

State of Rhode Island and Providence Plantations

Journal of the Senate

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the fifth day of January in the year of Our Lord one thousand nine hundred and ninety-nine.

Volume 126, No. 65

Tuesday, June 15, 1999

Sixty-fifth Day

The Senate meets pursuant to adjournment and is called to order by His Honor, the Lieutenant Governor, Charles J. Fogarty, at 4:39 o'clock P.M.

The roll is called and a quorum is declared present with 49 Senators present and 1 Senator absent as follows:

PRESENT - 49: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Damiani, DaPonte, Doneian, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Gra'iano, Iglizzi, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Cster, Paiva Weed, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ru~gerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

ABSENT - 1: Senator Bates.

INVOCATION

His Honor, the Lieutenant Governor, by unanimous consent, presents Senator Paiva Weed, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

His Honor, the Lieutenant Governor, by unanimous consent, presents Senator Paiva Weed, to lead the Senate in the pledge of allegiance to the flag.

GUESTS

Upon suggestion of Senator Gallo, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Stephen McKenzie, Business Agent, Local Union 17.

Upon suggestion of Senator Goodwin, and by unanimous consent, His Honor, the Lieutenant Governor, welcomes to the Chamber Robert Mancini of the Rhode Island Lottery Commission.

CONGRATULATIONS

Senator Kells extends congratulations to Senator Walaska on the birth of his grandson Robert Carl Baxter, III.

COMMUNICATION

His Honor, the Lieutenant Governor, presents the following communication:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER

June 14, 1999

His Honor, Charles J. Fogarty
Lieutenant Governor
116 State House
Providence, RI 02903

Dear Lt. Governor Fogarty;

Please be advised that I will be absent from the Senate session on Tuesday, June 15, 1999, as I will be out of town. I would appreciate your recording this letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

DAVID E. BATES

Deputy Minority Leader

Received and ordered to be placed on file.

APPROVED BY THE GOVERNOR

His Honor, the Lieutenant Governor, presents an announcement of the receipt by the Secretary of State of the following measures, signed and approved June 10, 1999, by His Excellency, the Governor:

(99-S 1063) An Act relating to finance in the town of Westerly.

(99-S 324) (Substitute "A" as amended) An Act relating to state affairs and government housing resources,

JAMES R. LANGEVIN
Secretary of State

Received and ordered to be placed on file.

APPOINTMENT BY THE GOVERNOR

His Honor, the Lieutenant Governor, presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

June 8, 1999 To the Honorable, the Senate:

I have the honor to inform you that in accordance with the provisions of Section 20-3-1 of the Rhode Island General Laws, I have made the following reappointment to the Marine Fisheries Council:

Ralph Boragine of Charlestown

for a term expiring April 1, 2003.

To this reappointment, I respectfully request your advice and consent.

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE CHAMBER, PROVIDENCE

Lincoln Almond
Governor

June 8, 1999

To the Honorable the Senate:

I have the honor to inform you that in accordance with the provisions of Section 8-16-1 of the Rhode Island General Laws, I have made the following appointment to the Commission on Judicial Tenure and Discipline:

Patrick A. Guida, Esquire of Barrington
VICE
Jerome Balley, Esquire

for a term expiring April 1, 2002.

To this appointment, I respectfully request your advice and consent.

Sincerely,

LINCOLN ALMOND
Governor

Read and referred to the Committee on Judiciary.

FROM THE

HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage:

(99-H 5936) (Substitute "A") An Act relating to taxation - state tax officials.

Read and referred to the Committee on Finance.

Also:

(99-H 6310) (Substitute "A") An Act relating to criminal injuries compensation.

Read and referred to the Committee on Judiciary.

Also:

REPORTS OF COMMITTEES

COMMITTEE ON FINANCE

Senator Lenihan, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

(99-S 535) (Substitute "A" as amended) An Act relating to aeronautics - uniform aeronautical regulatory act.

Read and ordered to be placed on the Calendar.

(99-S 616) An Act relating to health care for children and pregnant women.

Read and ordered to be placed on the Calendar.

(99-S 918) An Act relating to health care.

Read and ordered to be placed on the Calendar.

(99-H 5780) (Substitute "A") An Act relating to the Rhode Island Economic Development Corporation.

Read and ordered to be placed on the Calendar.

(99-H 6098) (Substitute "A") An Act relating to education- School for the Deaf.

Read and ordered to be placed on the Calendar.

(99-H 6128) (Substitute "A") An Act relating to taxation.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

Senator Paiva Weed, from the Committee on Judiciary, reports back, with recommendation of passage of the following measure:

(99-S 301) (Substitute "A" as amended) An Act relating to mortgage loans.

Read and ordered to be placed on the Calendar.

COMMITTEE ON SPECIAL LEGISLATION

Senator Goodwin, from the Committee on Special Legislation, reports back, with recommendation of passage of the following measure:

(99-H 6471) Joint Resolution calling on the General Assembly to meet in Newport at the Old Coloney House on May 4, 2000.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON ACCOUNTS AND CLAIMS

Senator Celona, from the Joint Committee on Accounts and Claims, reports back, with recommendation of passage of the following measure:

(99-S 1058) Joint Resolution making an appropriation to pay certain claims.

Read and ordered to be placed on the desk.

TRANSFER OF BILL

Senator Izzo, from the Committee on Health, Education and Welfare, in accordance with Senate Rule 6.14, moves to transfer the following .bill from the Committee on Health, Education and Welfare to the Committee on Judiciary:

(99-H 6062) An Act relating to education - the Rhode Island substance abuse prevention act.

Read and referred to the Committee on Judiciary.

NEW BUSINESS

The following items are received and referred to committee pending any objection of the body on the next legislative day.

Senators Cote and Badeau present (99-S 1069) An Act relating to school committees and superintendents.

Read and referred to the Committee on Corporations.

Senators Lenihan and Cicilline present (99-S 1070) Senate Resolution creating a permanent standing Senate Committee on Education and Accountability.

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Lenihan, seconded by Senators Kelly, Cote, Damiani, Patterson and others, and by unanimous consent, read and passed, under suspension of the rules, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 45: Senators Algieri, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Connors, Cole, Damiani, DaPonte, DoneIan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglizio, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

Senators Tocco and Iglizio present (99-S 1071) An Act relating to the exemption or stabilizing of taxes on property used for manufacturing or commercial purposes in the town of Johnston.

Senator Tocco requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Tocco, seconded by Senator Iglizio and others, and by unanimous consent, read and passed, under suspension of the rules, upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 47: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Damiani, DaPonte, Doneian, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglizio, Irons, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptal:is, Revens, Roberts, Roney, Ruggerio, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

Senators Kelly and Algieri present (99-S 1072) Senate Resolution extending congratulations.

Senator Kelly requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Kelly, seconded by Senator Algieri, and by unanimous consent, read and passed, under

suspension of the rules, upon a voice vote.

Senators Irons, Coderre, Enos, Kelly, Algieri and others present (99-S 1073) Senate Resolution expressing condolences on the passing of John E. Tabella.

Senator Irons requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Upon motion of Senator Irons, seconded by the entire Senate, and by unanimous consent, read and passed, under suspension of the rules, upon a rising vote.

CALENDAR

In order for the day is taken up as follows:

5. (99-H5421) An Act relating to taxation.

Committee on Corporations recommends passage in concurrence.

Upon suggestion of Senator Enos, and without objection, ordered to be placed on the Calendar for Tuesday, June 22, 1999.

2. (99-S521 as amended) An Act relating to taxation.

Ordered on the Calendar for passage as amended in concurrence.

Senator Irons moves passage, seconded by Senators Connors, Celona, Issa, Badeau and others.

The act is read and passed, as amended, in concurrence, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS 45: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Damiani, DaPonle, DoneJan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Parella, Patlerson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS - 0.

3. (99-S 805) (Substitute "A") An Act relating to labor and labor relations - pipefitters and refrigeration technicians, fire protection sprinkler contractors and journey persons sprinkler fitters and oil heat contractors.

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

Senator Badeau moves passage, seconded by Senators Gallo, DaPonte, Celona, Ruggerio, Irons and others.

Senator Badeau, seconded by Senator McDonald, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(99-S 805) (Substitute "A")

Mr. President:

I hereby move to amend 99 -- S 805 SUBSTITUTE A , entitled "AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PIPEFITTERS AND REFRIGERATION TECHNICIANS, FIRE PROTECTION SPRINKLER CONTRACTORS AND JOURNEYPersons SPRINKLER FITTERS AND OIL HEAT CONTRACTORS", as follows:

1. By deleting all of the language after the enacting clause and by substituting the following language in place thereof:

SECTION 1. Sections 28-27-1, 28-27-1.0, 28-27-11, 28-27-1.2, 28-27-2, 28-27-4, 28-27-4.1, 28-27-4.2, 28-27-4.3, 28-27-5, 28-27-5.1, 28-27-6, 28-27-8, 28-27-9, 28-27-10, 28-27-11, 28-27-12, 28-27-14, 28-27-15, 28-27-17, 28-27-17.2, 28-27-18, 28-27-19, 28-27-20, 28-27-21, 28-27-22, 28-27-28, 28-27-29 and 28-27-30 of the General Laws in Chapter 28-27 entitled "Pipefitters and Refrigeration Technicians, Fire Protection Sprinkler Contractors and Journeypersons Sprinkler Fitters and Oil Heat Contractors" are hereby amended to read as follows:

28-27-1. Purpose. -- This chapter is necessary to protect the life, property, safety, and welfare of the people of Rhode Island and to help in the conservation of our natural resources used to generate energy by the proper installation of all piping systems and/or equipment used in its generation and consumption of energy used for the purpose of all heating , ~~and cooling~~ **and air distribution** systems and fire protection sprinkler systems.

28-27-1.0. Bureau of pipefitters and refrigeration technicians, fire protection sprinkler contractors and journeypersons sprinkler fitters, sheet metal workers and oil heat contractors. ~~DEL~~ {ADD Bureau of pipefitters and refrigeration technicians, fire protection sprinkler contractors and journeypersons sprinkler fitters, sheet metal contractors and journeypersons sheet metal workers and oil heat contractors. -- There shall be in the department of labor and training, a bureau to be known as the bureau of pipefitters and refrigeration technicians, fire protection sprinkler contractors and journeypersons sprinkler fitters, **sheet metal contractors and journey persons sheet metal workers** and oil heat contractors. The bureau, under the direction and supervision of the division of professional regulation, shall advise the division in the proper installation modification and disassembly for reuse of process piping systems used in the conveyance and storage of liquids, solids, and industrial type gases, excluding those systems which are self-contained home appliances and all piping systems specified under the plumbing and fire protection laws, which shall include all potable water supply piping, all **heating, cooling, air distribution and venting systems** , all waste piping, and all disposal type apparatus and systems within the state of Rhode Island and storage of that apparatus and systems as described above; provided, however, that the bureau shall advise the division in the layout, on-site fabrication, installation, alteration, testing, or repair of any automatic or manual sprinkler systems designed for the protection of the interior or exterior of a building or structure from fire, or any piping or tubing and appurtenances and equipment pertaining to such system including overhead and underground water mains, fire hydrants and hydrant mains, standpipes and hose connections to sprinkler systems, sprinkler and tank heaters, excluding electrical wiring, air lines and thermal systems used in connection with sprinkler and alarm systems connected thereto, foam extinguishing systems or special hazard systems including water spray, foam, carbon dioxide or dry chemical systems, halon and other liquid, or gas fire suppression systems, and excluding any engineering design work connected with the layout of fire protection sprinkler systems.

28-27-1.1. Inspection and right of entry. -- (a) The division of professional regulation, department of labor and training, shall have the authority, by its chief administrator or designates upon proper identification and in the performance of his or her duties to enter at any reasonable hour any building, structure, or premises where mechanical piping/refrigeration , **air distribution** or fire protection sprinkler systems work is being performed and which work is governed by the provisions of this chapter to ascertain compliance with this chapter and the rules and regulations of the

division.

(b) If any owner, occupant, or other person refuses, impedes, inhibits, interferes with, restricts, or otherwise obstructs entry and free access to any part of the building, structure, or premises by a duly authorized inspecting official of the division/bureau of pipefitters and refrigeration technicians, the chief administrator may:

- (1) seek from any judge of the district court a search warrant in accordance with chapter 5 of title 12;
- (2) revoke or suspend any license, permit, or other permission regulated by local and state codes, and applicable to this chapter; notwithstanding any other provisions of this chapter;
- (3) seek any other remedy as provided by this chapter.

(c) Any person violating any provisions of this section shall be guilty of a misdemeanor and subject to a fine of not less than one hundred dollars (\$100) and not more than five hundred dollars (\$500) for a first offense, and for a second and subsequent violation of this section be subject to a fine of not less than two hundred fifty dollars (\$250) and not more than eight hundred dollars (\$800). Inspectors hired for the enforcement of this section must be trade licensed as pipefitters/refrigeration technicians, fire protection sprinkler contractors or journeypersons sprinkler fitters, **sheet metal contractors or journeypersons sheet metal workers** other appropriate trade.

28-27-1.2. General license criteria guide. -- The bureau of pipefitters and refrigeration technicians, fire protector sprinkler contractors or journeypersons sprinkler fitters, **sheet metal contractors or journeypersons sheet metal workers** or oil heat contractors shall assist the division of professional regulation of the department of labor and training to establish and from time to time update a preliminary criteria guide for the licensing of those persons regulated by this chapter. This guide shall include but not be limited to the categories or classes of occupation regulated and the requirements for licensing of each category. The guide and any revision shall be filed by the bureau with the office of the secretary of state.

~~**28-27-2. Licensing -- State board of pipefitter and refrigeration fire protection sprinkler contractors and journeypersons sprinkler fitters, and oil heat contractors examiners created -- Chief inspector.**~~ DEL} {ADD
Licensing -- State board of pipefitter and refrigeration fire protection sprinkler contractors and journeypersons sprinkler fitters, sheet metal contractors/journeypersons sheet metal workers and oil heat contractors examiners created -- Chief inspector. -- (a) The division of professional regulation with the assistance of the bureau shall promulgate rules and regulations for the examining and licensing of pipefitter/refrigeration technicians and contractors and fire protection sprinkler contractors/journeypersons sprinkler fitters, **sheet metal contractors/journeypersons sheet metal workers** and oil heat contractors.

(b) (1) A state board of pipefitter/refrigeration and fire protection sprinkler contractors/journeypersons sprinkler fitters, **sheet metal contractors or journeypersons sheet metal workers** and oil heat contractors examiners is hereby created in the department of labor and training whose duty it shall be to advise the division in its area of expertise in promulgating such policy as may be necessary to improve the operations of the division in the area of expertise, and to hold license revocation and violations hearings as described herein. The promulgation of policy shall be subject to the approval of the division.

- (2) The board shall consist of ~~nine (9)~~ **eleven (11)** qualified electors of the state appointed by the governor as follows:
 - (i) One member who shall be a master pipefitter at the time of appointment, having at least ten (10) years in business as a master pipefitting contractor.
 - (ii) One member who shall be a refrigeration/air conditioning master contractor at the time of appointment, having at least ten (10) years in business as a refrigeration/air conditioning master contractor.
 - (iii) One member who has been employed as a pipefitter journeyperson for ten (10) years.
 - (iv) One member who has been employed as a refrigeration/air conditioning journeyperson for ten (10) years.

(v) One member who shall be a fire protection sprinkler systems contractor at the time of appointment, having at least ten (10) years in business as a fire protection sprinkler contractor.

(vi) One member who has been employed as a journeyman sprinkler fitter for ten (10) years.

(vii) One member shall be the state fire marshal or his or her designee.

(viii) Two (2) members to be appointed from a list submitted by the Oil Heat Institute, Inc. and who have been doing business as oil heat contractors for at least ten (10) years.

(ix) One member who shall be a sheet metal contractor at the time of appointment, having at least ten (10) years in business as a sheet metal contractor.

(x) One member who has been employed as a journeyman sheet metal worker for ten (10) years.

(3) Members shall be appointed to serve for three (3) years and their successors shall be appointed for three (3) years.

(4) On the expiration of the term of any master, journeyman, or oil heat contractor member of the board, the governor shall appoint for a term of three (3) years a master, journeyman or oil heat contractor member having the qualifications required by this chapter to take the place of the master, journeyman, or oil heat contractor whose term has expired.

(5) Any vacancy which shall occur for any cause shall be filled by appointment by the governor for the remainder of the unexpired term.

(6) The board shall have an advisory role in the preparation and composition of the license examinations to be administered by the division. Subsequent to the administration of the examinations, the board of examiners shall review the examinations to evaluate their effectiveness.

(c) A chair shall be elected every three (3) years from the members; a majority will constitute a quorum of the full bureau. The chief inspector for the division shall have both a master pipefitter I and master refrigeration I license, with a minimum of five (5) years employment in the state of Rhode Island as a journeyman and five (5) years as a contractor. He or she shall be appointed by the licensing bureau and the position shall be in the classified service at not less than pay grade 231.

~~28-27-4. Master pipefitting contractor, master refrigeration contractor, and master fire protection sprinkler contractor defined.~~ DEL} {ADD Master pipefitting contractor, master refrigeration contractor, master sheet metal contractor and master fire protection sprinkler contractor defined. -- (a) "Master pipefitting contractor" means a person having a regular place of business and who, by him or herself, or a journeyman pipefitter in his or her employ, performs pipefitting work subject to the provisions of this chapter and the rules and regulations and licensing criteria promulgated hereunder.

(b) "Master refrigeration contractor" means a person having a regular place of business and who, by him or herself or a journeyman refrigeration technician in his or her employ, performs refrigeration/air conditioning work.

(c) "Fire protection sprinkler contractor" means a person having a regular place of business and who, by himself or herself or a journeyman sprinkler fitter in his or her employ, performs fire protection sprinkler systems work.

(d) "Master sheet metal contractor" means a person having a regular place of business and who, by him or herself or a journeyman sheet metal worker in his or her employ, performs sheet metal work.

~~28-27-4.2. Journeyman pipefitter and journeyman sprinkler fitter defined.~~ DEL} {ADD Journeyman pipefitter journeyman sprinkler fitter and journeyman sheet metal worker defined. -- (a) "Journeyman pipefitter" means any person who has completed a five (5) year apprentice program and/or has passed a journeyman examination and who by himself or herself does work on pipefitting systems subject to provisions of this chapter. The

rules, regulations, and licensing criteria guide promulgated hereunder referencing Class II limited journey person licenses shall require completion of an accepted formal technical program approved by the department of labor and training.

(b) "Journey person sprinkler fitter" means any person who has completed a four (4) year apprentice program and/or has passed a journey person sprinkler fitter examination and who by himself or herself does work in fire protection sprinkler systems subject to provisions of this chapter and the rules, regulations, and licensing criteria promulgated hereunder.

(c) "Journey person sheet metal worker" means any person who has completed a five (5) year apprentice program and/or has passed a journey person sheet metal worker examination and who by himself or herself does sheet metal work subject to provisions of this chapter and the rules, regulations, and licensing criteria promulgated hereunder.

~~28-27-4.3. Pipefitter apprentice and refrigeration/air conditioning apprentice and journey person sprinkler fitter apprentice defined -- Duration of apprentice programs. DEL~~ **{ADD Pipefitter apprentice and refrigeration/air conditioning apprentice and journey person sprinkler fitter apprentice and journey person sheet metal worker apprentice defined -- Duration of apprentice programs. -- (a) "Pipefitter apprentice" means any person at least eighteen (18) years of age who is learning or working at the business of pipefitting under the direct supervision of a master pipefitter or journey person pipefitter under a registered state sanctioned apprentice program.**

(b) "Refrigeration/air conditioning apprentice" means any person at least eighteen (18) years of age who is learning and working at the business of refrigeration/air conditioning under the direct supervision of a refrigeration/air conditioning master or journey person under a registered state sanctioned apprentice program.

(c) "Journey person sprinkler fitter apprentice" means any person at least eighteen (18) years of age who is learning or working at the business of fire protection sprinkler systems under the direct supervision of a master or journey person sprinkler fitter under a registered state sanctioned apprentice program.

(d) Pipefitter, refrigeration, ~~and~~ sprinkler fitter **and sheet metal worker** apprentice programs are of a five (5) year duration, except as detailed in section 28-27-4.2, for all Class II limited licenses.

(e) "Journey person sheet metal worker apprentice" means any person at least eighteen (18) years of age who is learning or working at the businesses of sheet metal work under the direct supervision of a sheet metal contractor or journey person sheet metal worker under a registered state sanctioned apprentice program.

~~28-27-5. Practices for which master license required DEL~~ **{ADD Practices for which master or contractor license required. -- (a) No person shall engage in this state in the business of pipefitting or refrigeration/air conditioning, or air distribution systems or fire protection sprinkler systems as a master or as an employer of a pipefitter or refrigeration/air conditioning journey person or apprentice, or as a sheet metal contractor or employer of a sheet metal worker journey person or apprentice or as a master or as an employer of a fire protection sprinkler systems contractor or journey person sprinkler fitter or apprentice, or shall enter into contracts or agreements for the installation, maintenance, repair, or servicing of pipefitting or refrigeration/air conditioning, or air distribution systems or fire protection sprinkler work, or shall advertise or represent in any form or matter that he or she is a master or that he or she will install pipefitting or refrigeration/air conditioning, or air distribution systems or perform fire protection sprinkler work, unless that person possesses a valid license issued by the department of labor and training under this chapter. That person shall carry this license on his or her person at all times while so engaged, and shall affix his or her contractor's license number to any contract he or she executes or bid he or she files with any consumer for his or her professional services and to any applicable permit required for the performance of those services.**

(b) A person holding a valid license under this chapter shall not be required to obtain an additional license under this chapter to perform sheet metal work.

28-27-5.1. Practices for which a journey person or apprentice license required. -- (a) No person shall engage to work as a pipefitter or refrigeration/air conditioning sprinkler fitter journey person or apprentice, or journey person sheet metal worker or apprentice or shall advertise or represent in any form or matter that he or she is a journey person

or apprentice unless that person possesses and carries on his or her person at all times while so engaged a valid license issued by the department of labor and training qualifying that person as a journeyman or apprentice.

(b) A person holding a valid license under this chapter shall not be required to obtain an additional license under this chapter to perform sheet metal work.

28-27-6. Corporations and firms engaged in business. -- (a) No corporation, firm, association or partnership shall engage in business, advertise, make application for and take out permits, bid for work, or represent itself as a mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems master or contractor **or sheet metal contractor** unless: (1) a licensed mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems master, **or sheet metal contractor's** as applicable, as provided in this chapter shall be continuously engaged in the supervision of such entity's installation, maintenance, and repair work and such licensed master is an officer of such corporation, a partner in such partnership, or a similarly authorized principal of any such firm, association, or other entity; or (2) such entity shall possess a valid mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems contractor's **or sheet metal contractor** license, as applicable, duly issued by the department of labor and training as further described in subsection (b) of this section.

(b) Upon application of any of the above entities in form and substance prescribed by the department of labor and training, and receipt of the fee for such application and license which shall be equal to the fee for a mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems master, **or sheet metal contractor** license as described in section 28-27-17, as the same may be amended from time to time, the department of labor and training shall issue the applicant entity a license as a mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems contractor, as applicable. Such contractor's license shall specify the name of the entity holding the license and shall state that such license holder shall: (i) have a licensed mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems contractor master, as such term is defined in section 28-27-6.3, who shall be continuously engaged in the supervision of such entity's installation, maintenance, and repair work, and who shall be an officer of such corporation, a partner in such partnership, or a similarly authorized principal of any such firm, association, or other entity; or (ii) continuously employ at all times while holding such license a duly licensed mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems master, as applicable, as provided in this chapter, who shall be continuously engaged in the supervision of such entity's installation, maintenance, and repair work. The contractor's license shall entitle the entity holding the same to engage in business, advertise, bid for work, or represent itself as a mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems master or a mechanical contractor, pipefitter, refrigeration-air conditioning, fire protection sprinkler systems contractor and shall also entitle such entity to make application for and take out permits through its duly authorized officer or similarly authorized principal as well as through the duly licensed contractor master as described above or the duly licensed master continuously employed by such entity as stated above, as the case may be. Such contractor's license shall not, however, in and of itself permit a principal, officer, employee, or agent of the entity holding such license to individually engage in installation, maintenance, or repair work as described above unless such principal, officer, employee, or agent is individually licensed so to do.

(c) Any work engaged in, advertised for, applied for by permit, bid for, or represented to be permissible, shall be solely of the type for which the licensed master or contract master who serves as an officer or similarly authorized principal of the entity or who, in the case of a licensed master, is continuously employed by the entity holding a contractor's license, is duly licensed to perform.

(d) Any licensed master or contractor master who serves as an officer or similarly authorized principal of such an entity or who, in the case of a licensed master, is continuously employed by an entity holding a contractor's license, shall represent the interests of one such entity and only one such entity at any given time as described above.

(e) In the event that the licensed master or contractor master described above shall cease to be an officer or similarly authorized principal of one of the entities described above or, in the case of a licensed master, shall cease to be continuously employed by an entity holding a contractor's license for any reason whatsoever, such entity shall provide written notice of the same to the department of labor and training no more than fourteen (14) days after the effective date of occurrence of the cessation. Any entity so affected shall provide written notice to the department of labor and

training specifying the licensed master or contractor master who shall replace the departed licensed master or contractor master, as applicable, referenced above no more than forty-five (45) days after the effective date of occurrence of such cessation.

(f) No corporation, firm, association, partnership, or other entity which engages in, offers to engage in, or represents that it engages in pipefitting, refrigeration-air conditioning, fire protection sprinkler systems installation, maintenance, or repair work in the state of Rhode Island shall be permitted to incorporate, form, qualify to do business, or otherwise register with the Rhode Island secretary of state's office until and unless that office shall have first received a written confirmation from the department of labor and training that all requisite licenses to be issued by the department of labor and training have been so issued and remain in good standing.

(g) Any willful violation of this section shall be grounds for revocation of license as further described in section 28-27-21.

28-27-8. Duties of director. -- The director of the department of labor and training of the state of Rhode Island shall:

(1) Prepare license certificates and issue the same in conformity with this chapter;

(2) Maintain an up-to-date record specifying the name and address of licensed pipefitters or refrigeration/air conditioning or fire protection sprinkler contractors and sprinkler fitters masters ~~and~~, journeypersons **and sheet metal contractors and journeypersons sheet metal workers** of this state. These records shall show dates of issuance of licenses and be open to public inspection. These records shall also show dates of filing of complaints and the nature of the complaints for revocation of license and the date of, as well as the final order upon, those complaints;

(3) Prescribe standards for what shall constitute a recognized college or university, and to determine the conformance to the standards;

(4) Prepare monthly a full and complete statement of all receipts derived under this chapter and turn over to the general treasurer all money in possession in the department.

28-27-9. Application for license. -- Any applicant for a license as pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor **or sheet metal contractor or journeyperson sheet metal worker** or sprinkler fitter master or journeyperson in the state shall present his or her application to the department on the printed form provided therefor.

~~**28-27-10. License of pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor or sheet metal contractor or sprinkler fitter master -- Test fee -- License fee -- Qualifications -- Filing deadline-DEL}**~~
{ADD License of pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor or sheet metal contractor or sheet metal contractor or sprinkler fitter master -- Test fee -- License fee -- Qualifications -- Filing deadline. -- (a) No application for a license of a pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor **or sheet metal contractor** or sprinkler fitter master shall be filed by the department nor shall any applicant be permitted to take the examination for a license as a pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor **or sheet metal contractor** or sprinkler fitter master unless:

(1) The test application is accompanied by a test fee as outlined in section 28-27-17.

(2) Upon passing of a master test, **or contractor test for sheet metal contractor applicants** payment of a license fee as outlined in section 28-27-17 is required and the master license will be issued as provided in section 28-27-15.

(3) The applicant shall possess a certificate of license in full force and effect from the department of labor and training of the state of Rhode Island specifying that person as a journeyperson licensed as such for a minimum of one year or the application is accompanied by an affidavit or other reasonably satisfactory evidence showing that the laws of another state specifying that person as a pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor **or sheet metal contractor** or sprinkler fitter master.

(b) Applications must be filed with the department at least fifteen (15) days prior to the examination date.

28-27-11. Journeyman license -- Test fees -- License fees and qualifications -- Filing deadline for

journeyman. -- (a) No application for a journeyman's test shall be filed by the department nor shall any applicant be permitted to take the examination for a license as a journeyman unless:

(1) The test application is accompanied by a test fee as outlined in section 28-27-17.

(2) Upon passing of a journeyman test, payment of a license fee as outlined in section 28-27-17 is required and the journeyman license will be issued as provided in section 28-27-15.

(3) The applicant shall have possessed for at least five (5) years prior to the filing of the application a certificate of registration in full force and effect from the department of labor and training of the state of Rhode Island specifying the person as a registered apprentice, and the application of an applicant is accompanied by an affidavit or affidavits of his or her employer or former employers or other reasonably satisfactory evidence showing that the applicant has been actually engaged in pipefitting or refrigeration/air conditioning , **sheet metal** or fire protection sprinkler systems work as an apprentice in the state of Rhode Island during those five (5) years, or the application is accompanied by an affidavit or other reasonably satisfactory evidence showing that the applicant has been registered as a student in a recognized college, university, or trade school and has pursued a course of pipefitting or refrigeration/air , **sheet metal** conditioning or fire protection sprinkler systems for at least two (2) academic years or is the recipient of an associate degree in pipefitting or refrigeration/air conditioning or fire protection sprinkler systems, and has thereafter been registered by the department of labor and training as an apprentice for at least three (3) years and employed as a registered apprentice by a duly licensed pipefitter or refrigeration/air conditioning or fire protection sprinkler systems master or **sheet metal contractors** in this state for a period of three (3) years, or the application is accompanied by an affidavit or other reasonably satisfactory evidence showing that the applicant possesses a certificate of license issued under the laws of another state specifying such person as a journeyman.

(4) The licensing authority may grant an exemption to the requirements of subsection (3) above on the basis of past experience.

(b) The test application is to be filed with the department at least fifteen (15) days prior to the examination date.

28-27-12. ~~Pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master's bond.~~ DEL} {ADD Pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master's sheet metal contractors bond. -- Every person making application for a certificate of license to carry on the business of pipefitter or refrigeration/air conditioning or fire protection sprinkler systems **or sheet metal work** shall furnish a bond in the sum of three thousand dollars (\$3,000) with one or more securities satisfactory to the department of labor and training conditioned substantially that the applicant shall indemnify and save harmless the cities and towns of this state and the officers thereof from all suits and acts of every name and description brought against any of those cities and towns and officers thereof for or on account of any injuries or damage thereof sustained by any person in consequence of or resulting from any work performed by the applicant or his or her agents or from any improper materials used in their work or of or from any act or omission of the applicant or his or her agents, that the applicant shall faithfully perform his or her work, and that the applicant shall comply in all respects with rules and regulations established by those cities and towns relating to his or her work and also pay all fines imposed upon him or her or his or her agents for violations of those rules and regulations.

28-27-14. Examination of applications. -- The department shall provide and conduct examinations three (3) times each year of applicants who have had their application for a pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master or journeyman **or sheet metal contractor or journeyman sheet metal worker** placed on file with the department. All examinations shall be conducted by the division of professional regulation of the department of labor and training with the aid and cooperation of the board of examiners and shall be conducted at places designated by the department within the state consistent with the reasonable convenience of the applicant. All test materials shall be preserved for three (3) months after the date of the test.

28-27-15. Issuance of licensing following examination. -- The director of labor and training shall allow or deny

applications for master **or contractors'** or journeyperson's license upon the recommendation of the division as soon after the examination as practicable. Each applicant who has successfully passed the examination and has had his or her application allowed shall be issued a certificate of license in the category tested for as a pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master or journeyperson **or sheet metal contractor or journeyperson sheet metal worker** by the division on payment of the proper fee.

28-27-17. Test fees -- License fees -- Expiration and renewal of licenses. -- (a) All licenses issued to the pipefitters/refrigeration technicians and fire protection sprinkler contractor/sprinkler fitters **and sheet metal contractor or journeyperson sheet metal worker** detailed below shall be paid for as follows: TEST LICENSE RENEWAL
 Master Mechanical Contractor - 100.00 100.00 Pipefitter Master I 30.00 100.00 100.00 Pipefitter Master II 30.00 40.00 40.00 Refrigeration Master I 30.00 100.00 100.00 Refrigeration Master II 30.00 40.00 40.00 Pipefitter Journeyperson I 30.00 30.00 30.00 Pipefitter Journeyperson II 30.00 25.00 25.00 Refrigeration Journeyperson I 30.00 30.00 30.00 Refrigeration Journeyperson II 30.00 25.00 25.00 Apprentices Fire Protection Sprinkler - 20.00 20.00 Fitters Master I Fire Protection Sprinkler 30.00 100.00 100.00 Fitters Journeyperson I 30.00 30.00 30.00

Sheet Metal Contractor 30.00 100.00 100.00

Sheet Metal Worker Journeyperson 30.00 30.00 30.00 (b) Every license issued by the division of professional regulation shall be renewable on the licensee's birthdate. If any credit is due in the initial changeover year the amount of credit shall be determined by the chief administrator of the division.

28-27-17.1. Failure to renew license. -- Any licensed master, **contractor** journeyperson, or apprentice who does not renew his or her license on or before his or her birthdate shall be required to pay a ten dollar (\$10.00) per month administrative assessment fee for the first two (2) years of delinquency, plus outstanding license fees. If a license is not renewed within two (2) years of its expiration it shall result in a forfeiture of the license, notwithstanding any other provisions of this chapter. In the case of forfeiture, a license may only be reinstated by the person taking a test for a new license.

28-27-17.2. Certificates expiring while licensee is in federal service. -- Any pipefitter, refrigeration, ~~or~~ sprinkler fitter **or sheet metal worker** license expiring while the holder thereof is in the military, naval, or air service of the United States shall be renewed without further examination, upon payment of the prescribed fee, at any time within four (4) months after that person's discharge from the service.

28-27-18. Registration of apprentices. -- (a) Any person who has agreed to work five (5) years under the supervision of a licensed pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master **or sheet metal contractor** under a state sanctioned apprenticeship program shall be registered by the director of labor and training upon the payment of a twenty dollar (\$20.00) annual fee and be issued a certificate of apprenticeship. A renewal certificate shall also be issued for twenty dollars (\$20.00) for each succeeding twelve (12) month period.

(b) The minimum formal training period for a P.J.F. limited class II license shall be two hundred twenty (220) hours of classroom and/or laboratory technical training, approved by the department of labor and training. The fee schedules for the P.J.F. limited license are detailed in section 28-27-5.2. All other sections of this chapter shall remain in full force and effect.

28-27-19. License displayed in place of business. -- In every place in this state within and from which a pipefitter or refrigeration/air conditioning or fire protection sprinkler systems **or air distribution** business is conducted as specified for a pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master **or sheet metal contractor** there shall be at all times a certificate of license as provided in this chapter. The certificate shall contain the name, address, social security number, state license number, classification, and limitations, if any, on the license. All vehicles used in those businesses shall be identified as being regulated by the bureau and will display an approved decal with similar information.

28-27-20. Municipal inspections and installation permits. -- Nothing in this chapter shall prohibit any city or town from providing for a pipefitter or refrigeration/air conditioning or fire protection sprinkler systems **or air distribution systems** inspection or from requiring permits for the installation, maintenance, repair and servicing of pipefitting or

refrigeration/air conditioning or fire protection sprinkler systems **or air distribution systems** and collecting fees thereof. Whenever a permit is required under the provisions of this section, a condition of its issuance shall be that the contractor's license number be first affixed thereon.

28-27-21. Grounds for revocation of license. -- The director of labor and training shall revoke or suspend the license or impose a fine on any pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master or journeyman **or sheet metal contractor or journeyman sheet metal worker** after hearing before and recommendation of the board, when the weight of the evidence establishes any one or more of the following specific violations:

- (1) By having obtained or conspired with others to obtain a license by inducing the issuance of that license in consideration of the payment of money, or any other thing of value, or by and through a willful or fraudulent misrepresentation of facts or the procurement thereof.
- (2) Willful violation of any ordinances or rules of any cities or towns or of any laws in this state regulating the conduct of pipefitting or refrigeration/air conditioning or fire protection sprinkler systems **or air distribution systems** work.
- (3) On account of knowingly hiring, directly aiding or assisting any person to engage in the work specified for a pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master or journeyman **or sheet metal contractor or journeyman sheet metal worker** when that person does not have a license as provided in this chapter.
- (4) Because of any pipefitter or refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master or journeyman **or sheet metal contractor or journeyman sheet metal worker** willfully and fraudulently loaning his or her license to any other person for the purpose of permitting that person to engage in any work in violation of this chapter.
- (5) In the event any licensee as provided in this chapter shall be convicted of a felony.
- (6) On account of any willful violation of any of the provisions of this chapter including the rules, regulations, and licensing criteria guide promulgated hereunder.

28-27-22. Procedure for revocation of license. -- (a) No proceedings to revoke a license as provided in this section shall be instituted unless filed with the department of labor and training within one year after the date or dates of violation(s).

(b) No license shall be revoked or canceled until a full and impartial hearing as provided in this section.

(c) No hearing for the purpose of revoking any license of master **or contractor** or journeyman shall be held unless there is first placed on file with the department a verified complaint in writing reciting therein with reasonable particularity a statement of facts which if proved would be sufficient to constitute a violation of one or more of the specifications as set forth in section 28-27-21.

(d) Upon the filing of a verified complaint as provided herein, the department shall promptly set a date for the hearing of the charges which shall be held in the city of Providence in this state. The department shall promptly by registered, certified mail forward to the licensee charged in the complaint a true and honest copy of the complaint and notification of the time and place a hearing of the charges shall be held.

(e) At the time and place fixed in the notification, the department shall proceed to a hearing before the board of the charges specified in the complaint. No hearing upon the charges of the complaint shall be had unless the records of the department contain evidence that the licensee charged in the complaint has been served with a copy of the complaint and notification of at least twenty (20) days prior to the date of the hearing; provided, that the appearance of the licensee so charged, either in his or her own behalf or by counsel, shall constitute proof that sufficient notice of hearing was served.

(f) A complaining party by him or herself or by counsel may aid in the presentation of evidence toward sustaining the complaint. Ample opportunity shall be accorded for hearing all evidence and statement of counsel either in support or against the charges of the complaint. Upon good cause shown, the date of the hearing on the complaint may be continued; provided that the licensee and other interested parties shall be reasonably notified about the date of the continuance.

28-27-28. Practices for which a license is required. -- (a) A license is required for the installation, repair, replacement, servicing, maintenance, and alteration of: (1) Any devices or accessories for what is normally considered heating/cooling equipment, **air distribution equipment, duct work, process piping, and power piping** within the pipefitting **or sheet metal** trades and with no reference to the plumbing or fire protection industry.

(2) Vacuum and pneumatic systems, oil and petroleum products, ice making machinery, refrigeration and air conditioning equipment, and piping systems used for the conveyance and storage of liquids, solids, and industrial type gases as per section 28-27-1, and vacuum piping used for domestic vacuum cleaning systems and natural or manufactured gas piping used for emergency electric generators. Heating piping system does not mean or include, and nothing in the regulation shall be held or construed to have any application to, the installation or servicing as detailed of factory manufactured domestic plug-in units or other package assemblies not requiring special wiring over and above the normal #5 AWG wire used in domestic 220 volt household duplex receptacles for 16 AMP branch circuits with two (2) or three (3) outlets, field hook up or checking by qualified licensed pipefitters/refrigeration technicians. Servicing as defined for these units shall mean the seasonal filter changes or general cleaning, and be made obvious to the consumer by clearly printing on the work order or bills that the consumer is not paying for state licensed and bonded refrigeration technicians who do mechanical service work. Commercial applications of domestic units shall be regulated pursuant to section 28-27-1.

(b) A license is required for the installation, repair, replacement, alteration, or maintenance of fire protection apparatus within a structure, except for standpipes which are not connected to sprinkler systems, including the layout, onsite fabrication, installation, alteration, or repair of any automatic or manual sprinkler system designed for the protection of the interior or exterior of a building or structure from fire, or any piping or tubing and appurtenances and equipment pertaining to the system including overhead and underground water mains, fire hydrants and hydrant mains, standpipes and hose connections to sprinkler systems, sprinkler tank heaters excluding electrical wiring, air lines and thermal systems used in connection with sprinkler and alarm systems, or special hazard systems including water sprays, foam, carbon dioxide or dry chemical systems, halon and other liquid or gas fire suppression systems, and excluding any engineering design work connected with the layout of fire protection sprinkler systems.

28-27-29. Persons and acts exempt. -- (a) The provisions of this chapter shall not apply to persons classified as maintenance personnel regularly in the employ of a public utility company doing utility company work, hospitals, schools, city, town or state employees regularly employed as maintenance personnel on the premises of the employer, and to any person employed in a plant maintenance department.

(b) Maintenance shall be confined to the specific premise and shall be defined as preserving or repairing anything that exists, and can be maintained by persons regularly employed within a specific building or complex. Normally, city or town permits are not required for this work, nor is a state pipefitters/refrigeration **or sheet metal workers** license.

(c) Service work shall be defined as work performed by state licensed qualified tradespersons or pipefitters/refrigeration mechanics **or sheet metal workers** .

(d) Installation or new construction shall be defined as the modification, altering, or installation of any piping/refrigeration **or air distribution** systems, or components thereof (i.e., boilers, pumps, compressors, circulators, fans, and coils). This work requires state licensed pipefitter/refrigeration workers **or sheet metal workers** and city and town or state mechanical permits. If boiler installation is over two hundred thousand (200,000) BTU's on commercial work, a state boiler permit from occupational safety is required.

28-27-30. Enforcement procedures. -- Violations of this chapter may be enjoined upon bill of complaint being filed in the superior court for the county in which those violations have been committed by the department of labor and training or by any association of pipefitter or refrigeration/air conditioning masters or journeypersons, licensed pipefitter or

refrigeration/air condition masters or journey person, **or association of sheet metal contractors or journey person sheet metal workers, licensed sheet metal contractor or journey person sheet metal worker** or by any inspector. Injunctions may be granted by the superior court after hearing in open court against any person, firm, corporation, or association which has violated any of the provisions of this chapter, without regard to whether proceedings have been or may have been instituted before the department. No ex parte restraining orders shall be issued in suits brought pursuant to this section. Violators may also be ordered to pay the complaint's reasonable attorney's fees.

SECTION 2. This act shall take effect upon passage.

Respectfully submitted,

ROGER R. BADEAU
Senator, District 32

The motion to amend prevails upon a roll call vote with 40 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 40; Senators Algieri, Alves, Badeau, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, DaPonte, Enos, Felag, Flynn, Fogarty, GalJo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, McBurney, McCaffrey, McDonald, Oster, Parella, Patterson, Perry, Raptakis, Revens, Rugerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

Senators Blais and Badeau discuss the act.

Upon motion of Senator Badeau, seconded by Senator Gallo, the bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 45 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 46; Senators Alflere, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Damiani, DaPonte, DoneJan, Enos, Felag, Fogarty, GalJo, Gibbs, Goodwin, Graziano, Igliazzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggeno, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.

NAYS -0.

4. (99-S1047) An Act relating to workers' compensation.

Committee on Labor recommends passage.

Senator Badeau moves passage, seconded by Senators McDonald and Tocco.

Senator Badeau, seconded by Senators Ruggiero and McDonald, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(99-S 1047)

Mr. President:

I hereby move to amend (99-S 1047) entitled "AN ACT RELATING TO WORKERS' COMPENSATION", as follows:

1. On page 8, line 25, by deleting the word "section" after the number 5 and by adding the word and numbers "Sections 28-29-2 and".

2. On page 8 line 26 by deleting the word "is" and adding the word are

3. On page 8 between lines 26 and 27 by adding the following language: 28-29-2. Definitions. ~~[Effective January 1, 1999]. - In chapters 29 - 38 of this title, unless the context otherwise requires:-~~

~~(1) "Department" means the department of labor and training.-~~

~~(2) "Director" means the director of labor and training or his or her designee unless specifically stated otherwise.-~~

~~(3) (i) "Earnings capacity" means the weekly straight time earnings which an employee could receive if the employee accepted an actual offer of suitable alternative employment. Earnings capacity can also be established by the court based on evidence of ability to earn, including, but not limited to, a determination of the degree of functional impairment and/or disability, that an employee is capable of employment. The court may, in its discretion, take into consideration the performance of the employee's duty to actively seek employment in scheduling the implementation of the reduction. The employer need not identify particular employment before the court can direct an earnings capacity adjustment.-~~

~~In the event that an employee returns to light duty employment while partially disabled, an earnings capacity shall not be set based upon actual wages earned until the employee has successfully worked at light duty for a period of at least thirteen (13) weeks.-~~

~~(ii) As used under the provisions of this title, the term "Functional impairment" means an anatomical or functional abnormality existing after the date of maximum medical improvement as determined by a medically or scientifically demonstrable finding and based upon the most recent edition of the American Medical Association's Guide to the Evaluation of Permanent Impairment or comparable publications of the American Medical Association.-~~

~~(iii) In the event that an employee returns to employment at an average weekly wage equal to the employee's pre-injury earnings exclusive of overtime, the employee will be presumed to have regained his/her earning capacity.-~~

~~(4) "Employee" means any person who has entered into the employment of or works under contract of service or apprenticeship with any employer, except that in the case of a city or town other than the city of Providence it shall only mean that class or those classes of employees as may be designated by a city, town, or regional school district in manner herein provided to receive compensation under chapters 29 - 38 of this title. It shall not include any partner, sole proprietor, or the president, one vice president, secretary and/or treasurer of a corporation, or a person whose employment is of a casual nature, and who is employed otherwise than for the purpose of the employer's trade or business, or a person whose services are voluntary or who performs charitable acts, nor shall it include the members of the regularly organized fire and police departments of any town or city; and whenever a contractor has contracted with the state, a city, town, or regional school district any person employed by that contractor in work under contract shall not be deemed an employee of the state, city, town, or regional school district as the case may be. Any person who on or after January 1, 1000 is an employee and becomes a corporate officer shall remain an employee. for purposes of these chapters unless and until coverage under this act is waived pursuant to 28-20-8(b). In the case of a person whose services are voluntary or who performs charitable acts, any benefit received, in the form of monetary remuneration or otherwise, shall be reportable to the appropriate taxation authority but shall not be deemed to be wages earned under contract of hire for purposes of qualifying for benefits under chapters 29 - 38 of this title. Any reference to an employee who had been injured shall, where the employee is dead, include a reference to his or her dependents as hereinafter defined, or to his or her legal representatives, or, where he or she is a minor or incompetent, to his or her conservator or guardian. A "Seasonal occupation" means those occupations in which work is performed on a seasonal basis of not more~~

~~than sixteen (16) weeks.~~

~~(5) "Employer" shall include any person, copartnership, corporation, or voluntary association, and the legal representative of a deceased employer; it shall include the state, and the city of Providence. It shall include also each city, town, and regional school district therein that shall vote or accept the provisions of chapters 29 - 38 of this title in the manner herein provided.~~

~~(6) "General or special employer":-~~

~~(i) A general employer shall include but shall not be limited to temporary help companies and employee leasing companies and shall mean a person who for consideration and as the regular course of its business supplies an employee with or without vehicle to another person.~~

~~(ii) A special employer shall mean a person who contracts for services with a general employer for the use of an employee, a vehicle, or both.~~

~~(iii) Whenever there be a general employer and special employer wherein the general employer supplies to the special employer an employee and the general employer pays or is obligated to pay the wages or salaries of the supplied employee, then and in that event, notwithstanding the fact that direction and control shall be in the special employer and not the general employer, the general employer, if it be subject to the provisions of the Workers' Compensation Act or has accepted that Act, shall be deemed to be the employer as set forth in subdivision (5) and both the general and special employer shall be the employer for purposes of sections 28-29-17 and 28-29-18.~~

~~(7) (i) "Injury" means and refers to personal injury to an employee arising out of and in the course of his or her employment connected therewith and referable thereto.~~

~~(ii) An injury to an employee while voluntarily participating in a private, group, or employer sponsored carpool, vanpool, commuter bus service, or other rideshare program, having as its sole purpose the mass transportation of employees to and from work shall not be deemed to have arisen out of and in the course of employment. Nothing in the foregoing shall be held to deny benefits under chapters 29 38 and chapter 47 of this title to employees such as drivers, mechanics, and others who receive remuneration for their participation in the rideshare program. Provided, however, that the foregoing shall not bar the right of an employee to recover against an employer and/or driver for tortious misconduct.~~

~~(8) "Maximum medical improvement" means a point in time when any medically determinable physical or mental impairment as a result of injury has become stable and when no further treatment is reasonably expected to materially improve the condition. Neither the need for future medical maintenance nor the possibility of improvement or deterioration resulting from the passage of time and not from the ordinary course of the disabling condition, nor the continuation of a pre-existing condition shall preclude a finding of maximum medical improvement. A finding of maximum medical improvement by the workers' compensation court may be reviewed only where it is established that an employee's condition has substantially deteriorated or improved.~~

~~(9) "Physician" shall mean medical doctor, surgeon, dentist, licensed psychologist, chiropractor, osteopath, podiatrist, and optometrist, as the case may be.~~

~~(10) "Suitable alternative employment" means employment or an actual offer of employment which the employee is physically able to perform and will not exacerbate the employee's health condition and which bears a reasonable relationship to the employee's qualifications, background, education, and training. The employee's age alone shall not be considered in determining the suitability of the alternative employment.~~

Respectfully submitted,

ROGER R. BADEAU
Senator, District 32

~~Senator Badeau, seconded by Senators Ruggerio and McDonald, offers an oral motion to amend the amendment.~~

~~The motion to amend the amendment prevails upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:-~~

~~**YEAS - 44:** Senators Algierre, Alves, Eadeau, Ercene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Damiani, DaPonte, DoneJan, Enos, Felag, Flynn, Fogarty, GalJo, Gibbs, Goodwin, Graziano, IgJiozzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.~~

~~**NAYS - 0.**~~

~~Senator Badeau, seconded by Senator Ruggerio, moves the amendment as amended.~~

~~The motion to amend prevails upon a roll call vote with 42 Senators voting in the affirmative and 0 Senators voting in the negative as follows:-~~

~~**YEAS 42:** Senators Afflere, Badeau, Blais, Breene, Caprio, Celona, Coderre, Connors, Cole, Damiani, DaPonte, DoneJan, Enos, Felag, Flynn, Fogarty, GalJo, Gibbs, Goodwin, Graziano, IgJiozzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptakis, Revens, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh.~~

~~**NAYS - 0.**~~

~~Senators Sasso and Badeau discuss the act.~~

~~Upon motion of Senator Badeau, seconded by Senator Ruggerio, read and passed, as amended, by unanimous consent, upon a roll call vote with 44 Senators voting in the affirmative and 0 Senators voting in the negative as follows:-~~

~~**YEAS - 44:** Senators Algierre, Badeau, Blais, Breene, Caprio, Celona, Coderre, Connors, Cole, Damiani, DaPonte, DoneJan, Enos, Felag, Flynn, Fogarty, GalJo, Gibbs, Goodwin, Graziano, IgJiozzi, Irons, Issa, Izzo, Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.~~

~~**NAYS - 0.**~~

~~**6. (99-H 6247) An Act relating to taxation - collection of taxes generally.**~~

~~Committee on Corporations recommends passage in concurrence.~~

~~Upon suggestion of Senator Irons, and without objection, ordered to be placed at the bottom of the Calendar.~~

~~**7. (99-H6089) An Act relating to towns and cities - town housing authority.**~~

~~Committee on Corporations recommends passage in concurrence.~~

~~Senator Irons moves passage, seconded by Senators Damiani and Oster.~~

~~The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:-~~

~~**YEAS - 46:** Senators Algierre, Alves, Padeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Da'ciani, DaPonte, DoneJan, Enos, Felag, Flynn, Fogarty, GalJo, Gibbs, Goodwin, Graziano, IgJiozzi, Irons, Issa, Izzo,~~

~~Kells, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.~~

~~NAYS -0-~~

~~8. (99-H5347) An Act relating to deceptive trade practices- appliances.~~

~~Committee on Corporations recommends passage in concurrence. Senator Irons moves passage, seconded by Senators Oster, Graziano, Celona and Iglizzi.~~

~~The act is read and passed, in concurrence, by unanimous consent, upon a roll call vote with 46 Senators voting in the affirmative and 0 Senators voting in the negative as follows:~~

~~YEAS - 46: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Damiani, DaPonte, Donegan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.~~

~~NAYS -0-~~

~~9. (99-H5270) (Substitute "A" as amended) An Act relating to labor and labor relations -parental and family medical leave.~~

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

~~Senator Badeau moves passage, seconded by Senators Graziano, Tocco, Roberts and others.~~

~~The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:~~

~~YEAS - 47: Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Damiani, DaPonte, Donegan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.~~

~~NAYS -0-~~

~~10. (99-H5322) (Substitute "A" as amended) An Act relating to minimum wages.~~

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

~~Senator Badeau moves passage, seconded by Senators Walton, Tocco, Oster, Cicilline and Roney.~~

~~The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 48 Senators voting in the affirmative and 0 Senators voting in the negative as follows:~~

~~YEAS - 48: Senators Alfieri, Alves, Badeau, Blais, Breene, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Damiani, DaPonte, Donegan, Enos, Felag, Flynn, Fogarty, Gallo, Gibbs, Goodwin, Graziano, Iglizzi, Irons, Issa, Izzo, Kelly, Lenihan, McBurney, McCaffrey, McDonald, Montalbano, Oster, Parella, Patterson, Perry, Raptakis, Revens, Roberts, Roney, Ruggerio, Sasso, Sosnowski, Tocco, Walaska, Walsh, Walton.~~

~~NAYS -0-~~

~~1. (99-S480) (Substitute "A") An Act relating to human services.~~

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

~~Senator Perry moves passage, seconded by Senator Kelly and many others.~~

~~The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 47 Senators voting in the affirmative and 0 Senators voting in the negative as follows:~~

~~YEAS - 47: Senators AJ-ere, Alves, Badeau, Blais, Breenc, Caprio, Celona, Cicilline, Coderre, Connors, Cole, Da'niani, DaPonte, Donelan, Enos, Felag, Flynn, Fogarty, GalJo, Gibbs, Goodwin, Graziano, Igliazzi, Issa, Izzo, Kells, Kelly, Lenihan, McBurney, McCaffrey, M'Donald, Montalbano, Osler,~~

~~Also: PareJia, Patlerson, Perry, RaplaJ::is, Revens, Roberts, Roney, Ru-erio, Sasso, SosnowsJ:i, Tocco, WalasJ:a, Walsh, Walton.~~

~~NAYS -0-~~

~~Upon suggestion of Senator Enos, and without objection, the remainder of the Calendar is deferred to tomorrow.~~

CONGRATULATIONS

~~Senator Kelly extends congratulations to all involved in the success of the Martin Luther King Golf Tournament held yesterday that raised of \$80,000 for college scholarships. Senator Kelly especially recognizes Senator Walton and Joseph Brady, Senate Chief of Staff, for their special efforts over the years.~~

~~Senator Walton extends congratulations to Joseph Brady on receiving the 1st Annual Martin Luther King Golf Tournament Keeper of the Dream Ward for his longtime dedication to this very special cause.~~

TRANSMITTAL

~~By unanimous consent, (99-H 6089), all Senate matters and all House matters that have been amended by the Senate and bill not previously requested to be held, are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.~~

ANNOUNCEMENTS

~~Senator Lenihan announces that the Committee on Finance will meet today at the rise of the Senate in Room 211 of the State House.~~

~~Also:~~

~~Senator Izzo announces that the Committee on Health, Education and Welfare will meet on Wednesday, June 16, 1999, at 3:00 o'clock P.M. in Room 211 of the State House.~~

~~Senator Goodwin announces that the Committee on Special Legislation will meet on Wednesday, June 16, 1999, at 3:00~~

~~o'clock P.M. in the Senate Lounge of the State House.~~

CONGRATULATIONS

~~Senator Coderre extends congratulations to David Noble on receiving an award from Ocean State Action.~~

RECESS

~~Upon suggestion of Senator Kelly, and by unanimous consent, the Senate stands at recess at 5:07 o'clock P.M. until the call of the chair.~~

CALLED TO ORDER

~~The Senate is called to order at 4:21 o'clock P.M. on Wednesday, June 16, 1999.~~

REPORT OF COMMITTEE

COMMITTEE ON FINANCE

~~Senator Lenihan, from the Committee on Finance, reports back, with recommendation of passage of the following measures:
(99-H 6167) (Substitute "A" as amended) An Act making appropriations for the support of the state for the fiscal year ending June 30, 2000.~~

~~Read and ordered to be placed on the Calendar.~~

ADJOURNMENT

~~Upon motion of Senator Enos, seconded by Senator Blais, the Senate adjourns at 4:21 o'clock P.M.~~

~~RAYMOND T. HOYAS, JR.
Clerk of the Senate~~

Appendix

INVOCATION

~~SENATOR J'L. TERESA PAIVA WEED~~

~~Oh, God, Our Father, we thank you for every day You have given us life. Give us grace, wisdom, and strength for all the days and for every experience.~~

Appendix

CONSENT CALENDAR

~~In order for Wednesday, June 16, 1999:~~

~~1. Appointment of Christian L. Stephens of Woonsocket (Non-Profit Development Corporation) to the Rhode Island Housing Resources Act for a term expiring January 31, 2001.~~

~~Committee on Judiciary recommends that the Senate give its Advice and Consent to this appointment.~~

~~2. Appointment of Thomas J. Lynch of Narragansett (Representing the State Building Codes Commission) VICE Joseph Walsh to the Board of Examination and Licensing of Telecommunication Systems Contractors, Technicians, and Installers for a term expiring August 1, 2003.~~

~~Committee on Judiciary recommends that the Senate give its Advice and Consent to this appointment.~~

~~3. (99-S933) Senate Resolution opposing the creation of an international criminal court.~~

~~Committee on Judiciary recommends passage.~~

~~4. (99-H6471) Joint Resolution calling on the General Assembly to meet in Newport at the Old Colony House on May 4, 2000.~~

~~Committee on Special Legislation recommends passage in concurrence.~~

~~RAYMOND T. HOYAS, JR.~~

~~Clerk of the Senate~~

~~Tuesday, June 15, 1999~~

Appendix

CALENDAR

~~In order for Wednesday, June 16, 1999:~~

~~1. (99-S 767) (Substitute "A") An Act relating to animals and animal husbandry.~~

~~Committee on Special Legislation recommends indefinite postponement of the original bill and passage of Substitute "A".~~

~~2. (99-S765) (Substitute "A") An Act relating to transportation of beverages.~~

~~Committee on Special Legislation recommends indefinite postponement of the original bill and passage of Substitute "A".~~

~~3. (99-S299) (Substitute "B" as amended) An Act relating to education.~~

~~Ordered on the Calendar for passage of Substitute B as amended in concurrence.~~

~~4. (99-S443 as amended) An Act relating to towns and cities zoning ordinances.~~

~~Ordered on the Calendar as amended in concurrence.~~

~~5. (99-S483 as amended) An Act relating to labor and labor relations.~~

~~Ordered on the Calendar for passage as amended in concurrence.~~

~~6. (99-S716) (Substitute "A") An Act relating to businesses and professions interpreters for the deaf.~~

~~Ordered on the Calendar for passage of Substitute "A" in concurrence.~~

~~7. (99-S1032) (Substitute "A") An Act relating to lead hazard mitigation.~~

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

~~8. (99-S985 as amended) An Act relating to the Newport Public Library.~~

~~Committee on Corporations recommends passage as amended.~~

~~9. (99-S1045) An Act concerning tax relief for the elderly citizens of North Kingstown.~~

~~Committee on Corporations recommends passage.~~

~~10. (99-S886) (Substitute "A" as amended) An Act relating to waters and navigation - coastal and estuary habitat restoration program and trust fund.~~

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

~~11. (99-S999) (Substitute "A") An Act relating to state affairs and government - Department of Environmental Management.~~

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

~~12. (99-H5742) An Act relating to employment security - waiting period.~~

~~Committee on Labor recommends passage in concurrence.~~

~~13. (99-H 5778) An Act relating to labor and labor relations - apprenticeship programs in trade and industry.~~

~~Committee on Labor recommends passage in concurrence.~~

~~14. (99-H5781) An Act relating to labor and labor relations employment security.~~

~~Committee on Labor recommends passage in concurrence.~~

~~15. (99-H5810) An Act relating to employment security.~~

~~Committee on Labor recommends passage in concurrence.~~

~~16. (99-H5820 as amended) An Act relating to health and safety - licensing of health care facilities.~~

~~Committee on Labor recommends passage as amended in concurrence.~~

~~17. (99-H5842) (Substitute "A") An Act relating to employment security - general provisions.~~

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

~~18. (99-H6071) (Substitute "A" as amended) An Act relating to health and safety - state building code.~~

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

~~19. (99-H6141) An Act relating to businesses and professions- electricians.~~

~~Committee on Labor recommends passage in concurrence.~~

~~20. (99-H6195 as amended) An Act relating to businesses and professions - plumbers.~~

~~Committee on Labor recommends passage as amended in concurrence.~~

~~21. (99-H6247) An Act relating to taxation - collection of taxes generally.~~

~~Committee on Corporations recommends passage in concurrence.~~

~~22. (99-H5561) An Act relating to chiropractors.~~

~~Committee on Corporations recommends passage in concurrence.~~

~~23. (99-H6291) An Act relating to a study of constructing combined sewer overflow treatment facilities in the city of Pawtucket.~~

~~Committee on Corporations recommends passage in concurrence.~~

~~24. (99-H 6327) (Substitute "A" as amended) An Act relating to corporations, associations and partnerships - limited liability partnerships and the Rhode Island Limited Liability Company Act.~~

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

~~25. (99-H6390) An Act relating to taxation -levy and assessment of local taxes.~~

~~Committee on Corporations recommends passage in concurrence.~~

~~26. (99-H6434) An Act relating to taxation -levy and assessment of local taxes - city of Pawtucket.~~

~~Committee on Corporations recommends passage in concurrence.~~

~~27. (99-H5265) (Substitute "A" as amended) An Act relating to the placement of children.~~

~~Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" as amended.~~

~~28. (99-H 5275) (Substitute "B" as amended) Joint Resolution creating a special legislative commission to investigate the best method of promoting the finding and hiring additional minority teachers in Rhode Island public school.~~

~~Committee on Health, Education and Welfare recommends passage of Substitute "B" as amended.~~

~~29. (99-H5285 as amended) An Act relating to health and safety - registration of nursing assistants.~~

~~Committee on Health, Education and Welfare recommends passage as amended.~~

~~30. (99-H5375) (Substitute "A" as amended) An Act relating to prescriptions and misbranded drugs or devices.~~

~~Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" as amended.~~

~~31. (99-H5580) (Substitute "A") An Act relating to state affairs and government.~~

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

~~32. (99-H 5761) (Substitute "B") An Act relating to health and safety Department of Health.~~

~~Committee on Health, Education and Welfare recommends passage of Substitute "B".~~

~~33. (99-H5812) (Substitute "A" as amended) An Act relating to health and safety - residential care facility licensing act.~~

~~Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A" as amended.~~

~~34. (99-H5819) An Act relating to licensing of health care facilities.~~

~~Committee on Health, Education and Welfare recommends passage in concurrence.~~

~~35. (99-H5830) An Act relating to dentists and dental hygienists.~~

~~Committee on Health, Education and Welfare recommends passage in concurrence.~~

~~36. (99-H5836) An Act relating to health and safety - maternal and child health services.~~

~~Committee on Health, Education and Welfare recommends passage in concurrence.~~

~~37. (99-H5853 as amended) An Act relating to businesses and professions - "nurse anesthetists".~~

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

~~38. (99-H5942 as amended) An Act relating to dentists and dental hygienists.~~

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

~~39. (99-H6017) An Act relating to businesses and professions- advertising by dentists.~~

~~Committee on Health, Education and Welfare recommends passage in concurrence.~~

~~40. (99-H6044) (Substitute "A" as amended) An Act relating to education - school speech and language pathologists.~~

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

~~41. (99-H6130) An Act relating to food and drugs - drugs and poisons generally.~~

~~Committee on Health, Education and Welfare recommends passage in concurrence.~~

~~42. (99-H6241) (Substitute "A") An Act relating to Board of Regents for Elementary and Secondary Education.~~

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

~~43. (99-H5333) (Substitute "B") An Act relating to criminal offenses - operation of motor vehicle while intoxicated.~~

~~Committee on Judiciary recommends indefinite postponement of the original bill and the bill marked Substitute "A" and passage of Substitute B~~

~~44. (99-H5564 as amended) An Act relating to judicial selection.~~

~~Committee on Judiciary recommends passage as amended in concurrence.~~

~~45. (99-H5569 as amended) An Act relating to domestic abuse prevention.~~

~~Committee on Judiciary recommends passage as amended in concurrence.~~

~~46. (99-H5608) (Substitute "B") An Act relating to Family Court.~~

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

~~47. (99-H 5771) (Substitute "B") An Act relating to Children, Youth and Families Department- abused and neglected children and the adoption of children.~~

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

~~48. (99-H5879) (Substitute "A") An Act relating to criminal offenses - sexually violent predators.~~

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

Appendix

CALENDAR

~~In order for Thursday, June 17, 1999:~~

~~1. (99-H 6167) (Substitute "A" as amended) An Act making appropriations for the support of the state for the fiscal year ending June 30, 2000.~~

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

~~2. (99-S535) (Substitute "A" as amended) An Act relating to aeronautics uniform aeronautical regulatory act.~~

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

~~3. (99-S616) An Act relating to health care for children and pregnant women.~~

~~Committee on Finance recommends passage.~~

~~4. (99-S918) An Act relating to health care.~~

~~Committee on Finance recommends passage.~~

~~5. (99-S301) (Substitute "A" as amended) An Act relating to mortgage loans.~~

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

~~6. (99-H5780) (Substitute "A") An Act relating to the Rhode Island Economic Development Corporation.~~

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

~~7. (99-H6098) (Substitute "A") An Act relating to education- School for the Deaf.~~

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

~~8. (99-H6128) (Substitute "A") An Act relating to taxation.~~

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

Appendix

CALENDAR

~~In order for Tuesday, June 22, 1999:~~

~~1. (99-II 5421) An Act relating to taxation.~~

~~Committee on Corporations recommends passage in concurrence.~~

~~RAYMOND T. HOYAS, JR.~~

~~Clerk of the Senate~~

~~Tuesday, June 15, 1999~~

As always, your [comments](#) concerning this page are welcomed and appreciated.

Thank you for stopping by!

