

**State of Rhode Island and Providence Plantations**

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

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

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Volume 132, No. 17

Tuesday, February 15, 2005

Seventeenth Day

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The House of Representatives meets at the State House in Providence, Tuesday, February 15, 2005 and is called to order at 4:05 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 73 members present and 2 members absent as follows:

PRESENT - 73: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Ucci, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 2: Representatives Handy, Trillo.

**INVOCATION**

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

(For Invocation, see Appendix, this Journal.)

**APPROVAL OF RECORD**

By unanimous consent, the House Journal of Thursday, February 10, 2005 is approved as printed.

**ANNOUNCEMENTS**

Representative Arthur Handy will be unable to attend session February 15, 16 and 17 due to a family emergency.

Representative Joseph Trillo will be unable to attend session February 15, 16 and 17. He is out of state on business.

**NEW BUSINESS****House Bill No. 5493**

**BY** Diaz, Slater, Almeida, Schadone, Williams

**ENTITLED**, AN ACT RELATING TO PROPERTY -- ESCROW OF RENT -- CERTAIN LANDLORDS (rent held by the city until compliance) {LC1092/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5494**

**BY** Moura, Corvese, Schadone, Long, McCauley

**ENTITLED**, AN ACT RELATING TO INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICES ACT {LC169/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5495**

**BY** Moura, Long, Corvese, McCauley, Schadone

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- INSURANCE -- UNFAIR CLAIMS SETTLEMENT PRACTICES ACT {LC165/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5496 (Attorney General)**

**BY** Sullivan, Handy, Naughton

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION {LC1335/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5497**

**BY** Menard, Winfield

**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- COMMUNITY OBLIGATIONS AND BANKING OFFENSES {LC777/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5498**

**BY** Moura, Schadone, Long, Corvese, McCauley

**ENTITLED**, AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION AND PRACTICES {LC233/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5499****BY** Moura, Schadone, Long, Corvese, McCauley**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE REPARATIONS ACT {LC145/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5500****BY** Lewiss, Kennedy, O'Neill, McNamara, Gemma**ENTITLED**, AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS (mail ballots) {LC1469/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5501****BY** Trillo, McManus, Loughlin, McHugh**ENTITLED**, AN ACT RELATING TO HEALTH -- LEAD HAZARD MITIGATION (reduce penalty from felony to misdemeanor and fines of 5,000-20,000 to 1,000 and implement training program) {LC1768/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5502****BY** Slater, Williams, Lima, Almeida, Moura**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS {LC556/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5503 (Attorney General)****BY** Kennedy, Crowley, Jackson, Rice, Lewiss**ENTITLED**, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT (timeshare) {LC1962/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5504 (Attorney General)****BY** Kennedy, Sullivan, Lewiss, Gallison, Coderre E**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CONSUMER ENFORCEMENT OF MOTOR VEHICLE WARRANTIES (lemon law) {LC1974/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5505 (Attorney General)****BY** Kennedy, Lewiss, Gallison, Coderre E, Anguilla**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES {LC1347/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5506 (Secretary of State)****BY** Lewiss, Almeida, Diaz, Carter, Slater**ENTITLED**, AN ACT RELATING TO ELECTIONS -- MAIL BALLOTS -- USE OF FPCA OUTSIDE THE UNITED STATES {LC1150/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5507****BY** Lewiss, Anguilla, Costantino, Ginaitt, Kennedy**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 {LC1319/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5508****BY** Lewiss, Schadone, Anguilla, Carter, San Bento**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- OPTOMETRISTS (freedom of choice for eye care) {LC2030/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5509****BY** Slater, Diaz, Williams, McCauley, Dennigan**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- TERMINATION OF SERVICE TO PERSONS WHO ARE DISABLED AND SERIOUSLY ILL (prohibit termination of utility service to any household in which resident is unemployed) {LC588/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5510****BY** Menard, Winfield, Crowley, Ucci**ENTITLED**, AN ACT RELATING TO PROPERTY -- CONDOMINIUM LAW (eliminate need to obtain agreement of mortgagees when establishing time limit for unexercised rights) {LC779/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5511****BY** Menard, Winfield, Crowley, Ucci**ENTITLED**, AN ACT RELATING TO PROPERTY -- CONDOMINIUM OWNERSHIP (require municipalities to provide services provided to single family residences to condominiums) {LC773/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5512****BY** Dennigan, Slater, Anguilla, Rose**ENTITLED**, AN ACT RELATING TO INSURANCE - INDIVIDUAL HEALTH INSURANCE COVERAGE (change from 5 years to 3 years the time in which a health insurance carrier may not provide coverage in a market after electing to discontinue coverage) {LC1752/1}

02/15/2005 Introduced, referred to House Corporations

**House Bill No. 5513****BY** Gallison, San Bento, Rose, Schadone, Carter**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES (authorize appropriations by cities and towns for charter public schools) {LC1701/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5514****BY** Carter, Lewiss, Gallison, Brien T, Landroche**ENTITLED**, AN ACT RELATING TO STATE FUNDS (establish the Veterans' Memorial Auditorium Restoration and Renovation fund) {LC1790/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5515****BY** Williamson, Williams, Gemma, Almeida, Lima**ENTITLED**, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS -- AND EXTENSION OF GAMBLING ACTIVITIES TO INCLUDE A STATE-OPERATED CASINO (establish "The Rhode Island Casino Gaming Control and Revenue Act") {LC1833/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5516****BY** Story, Savage, Scott, Long, Ehrhardt**ENTITLED**, AN ACT RELATING TO EDUCATION {LC1733/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5517****BY** Ginaitt, Singleton, McNamara, Malik, Flaherty**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES {LC1615/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5518****BY** Gorham**ENTITLED**, AN ACT RELATING TO EDUCATION {LC914/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5519****BY** Lewiss, Crowley, San Bento, Gallison, Carter**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ALLOCATION FOR ART FOR PUBLIC FACILITIES ACT {LC1750/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5520****BY** Menard, Petrarca, McManus**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL HOUSING -- STATE AID RATIOS {LC766/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5521****BY** Handy, Slater, Sullivan, Diaz, Williams**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES {LC1692/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5522****BY** Slater, Williams, Lewiss, Diaz, McCauley**ENTITLED**, AN ACT RELATING TO MEDICAL ASSISTANCE {LC561/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5523****BY** Slater, Williams, Diaz, McCauley, Lima**ENTITLED**, AN ACT RELATING TO CAPITAL DEVELOPMENT -- RHODE ISLAND HEALTH CENTERS AND FACILITIES PROGRAM {LC538/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5524****BY** Slater, Diaz, Williams, Almeida, Moura**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND PUBLIC TRANSIT AUTHORITY {LC585/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5525****BY** Landroche, Laroche**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - RETIREMENT SYSTEM-CONTRIBUTIONS AND BENEFITS {LC1505/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5526****BY** Jacquard**ENTITLED**, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION {LC1278/1}

02/15/2005 Introduced, referred to House Finance

**House Resolution No. 5527****BY** Slater, Williams, Diaz, McCauley, Dennigan**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$100,000 TO THE PROVIDENCE COMMUNITY HEALTH CENTERS {LC555/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5528****BY** Dennigan, Anguilla, Slater, Rose, Rice**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION {LC1110/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5529****BY** Dennigan, Rice, Slater, Anguilla, Ginaitt**ENTITLED**, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX {LC1495/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5530****BY** Menard, Petrarca, Winfield, Moran, Singleton**ENTITLED**, AN ACT RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT {LC783/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5531****BY** Slater, Diaz, Williams, Almeida, McCauley**ENTITLED**, AN ACT RELATING TO SALES TAX {LC552/1}

02/15/2005 Introduced, referred to House Finance

**House Bill No. 5532****BY** Singleton, Moffitt, Ehrhardt, Long, Carter**ENTITLED**, AN ACT RELATING TO VETERANS -- EXEMPTIONS {LC975/1}

02/15/2005 Introduced, referred to House Veterans Affairs

**House Bill No. 5533****BY** Trillo**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE -- FUR-BEARING ANIMALS (removal of legislative appts. from boards and commissions) {LC2286/1}

02/15/2005 Introduced, referred to House Environment and Natural Resources

**House Resolution No. 5534****BY** Lewiss, Landroche, Anguilla, Shanley, Ginaitt**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE ECONOMIC VIABILITY AND FEASIBILITY OF MANDATING AND REGULATING THE INSTALLATION AND USAGE OF MORE EFFICIENT INDUSTRIAL, COMMERCIAL AND HOME CENTRAL-HEATING BOILERS {LC1424/1}

02/15/2005 Introduced, referred to House Environment and Natural Resources

**House Bill No. 5535****BY** Menard, Petrarca, Brien T, Giannini, Winfield**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - CHILDREN {LC767/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5536 (Attorney General)****BY** Pacheco, Moran, Ucci, Church**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES - LEAVING SCENE OF ACCIDENTS {LC1419/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5537****BY** Gallison, Landroche, Carter, Brien T, Jacquard**ENTITLED**, AN ACT RELATING TO THE NATIONAL GUARD {LC1989/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5538****BY** Diaz, Slater, Almeida, Schadone, Williams**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT {LC1094/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5539****BY** Flaherty, Palumbo**ENTITLED**, AN ACT RELATING TO THE DEPARTMENT OF CORRECTIONS {LC1868/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5540** (Attorney General)**BY** Moran, Jacquard, Almeida, Diaz, Williams**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES {LC1413/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5541****BY** Diaz, Slater, Almeida, Schadone, Williams**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE {LC1091/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5542****BY** Amaral, Savage, Loughlin, Singleton, Moffitt**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSE -- WEAPONS {LC1786/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5543** (Attorney General)**BY** Sullivan, Diaz, Lima, Landroche**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - WEAPONS {LC1418/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5544** (Attorney General)**BY** Naughton, Kilmartin, Coderre E, Malik, Lima**ENTITLED**, AN ACT RELATING TO ASSAULTS {LC1330/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5545****BY** Trillo**ENTITLED**, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL CARE {LC2285/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5546****BY** Rice, Shanley, Lewiss, Kennedy, Almeida**ENTITLED**, AN ACT RELATING TO ANIMALS {LC1998/1}

02/15/2005 Introduced, referred to House Judiciary



**House Bill No. 5547****BY** Menard, Giannini, Winfield**ENTITLED**, AN ACT RELATING TO PUBLIC RECORDS - ACCESS TO PUBLIC RECORDS {LC768/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5548** (Attorney General)**BY** Rice, Gallison, Church, Jackson**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE {LC1336/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5549** (Attorney General)**BY** Rice, Gallison, Church, Jackson**ENTITLED**, AN ACT RELATING TO GOVERNMENTAL TORT LIABILITY {LC1415/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5550** (Attorney General)**BY** McNamara, Ginaitt, Moran, Malik**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLE OFFENSES {LC1352/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5551****BY** Giannini, Brien T, Menard, Rose, McManus**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE {LC134/1}

02/15/2005 Introduced, referred to House Judiciary

**House Bill No. 5552****BY** Menard, Brien T, Giannini, Winfield, Ginaitt**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- ESTABLISHING FIRE SAFETY STANDARDS FOR CIGARETTES {LC769/1}

02/15/2005 Introduced, referred to House Judiciary

**House Resolution No. 5553****BY** Diaz, Slater, Almeida, Schadone, Williams**ENTITLED**, HOUSE RESOLUTION HONORING CESAR ESTRADA CHAVEZ (1927-1993) {LC2056/1}

02/15/2005 Introduced, referred to House Labor

**House Bill No. 5554****BY** Diaz, Slater, Almeida, Schadone, Williams**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- APPRENTICESHIP PROGRAMS IN TRADE AND INDUSTRY {LC1098/1}

02/15/2005 Introduced, referred to House Labor

**House Bill No. 5555****BY** Diaz, Slater, Almeida, Schadone, Faria**ENTITLED**, AN ACT RELATING TO THE MERIT SYSTEM {LC1371/1}

02/15/2005 Introduced, referred to House Labor

**House Bill No. 5556****BY** Moura, Lima**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES {LC1254/1}

02/15/2005 Introduced, referred to House Labor

**House Bill No. 5557****BY** Landroche**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- OPTIONAL RETIREMENT FOR POLICE AND FIREFIGHTERS {LC1504/1}

02/15/2005 Introduced, referred to House Labor

**House Bill No. 5558****BY** Malik, Landroche, Brien T**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- GOVERNMENT EMPLOYEES -- DISABILITY {LC582/1}

02/15/2005 Introduced, referred to House Labor

**House Bill No. 5559** (Secretary of State)**BY** Winfield**ENTITLED**, AN ACT RELATING TO THE GENERAL ASSEMBLY -- RHODE ISLAND BOARD AND COMMISSION REPORTING ACT {LC1073/1}

02/15/2005 Introduced, referred to House Separation of Powers

**House Bill No. 5560****BY** Gallison, San Bento, Rose, Schadone, Carter**ENTITLED**, AN ACT RELATING TO EDUCATION -- CHARTER PUBLIC SCHOOLS {LC1700/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5561****BY** McNamara, Sullivan, Malik, Long, Ginaitt**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- DRUG REPOSITORY PROGRAM {LC416/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5562****BY** McNamara, Malik, Corvese**ENTITLED**, AN ACT RELATING TO INSURANCE COVERAGE -- CANCER EXAMINATIONS AND TESTS {LC202/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5563****BY** McNamara, Ginaitt, Crowley, Handy, Singleton**ENTITLED**, AN ACT RELATING TO EDUCATION {LC1518/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5564****BY** Menard, Winfield, Gallison**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY {LC775/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5565****BY** Menard, Singleton**ENTITLED**, AN ACT RELATING TO MENTAL HEALTH, RETARDATION, AND HOSPITALS {LC781/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5566****BY** Rice, Almeida, Jackson, Lewiss, Handy**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS {LC1735/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5567****BY** McNamara, Malik, Anguilla, Dennigan, Ginaitt**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- ENCOURAGING VOLUNTEER EFFORTS OF PHYSICIANS AND DENTISTS AT FREE HEALTH CLINICS {LC393/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5568****BY** McNamara, Dennigan, Handy, Corvese**ENTITLED**, AN ACT RELATING TO EDUCATION {LC2240/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5569****BY** Slater, Almeida, Williams, Diaz, McCauley**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSING SERVICE AGENCIES {LC826/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Bill No. 5570****BY** Dennigan, Slater, Anguilla, Ginaitt, Rose**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT {LC1599/1}

02/15/2005 Introduced, referred to House H.E.W.

**House Resolution No. 5571****BY** Fox**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC1947/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

**House Resolution No. 5572****BY** Winfield**ENTITLED**, HOUSE RESOLUTION PROCLAIMING 2005 TO BE "THE YEAR OF LANGUAGES" IN THE STATE OF RHODE ISLAND {LC2420/1}

Representative Winfield requests unanimous consent for immediate consideration.

There is no objection.

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

**House Bill No. 5573****BY** Landroche**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS {LC1741/1}

Representative Landroche, with the agreement of the majority and the minority, requests to place (05-H 5573) on the Calendar for Thursday, February 17, 2005.

There is no objection.

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

**House Resolution No. 5574 (Lieutenant Governor)****BY** Sullivan, Jackson, Davey, Fox, Gemma**ENTITLED**, HOUSE RESOLUTION MEMORIALIZING CONGRESS ON MEDICAID IN THE STATE OF RHODE ISLAND {LC1964/1}

Representative Sullivan, with the agreement of the majority and the minority, requests to place (05-H 5574) on the Calendar for Wednesday, February 16, 2005.

There is no objection.

Ordered on the Calendar for Wednesday, February 16, 2005.

**House Resolution No. 5575**

**BY** Lewiss

**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY ALTERNATIVES TO ANIMAL EUTHANASIA BY CARBON MONOXIDE POISONING {LC229/1}

Representative Lewiss, with the agreement of the majority and the minority, requests to place (05-H 5575) on the Calendar for Wednesday, February 16, 2005.

There is no objection.

Ordered on the Calendar for Wednesday, February 16, 2005.

**House Bill No. 5576**

**BY** Lewiss

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC2338/1}

Representative Lewiss, with the agreement of the majority and the minority, requests to place (05-H 5576) on the Calendar for Wednesday, February 16, 2005.

There is no objection.

Ordered on the Calendar for Wednesday, February 16, 2005.

**CONSENT CALENDAR**

From the Consent Calendar are taken:

**IN ORDER FOR TUESDAY, FEBRUARY 15, 2005:**

**1 2005-S 19**

**BY** Tassoni

**ENTITLED**, AN ACT RELATING TO TAXATION -- NORTH SMITHFIELD

Ordered on the Calendar

**2 2005-S 225**

**BY** Issa

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF RHODE ISLAND INDEPENDENT HIGHER EDUCATION ASSOCIATION

Ordered on the Calendar

**3 2005-S 251****BY Gibbs****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF POST' ALL, INC.

Ordered on the Calendar

**4 2005-S 253****BY Montalbano J****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF K.F.C. OF JOHNSTON, INC.

Ordered on the Calendar

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**

Representative Naughton requests item # 2 (05-H 5164 SUB A) on the Calendar for Wednesday, February 16, 2005 be placed on the Calendar for Thursday, February 17, 2005.

There is no objection.

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

**TRANSMITTAL**

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, and to the Honorable Secretary of State.

**POINT OF INQUIRY**

Representative McHugh inquires about his bill, (05-H 5044), and asks that his bill be discharged from committee pursuant to Rule 26 (g).

The Honorable Speaker rules that this is not properly raised as a point of order but will be happy to meet with Representative McHugh regarding his complaint. Representative Fox also comments on the procedure to be followed in such cases.

**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 Lally announces that there will be a meeting of the Deputy Majority Leaders today, at the rise of the House, in Room 320 of the State House.

Representative Picard congratulates Representative Kennedy on receiving an award from Partners in Housing, presented by the Governor.

Representative Pacheco wishes Representative Arthur Handy a Happy Birthday.

Representative Watson wishes Representative Bill McManus a Happy Birthday.

#### GUESTS

Representative Ajello welcomes to the House Chamber as guests a group from Marriage Equality.

#### ADJOURNMENT

At 4:21 o'clock P.M. on motion of Representatives Rice, Gallison, Loughlin, and Long, and as a further mark of respect to the memories of Leah Callahan, and Manuel Viera; on motion of Representative Moffitt, and as a further mark of respect to the memory of Donna Ponte; on motion of Representative Williamson and as a further mark of respect to the memories of Suzanne Davignon and David Fahey, seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

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

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE JOSEPH H. SCOTT**

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



APPENDIX

TRANSMITTED TO THE GOVERNOR

**Senate Bill** No. 19

**BY** Tassoni, Fogarty P, Cote

**ENTITLED**, AN ACT RELATING TO TAXATION -- NORTH SMITHFIELD {LC447/1}

**Senate Bill** No. 225

**BY** Issa, Gallo

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF RHODE ISLAND INDEPENDENT HIGHER EDUCATION ASSOCIATION {LC1240/1}

**Senate Bill** No. 251

**BY** Gibbs

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF POST' ALL, INC. {LC1435/1}

**Senate Bill** No. 253

**BY** Montalbano J, Issa

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF K.F.C. OF JOHNSTON, INC. {LC1434/1}

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, FEBRUARY 16, 2005:

**1 2005-H 5234**

**BY Lewiss**

**ENTITLED,** AN ACT RELATING TO THE WATCH HILL FIRE DISTRICT

Committee on Corporations recommends passage.

**2 2005-H 5574**

**BY Sullivan**

**ENTITLED,** HOUSE RESOLUTION MEMORIALIZING CONGRESS ON  
MEDICAID IN THE STATE OF RHODE ISLAND

Ordered on the Calendar

**3 2005-H 5575**

**BY Lewiss**

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

Ordered on the Calendar

**4 2005-H 5576**

**BY Lewiss**

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

Ordered on the Calendar

**IN ORDER FOR THURSDAY, FEBRUARY 17, 2005:**

**1 2005-H 5164 SUB A**

**BY Naughton**

**ENTITLED,** HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2005-2006

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

**2 2005-H 5573**

**BY Landroche**

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

Ordered on the Calendar

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

**Tuesday, February 15, 2005**