Watson, Williams, Williamson, Winfield.

NAYS - 0.

15 2004-H 7492

BY Lewiss

ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHERS' RETIREMENT

Committee on Finance recommends passage.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Melvoid Benson, State Representative, District 32, 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-7492
- 2. (Nature of the potential conflict) I have the following interest in the matter:

I am a retired teacher and can be directly affected.

B. 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.

Melvoid Benson
Representative, District 32

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

Rene Menard
Notary Public

Representative Benson 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, Raymond E. Gallison, Jr., State Representative, District 69, 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:04-H-7492
- 2. (Nature of the potential conflict) I have the following interest in the matter:

My wife is a teacher.

B. 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.

Raymond E. Gallison
Representative, District 69

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

Rene Menard
Notary Public

Representative Gallison 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, Carol Mumford, State Representative, District 41, 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-7492
- 2. (Nature of the potential conflict) I have the following interest in the matter:

out of an abundance of caution even though I believe I am able to vote on 04-H-7493 my position as a retired teacher gives me pause.

B. 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.

Carol Mumford
Representative, District 41

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

David Dumas

Notary Public

Representative Mumford 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, John A. Savage, State Representative, District 65, 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-7492

2. (Nature of the potential conflict) I have the following interest in the matter:
I am a retired teacher and can be directly affected.

B. 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.

John A. Savage
Representative, District 65

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

Joseph Amaral
Notary Public

Representative Savage 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, Richard A. Aubin, State Representative, District 47, 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-7492

2. (Nature of the potential conflict) I have the following interest in the matter:
Elementary Teacher

B. 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.

Richard A. Aubin
Representative, District 47

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

Rene Menard
Notary Public

Representative Aubin 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 Lewiss moves passage of the act, seconded by Representative Costantino.

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

**FLOOR AMENDMENT
TO
2004 -- H 7492**

AN ACT RELATING TO EDUCATION -- TEACHERS' RETIREMENT

Mr. Speaker:

I hereby move to amend 2004 -- H 7492, entitled "AN ACT AN ACT RELATING TO EDUCATION -- TEACHERS' RETIREMENT", as follows:

On page 1, line 6, by adding the following "within three (3) years" after the word "retired".

Respectfully submitted,

REPRESENTATIVE LEWISS

Representatives Jacquard, Scott, Lewiss, McManus, Costantino, McHugh discuss the amendment.

The motion to amend prevails on a roll call vote 42 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 42: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gemma, Giannini, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Moffitt, Moran, Naughton, Reilly, Rose, San Bento, Schadone, Scott, Shanley, Shavers, Tejada, Watson, Winfield.

NAYS - 3: Representatives Gorham, Long, McManus.

Read and passed, as amended, on a roll call vote, 41 members voting in the affirmative and 5 members voting in the negative as follows.

YEAS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gemma, Giannini, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Lowe, Malik, McNamara, Moran, Naughton, Petrarca, Reilly, Rose, San Bento, Schadone, Shanley, Shavers, Tejada, Watson, Winfield.

NAYS - 5: Representatives Gorham, Long, McManus, Moffitt, Scott.

16 2004-H 7493

BY Lewiss

ENTITLED, AN ACT RELATING TO EDUCATION - TEACHERS' RETIREMENT

Committee on Finance recommends passage.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Joseph N. Amaral, State Representative, District 70, 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-7493

2. (Nature of the potential conflict) I have the following interest in the matter:
Teacher retirement

B. 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.

Joseph N. Amaral
Representative, District 70

State of Rhode Island
County of Providence
Subscribed and sworn to before me this 10 day of June AD, 2004

John Savage
Notary Public

Representative Amaral 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, Richard Aubin, State Representative, District 47, 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: 04-H-7493

2. (Nature of the potential conflict) I have the following interest in the matter:
Elementary Teacher

B. 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.

Richard Aubin
Representative, District 47

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

Rene Menard
Notary Public

Representative Aubin 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, Melvoid Benson, State Representative, District 32, 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-7493
- 2. (Nature of the potential conflict) I have the following interest in the matter:

I am a retired teacher and can be directly affected.

B. 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.

Melvoid Benson
Representative, District 32

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10 day of June AD, 2004

Rene Menard
Notary Public

Representative Benson 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, Raymond Gallison, State Representative, and District 69, 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: 04-H-7493

2. (Nature of the potential conflict) I have the following interest in the matter:

My wife is a teacher

B. 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.

Raymond Gallison
Representative, District 70

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

Rene Menard
Notary Public

Representative Gallison 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, Carol Mumford Shanley, State Representative, District 41, 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: 04-H-7493

2. (Nature of the potential conflict) I have the following interest in the matter:

Out of an abundance of caution although I believe I am able to vote on the "class" of individuals affected, my position as a retired teacher gives me pause.

B. 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.

Carol Mumford
Representative, District 41

State of Rhode Island

County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

David Dumas
Notary Public

Representative Mumford 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, John A. Savage, State Representative, District 65, 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: 04-H-7493
- 2. (Nature of the potential conflict) I have the following interest in the matter:

I am a retired teacher and can be directly affected.

B. 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.

John A. Savage
Representative, District 65

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10 day of June AD, 2004

Joseph Amaral
Notary Public

Representative Savage 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, John Patrick Shanley, State Representative, District 35, 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: 04-H-7493
- 2. (Nature of the potential conflict) I have the following interest in the matter:

Spouse of a teacher.

B. 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.

John Patrick Shanley
Representative, District 35

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

David Dumas
Notary Public

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

Read and passed, on a roll call vote, 39 members voting in the affirmative and 5 members voting in the negative as follows.

YEAS - 39: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gemma, Giannini, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Lowe, Malik, McNamara, Moffitt, Moran, Naughton, Reilly, Rose, San Bento, Schadone, Shavers, Slater, Tejada, Watson, Winfield.

NAYS - 5: Representatives Gorham, Long, McHugh, McManus, Scott.

17 2004-H 8346 SUB A**BY Costantino****ENTITLED, AN ACT RELATING TO THE HEALTH AND SAFETY --
LICENSING OF HEALTH CARE FACILITIES**

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

Representatives Naughton moves passage of the act, seconded by Representatives Gallison, Costantino, and Moffitt.

Representatives Watson Costantino, Scott, and Naughton discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Watson, Winfield.

NAYS - 0.

18 2004-H 8481**BY Aubin****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
MILL BUILDING AND ECONOMIC REVITALIZATION ACT**

Committee on Finance recommends passage.

Representative Aubin moves passage of the act, seconded by Representatives Menard, San Bento, Carter, Gallison, Brien.

By unanimous consent, Representative Aubin, seconded by Representatives Menard, McNamara, and Lowe offers Representative Costantino's written motion to amend.

**FLOOR AMENDMENT
TO
2004 -- H 8481**

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- MILL BUILDING
AND ECONOMIC REVITALIZATION ACT

Mr. Speaker:

I hereby move to amend 2004 -- H 8481, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- MILL BUILDING AND ECONOMIC REVITALIZATION ACT", as follows:

(1) On page 1, between lines 5 and 6 by adding the following language:

“SECTION 2. Notwithstanding any termination date or other provisions to the contrary, chapter 247, section 1 of the public laws of 1996 shall be deemed to be in force and effect.”

(2) On page 1, line 6, by deleting the number “2” and inserting in place thereof the number “3”.

(3) On page 1, line 6, by inserting the following language after the word “passage”: “and shall be deemed to be retroactive to August 8, 2003.”

Respectfully submitted,

REPRESENTATIVE COSTANTINO

The motion to amend prevails on a roll call vote 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Watson, Winfield.

NAYS - 0.

Read and passed, as amended, on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Watson, Winfield.

NAYS - 0.

19 2004-H 7606**BY Shavers****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DISTRESSED AREAS ECONOMIC REVITALIZATION ACT**

Committee on Finance recommends passage.

Representative Shavers moves passage of the act, seconded by Representatives Fox, Menard, Benson, Giannini, Cerra, Callahan, and Crowley.

Read and passed, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Laroche, Lewis, Lima, Long, Lowe, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Wasyluk, Watson, Winfield.

NAYS - 0.

20 2004-H 7497 SUB A**BY Lewiss****ENTITLED, AN ACT RELATING TO INSURANCE -- AUTHORIZING HEALTH
CARE PROVIDERS TO NEGOTIATE WITH HEALTH CARE
INSURERS AND PROVIDING FOR THE POWERS AND DUTIES OF THE
ATTORNEY GENERAL**

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Eileen S. Naughton, State Representative, District 21, 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: 04-H-7497A
2. (Nature of the potential conflict) I have the following interest in the matter:

My spouse is a practicing dentist.

B. 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.

Eileen S. Naughton
Representative, District 21

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 10th day of June AD, 2004

David Dumas
Notary Public

Representative Naughton 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 Lewiss moves passage of the act, seconded by Representative Costantino and several other members of the House.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 53 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Moffitt, Moran, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Tejada, Trillo, Wasylyk, Watson.

NAYS - 1: Representative Mumford.

21 2004-S 2829

BY Sosnowski

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
VETERINARY PRACTICE**

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

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

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

**FLOOR AMENDMENT
TO
2004 -- S 2829**

AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- VETERINARY PRACTICE

Mr. Speaker:

I hereby move to amend 2004 -- S 2829, entitled "AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- VETERINARY PRACTICE", as follows:

(1) On Page 1, delete all language after the enactment clause and insert in place thereof the following:

“SECTION 1. Sections 5-25-6, 5-25-10 and 5-25-12 of the General Laws in Chapter 5-25 entitled "Veterinary Practice" are hereby amended to read as follows:

5-25-6. Board and division -- Powers and duties. -- The board is authorized to recommend to the ~~division of professional regulation~~ department and director of health for his or her approval, the adoption, and from time to time, the revision, of any rules and regulations not inconsistent with law that are necessary to enable the ~~division~~ department to carry into effect the provisions of this chapter, including, but not limited to, regulations establishing continuing professional education requirements for veterinarians licensed under this chapter. The board shall recommend for licensure only duly qualified applicants. The board shall review applicants at least twice a year. It shall recommend the tests taken by applicants for licensure. The ~~division of professional regulation~~ department shall adopt all policies to be followed in the examination, licensure, and renewal of license of duly qualified applicants and has full authority to accept or reject the recommendations of the board. The ~~division of professional regulation~~ department is responsible for granting all licenses to practice veterinary medicine. The ~~division~~ department shall conduct hearings upon charges calling for the discipline of licensees or revocation of licenses. The ~~administrator of the division of professional regulation~~ department has the power to issue subpoena and compel the attendance of witnesses and administer oaths to persons giving testimony at hearings. The ~~division~~ department shall cause the prosecution of all persons violating this chapter. The ~~division~~ department shall keep a record of all its proceedings. The ~~division~~ department may delegate to any other persons that are necessary to carry on the work of the ~~division~~ department.

5-25-10. Qualifications for licensure. -- Any applicant for licensure shall submit to the ~~division~~ department written evidence on forms furnished by the ~~division of professional regulation~~ department verified by oath that the applicant meets all of the following requirements:

(1) Be a graduate of a school or college of veterinary medicine recognized and accredited by the American Veterinary Medical Association and by the division or certification by the Educational Council for Foreign Veterinary Graduates;

(2) Pay an application fee of twenty-five dollars (\$25.00) at the time of submitting the application, which, in no case is returned to the applicant;

(3) Be of good moral character, evidenced in the manner prescribed by the division; ~~and~~

(4) Comply with any other qualifications that the division prescribes by regulation; and
(5) Comply with the continuing education requirements adopted by the division of professional regulation.

5-25-12. Expiration and renewal of licenses. -- (a) The certificate of every person licensed as a veterinarian under the provisions of this chapter expires on the first day of May of each even numbered year. On or before the first day of March of each two (2) year period, the administrator of the division of professional regulation shall mail an application for renewal of license to every person to whom a license has been issued or renewed during the current licensure period. Every person so licensed who desires to renew his or her license shall file with the division of professional regulation a renewal application duly executed together with a renewal fee of two hundred fifty dollars (\$250) on or before the thirty-first day of March of each even year.

(b) Upon receipt of an application, and payment of the renewal fee, the administrator of professional regulation shall grant a renewal license effective the second day of May, and expiring on the first day of May of the next even numbered year.

(c) Any person who allows his or her license to lapse by failing to renew it on or before the thirty-first day of March of the next even year, as provided above, may be reinstated by the administrator of professional regulation on payment of the current renewal fee plus an additional fee of sixty-two dollars and fifty cents (\$62.50).

(d) Any person using the title "veterinarian" during the time that his or her license has lapsed is subject to the penalties provided for violations of this chapter.

(e) Every veterinarian licensed to practice veterinary medicine within the state shall, in connection with renewal of licensure, provide satisfactory evidence to the division of professional regulation that in the preceding two-year period the veterinarian has completed a prescribed course of continuing professional education established by an appropriate professional veterinary medicine association and approved by rule or regulation of the division. The division may extend for only one six (6) month period, these education requirements if the division is satisfied that the applicant has suffered hardship which prevented meeting the educational requirement.

SECTION 2. This act shall take effect upon passage and shall apply to all licenses issued by the division of professional regulation effective May 2, 2007 and thereafter.”

Respectfully submitted,

REPRESENTATIVE LIMA

The motion to amend prevails on a roll call vote 52 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Tejada, Trillo, Wasylyk, Watson, Winfield.

NAYS - 1: Representatives Gorham.

Read and passed, as amended, on a roll call vote, 53 members voting in the affirmative and 2 members voting in the negative as follows.

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Wasyluk.

NAYS - 2: Representatives Gorham, Watson.

22 2004-S 2443

BY Ruggiero

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS**

Committee on Labor recommends passage in concurrence.

Representative Corvese moves passage of the act, seconded by Representatives Benson, Brien, and Carter.

By unanimous consent, Representative Corvese, seconded by Representative Giannini offers a written motion to amend.

**FLOOR AMENDMENT
TO
2004 -- S 2443**

**AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT
OF DEBTS BY CONTRACTORS**

Mr. Speaker:

I hereby move to amend 2004 -- S 2443, entitled "AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS BY CONTRACTORS", as follows:

By deleting all of the language following the enactment clause and inserting in place thereof the following:

"SECTION 1. Chapter 37-13 of the General Laws entitled "Labor and Payment of Debts by Contractors" is hereby amended by adding thereto the following section:

37-13-17. Private right of action to collect wages or benefits. – (a) An employee or former employee, or any organization representing such an employee or former employee, of a contractor or subcontractor may bring a civil action for a violation of section 37-13-7 for

appropriate injunctive relief, or actual damages, or both within three (3) years after the occurrence of the alleged violation. An action commenced pursuant to this section, may be brought in the superior court for the county where the alleged violation occurred, the county where the complainant resides, or the county where the person against whom in the civil complaint is filed resides or has their principal place of business. Any contractor or subcontractor who violates the provisions of section 37-13-7 shall be liable to the affected employee or employees in the amount of unpaid wages or benefits, plus interest. A civil action filed in court under this section may be instituted instead of, but not in addition to the director of labor and training enforcement procedures authorized by section 37-13-14.1, provided the civil action is filed prior to the date the director of labor and training issues notice of an administrative hearing.

(b) An employer's responsibility and liability is solely for its own employees.

(c) An action instituted pursuant to this section may be brought by one or more employees or former employees on behalf of himself/herself or themselves and other employees similarly situated, except that no employee shall be a party plaintiff to any such action unless he/she gives his/her consent in writing to become such a party and such consent is filed in the court in which such action is brought.

(d) In an action filed under this section in which the plaintiff prevails, the court shall, in addition to any judgment awarded to the plaintiff, require reasonable attorneys' fees and the costs of the action to be paid by the defendant.

(e) The court in an action filed under this section shall award affected employees or former employees liquidated damages in an amount equal to two (2) times the amount of unpaid wages or benefits owed. Unpaid fringe benefit contributions owed pursuant to this section in any form shall be paid to the appropriate benefit fund, however, in the absence of an appropriate fund the benefit shall be paid directly to the individual.

(f) The filing of a civil action under this section shall not preclude the director of labor and training from referring a matter to the attorney general as provided in subsection 37-13-14.1(b), from prohibiting a contractor or subcontractor from bidding on or otherwise participating in contracts as provided in subsections 37-13-14.1(d), (e) and (h), or from prohibiting termination of work on failure to pay agreed wages pursuant to section 37-13-16.

(g) Any person, firm, or corporation found to have willfully made a false or fraudulent representation in connection with wage obligations owed on a contract shall be required to pay a civil penalty to the department of labor and training in an amount of no less than one thousand dollars (\$1,000) and not greater than three thousand dollars (\$3,000) per representation. Such penalties shall be recoverable in civil actions filed pursuant to this section. For purposes of this subsection "willfully" shall mean representations that are known to be false, or representations made with deliberate ignorance or reckless disregard for their truth or falsity.

(h) An employer shall not discharge, threaten or otherwise discriminate against an employee or former employee regarding compensation terms, conditions, locations or privileges of employment because the employee or former employee, or a person or organization acting on their behalf: (1) reports or makes a complaint under this section; or otherwise asserts his or her rights under this section; and/or (2) participates in any investigation, hearing or inquiry held by the director of labor and training under section 37-13-14.1. In the event a contractor or subcontractor retaliates or discriminates against an employee in violation of this section, the affected employee may file an action in any court of competent jurisdiction and the court shall order reinstatement and/or restitution of the affected employee, as appropriate, with back pay to

the date of the violation, and an additional amount in liquidated damages equal to two (2) times the amount of back pay and reasonable attorneys' fees and costs.

(i) If any one or more subsections of this section shall for any reason be adjudged unconstitutional or otherwise invalid, the judgment shall not affect, impair, or invalidate the remaining subsections.

SECTION 2. This act shall take effect upon passage.”

Respectfully submitted,

REPRESENTATIVE CORVESE

The motion to amend prevails on a roll call vote 55 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Wasylyk, Winfield.

NAYS - 3: Representatives Gorham, McManus, Watson.

Read and passed, as amended, on a roll call vote, 53 members voting in the affirmative and 3 members voting in the negative as follows.

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Handy, Kennedy, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Tejada, Trillo, Wasylyk, Winfield.

NAYS - 3: Representatives Gorham, McManus, Watson.

23 2004-S 2998

BY Breene

ENTITLED, AN ACT RELATING TO THE TOWN OF EXETER -- TOWN MEETINGS

Committee on Corporations recommends passage in concurrence.

Representative Kennedy moves passage of the act, seconded by Representatives Moffitt, Carter, and Benson.

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

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Long, Lowe, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Tejada, Trillo, Wasyluk, Watson, Winfield.

NAYS - 0.

25 2004-S 2134 SUB B

BY Polisena

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
NURSES

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

Representative Naughton moves passage of the act, seconded by Representatives Gemma, Gallison.

The bill marked Substitute "B" is read and passed, and the original bill and the bill marked Substitute "A" indefinitely postponed, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Schadone, Scott, Shavers, Slater, Smith, Tejada, Trillo, Wasyluk, Watson, Winfield.

NAYS - 0.

26 2004-S 3089

BY Fogarty P

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
MILL BUILDING AND ECONOMIC REVITALIZATION ACT

Committee on Finance recommends passage in concurrence.

Representative Aubin moves passage of the act, seconded by Representatives Handy, Benson, and Carter.

By unanimous consent, Representative Aubin, seconded by Representatives Winfield, Benson Gallison and Lowe offers Representative Costantino's written motion to amend.

**FLOOR AMENDMENT
TO
2004 -- S 3089**

**AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - MILL BUILDING AND
ECONOMIC REVITALIZATION ACT**

Mr. Speaker:

I hereby move to amend 2004 -- S 3089, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - MILL BUILDING AND ECONOMIC REVITALIZATION ACT", as follows:

By deleting all of the language following the enactment clause and inserting in place thereof the following:

“SECTION 1. Section 42-64.7-12 of the General Laws in Chapter 42-64.7 entitled "Mill Building and Economic Revitalization Act" is hereby amended to read as follows:

42-64.7-12. Expiration. -- This chapter shall terminate and be of no further effect ~~seven (7) years from August 8, 1996,~~ on August 8, 2009, unless the chapter is extended by action of the general assembly.

SECTION 2. Notwithstanding any termination date or other provisions to the contrary, chapter 247, section 1 of the public laws of 1996 shall be deemed to be in force and effect.

SECTION 3. This act shall take effect upon passage and shall be deemed to be retroactive to August 8, 2003.”

Respectfully submitted,

REPRESENTATIVE COSTANTINO

The motion to amend prevails on a roll call vote 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Tejada, Trillo, Winfield.

NAYS - 0.

Read and passed, as amended, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Gorham, Handy, Jacquard, Kennedy, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Tejada, Trillo, Winfield.

NAYS - 0.

FROM THE DESK IS TAKEN

House Bill No. 7085 SUB A as amended
BY Corvese, Brien T, Laroche, San Bento, Almeida
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - -
CORRECTIONAL OFFICERS -- ARBITRATORS {LC261/1/A}

By unanimous consent, Majority Leader Fox moves to take up (04-H 708 SUB Aaa) next, seconded by Representatives Corvese, Mumford, Moffitt, Long, Shavers, Menard, and Benson.

Majority Leader Fox moves (04-H 7085 SUB Aaa) seconded by Representatives Menard, Gemma, Long, Benson, Shavers, McNamara, Landroche, Enos, San Bento, and Scott.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, 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, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Watson, Winfield.

NAYS - 0.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk, are ordered to be transmitted to His Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith, 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 Giannini announces that the Committee on Health, Education, and Welfare will meet today, at the rise of the House, in Room 135 of the State House.

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

GUESTS

At 4:24 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Giannini.

By unanimous consent, Representative Giannini addresses the members of the House and welcomes to the House Brendan Cunha, along with John, and Kathy Cunha and also Renee Jarest.

Representative Giannini presents Brendan with a citation from the House.

At 4:27 o'clock P.M. the Honorable Speaker returns to the rostrum.

Representative Williams and Tejada welcome to the House Chamber as guests Honorable Carmen Leyda Mora, Congresswoman of Dominican Republic, Pricilla Bazil, and Delia Rodriguez

Representative Carter welcome to the House as a guest, Steven Marino, Representative Faria's grandson.

RECESS

At 7:30 o'clock P.M. on motion of Representative McManus, and as a further mark of respect to the memory of Marjorie O'Rourke; on motion of Representatives Faria and Moran, and as a further mark of respect to the memory of Waldemore J. Jamro; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

CALL TO ORDER

At 4:06 o'clock P.M. on Tuesday, June 15, 2004, the Honorable Speaker calls the House to order.

ADJOURNMENT

At 4:07 o'clock P.M. on motion of Representative Winfield, seconded by Representative Carter the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE WILLIAM SAN BENTO, JR

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

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 2041 as amended

BY Fogarty P, Walaska, Sosnowski, Breene, Sheehan

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES (temporary plates) {LC512/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2378 SUB A as amended

BY Badeau, Connors

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS {LC1702/1/A}

06/10/2004 Transmitted to Governor

Senate Bill No. 2401 (by request)

BY McCaffrey, Connors, Caprio F

ENTITLED, AN ACT RELATING TO PUBLIC BUILDINGS {LC1061/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2447 SUB A as amended

BY Ruggerio, Lanzi, Badeau, Paiva-Weed, Pichardo

ENTITLED, AN ACT RELATING TO SAFETY AWARENESS {LC526/1/A}

06/10/2004 Transmitted to Governor

Senate Bill No. 2549 (Lt. Governor)

BY Alves, Roberts, McBurney, Goodwin

ENTITLED, AN ACT RELATING TO ASSISTED LIVING RESIDENCES {LC1934/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2597

BY Gallo, Walaska

ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND
SUPERINTENDENTS {LC1885/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2755 as amended

BY Blais

ENTITLED, AN ACT RELATING TO PHYSICIAN ASSISTANTS (board makeup/functions)
{LC1916/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2825 SUB A as amended

BY Polisen, Damiani

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - -
CORRECTIONAL OFFICERS -- ARBITRATORS {LC1822/1/A}

06/10/2004 Transmitted to Governor

Senate Bill No. 2857

BY Lenihan

ENTITLED, AN ACT RELATING TO ELECTIONS - BALLOT SECURITY AND
STORAGE {LC2535/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2636 SUB A (Dept. of Children, Youth and Families)

BY Roberts, Issa, Gallo

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- CERTIFICATION OF
CHILD CARE AND YOUTH WORKERS {LC1669/1/A}

06/10/2004 Transmitted to Governor

Senate Bill No. 2859

BY DaPonte

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE --
UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY {LC2445/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2892

BY DaPonte, Perry, Damiani, Felag, Ruggerio

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE MANAGEMENT BOARD
{LC2219/1}

06/10/2004 Transmitted to Governor

House Bill No. 7085 SUB A as amended

BY Corvese, Brien T, Laroche, San Bento, Almeida

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - -
CORRECTIONAL OFFICERS -- ARBITRATORS {LC261/1/A}

06/10/2004 Transmitted to Governor

Senate Bill No. 2045 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS
{LC343/2/A}

06/10/2004 Transmitted to Governor

Senate Bill No. 2998

BY Breene

ENTITLED, AN ACT RELATING TO THE TOWN OF EXETER -- TOWN MEETINGS
{LC3043/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2151

BY McBurney, Issa, Montalbano J

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS -
CITY OF PAWTUCKET {LC971/1}

06/10/2004 Transmitted to Governor

Senate Bill No. 2210

BY Breene, Blais

ENTITLED, AN ACT RELATING TO THE EXETER-WEST GREENWICH SCHOOL
DISTRICT {LC1138/1}

06/10/2004 Transmitted to Governor

APPENDIX

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, JUNE 16, 2004:

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

Committee on Corporations recommends passage.

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

Committee on Corporations recommends passage in concurrence.

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

Committee on Corporations recommends passage in concurrence.

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

Committee on Corporations recommends passage in concurrence.

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

Committee on Corporations recommends passage in concurrence.

6 2004-S 3058

BY Felag

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

Committee on Corporations recommends passage in concurrence.

Louis D'Antuono
Clerk of the House

Friday, June 11, 2004

APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, JUNE 15, 2004:

1 2004-H 7425**BY Kennedy****ENTITLED, AN ACT RELATING TO INSURANCE**

Committee on Corporations recommends passage.

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

Ordered on the Calendar

3 2004-H 7375 SUB A**BY Moura****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
RENEWABLE ENERGY STANDARD**

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

4 2004-H 8443**BY Fox****ENTITLED, AN ACT RELATING TO THE CODE OF ETHICS**

Committee on Judiciary recommends passage.

5 2004-H 8566**BY McManus****ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
TAXATION**

Committee on Corporations recommends passage.

6 2004-H 8580**BY Rose****ENTITLED, AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE, TO
FINANCE THE ACQUISITION OF A SITE AND THE DESIGN
AND CONSTRUCTION OF A MULTI-PURPOSE**

COMMUNITY/RECREATION COMPLEX IN LIEU OF CONVERTING MARTIN MIDDLE SCHOOL TO SUCH PURPOSE, AS WAS PREVIOUSLY APPROVED BY THE VOTERS OF EAST PROVIDENCE, AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR

Committee on Corporations recommends passage.

7 2004-H 8578

BY McHugh

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

Committee on Corporations recommends passage.

8 2004-H 8577

BY McHugh

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

Committee on Corporations recommends passage.

9 2004-S 2051

BY Blais

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Judiciary recommends passage in concurrence.

10 2004-S 2421

BY Lenihan

ENTITLED, AN ACT RELATING TO THE CODE OF ETHICS

Committee on Judiciary recommends passage in concurrence.

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

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

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

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

13 2004-S 2351**BY McBurney****ENTITLED, AN ACT RELATING TO VICTIMS ECONOMIC SECURITY AND
SAFETY**

Committee on Labor recommends passage in concurrence.

14 2004-S 3003**BY Pichardo****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
TRANSPORTATION OF WORKERS**

Committee on Labor recommends passage in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 16, 2004:**1 2004-H 8558 as amended****BY Malik****ENTITLED,** AN ACT RELATING TO FISH AND WILDLIFE -- SHELLFISH
AND AQUACULTURE

Committee on Environment and Natural Resources recommends passage as amended.

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

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

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

Committee on Environment and Natural Resources recommends passage in concurrence.

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

Committee on Environment and Natural Resources recommends passage in concurrence.

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

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

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

Committee on Corporations recommends passage in concurrence.

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

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

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

Committee on Corporations recommends passage in concurrence.

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

Committee on Corporations recommends passage in concurrence.

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

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

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

Committee on Corporations recommends passage in concurrence.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 2004-H 8219 SUB A

**ARTICLE 1 ARTICLE 2 ARTICLE 3 ARTICLE 4
ARTICLE 5 ARTICLE 6 ARTICLE 7 ARTICLE 8
ARTICLE 9 ARTICLE 10 ARTICLE 11 ARTICLE 12
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BY Watson

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

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

Louis D'Antuono
Clerk of the House

Friday, June 11, 2004