State of Rhode Island and Providence Plantations

JOURNAL

-OF THE-

HOUSE OF REPRESENTATIVES

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

Volume 131, No. 64 Friday, June 18, 2004 Sixty-fourth Day

The House of Representatives meets at the State House in Providence, Friday, June 18, 2004 and is called to order at 2:00 o'clock P.M., by the Honorable William J. Murphy, Speaker

The roll is called and a quorum is declared present with 74 members present and 1 member absent as follows:

PRESENT – 74: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 1: Representative Harwood.

INVOCATION

The Honorable Speaker presents Representative Costantino 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, June 17, 2004, is approved as printed.

ANNOUNCEMENT

Representative Brien congratulates Representative Trillo and his wife on their 10th wedding anniversary.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2420 SUB B as amended
BY Lenihan, Sosnowski, Sheehan, Polisena, Cote
ENTITLED, AN ACT RELATING TO LOB
BY ING {LC1443/1/B}
06/18/2004 House held on desk

House Bill No. 7239 SUB A as amended
BY Fox, Lima, Costantino, Ajello, Almeida
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY {LC847/1/A}
06/18/2004 Referred to House H.E.W.

Senate Bill No. 2317 SUB B as amended
BY Perry, Goodwin, Caprio F, DaPonte, Pichardo
ENTITLED, AN ACT RELATING TO DETERMINATION OF NEED FOR NEW HEALTH CARE EQUIPMENT AND NEW INSTITUTIONAL HEALTH SERVICES {LC1577/1/B}
06/18/2004 Referred to House H.E.W.

Senate Bill No. 2476
BY McCaffrey
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES {LC1331/1}
06/18/2004 Referred to House Judiciary

Senate Bill No. 2273
BY Tassoni, Issa, Roberts, Gibbs
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- DEPARTMENT OF TRANSPORTATION {LC1548/1}
06/18/2004 Referred to House Finance

House Bill No. 7726 SUB A as amended (Lieutenant Governor)
BY Ginaitt, McNamara, Lewiss, Long, Dennigan
ENTITLED, AN ACT RELATING TO HUMAN SERVICES {LC1265/1/A}
06/18/2004 House held on desk

REPORTS OF COMMITTEES

COMMITTEE ON CORPORATIONS

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

Senate Bill No. 2271
BY Fogarty P, Walaska, Tassoni, Perry, Goodwin
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- BURRILLVILLE {LC1152/1}
06/18/2004 Placed on the House Consent Calendar

Senate Bill No. 2963
BY Breene
ENTITLED, AN ACT RELATING TO REGIONAL SCHOOL DISTRICTS - EXETER - WEST GREENWICH {LC2829/1}
06/18/2004 Placed on the House Consent Calendar

Senate Bill No. 3030
BY Felag
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC3141/1}
06/18/2004 Placed on the House Consent Calendar

Senate Bill No. 3031
BY Revens, Walaska, McCaffrey, Roberts, Lenihan
ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION {LC3090/1}
06/18/2004 Placed on the House Consent Calendar

Senate Bill No. 3059
BY Revens, Walaska, McCaffrey, Roberts, Lenihan
ENTITLED, AN ACT RELATING TO TAX CREDIT IN THE CITY OF WARWICK {LC3176/1}
06/18/2004 Placed on the House Consent Calendar

Senate Bill No. 3060 as amended
BY Fogarty P, Tassoni, Felag, Goodwin, Gallo
ENTITLED, AN ACT EXEMPTING FROM TAXATION PROPERTY OF HARMONY HILL SCHOOL, INC. TO AN AMOUNT NOT EXCEEDING TEN MILLION DOLLARS ($10,000,000) {LC3246/1}
06/18/2004 Placed on the House Consent Calendar

Senate Bill No. 3069
BY Issa
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC3298/1}
06/18/2004 Placed on the House Consent Calendar

Senate Bill No. 3155
BY Issa
ENTITLED, AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED $10,000,000 FOR FINANCING CAPITAL IMPROVEMENTS TO VARIOUS CITY BUILDINGS INCLUDING SUCH IMPROVEMENTS AS ARE NECESSARY IN ORDER TO COMPLY WITH THE STATE MANDATED FIRE/BUILDING CODE REGULATIONS {LC3544/1}
06/18/2004 Placed on the House Consent Calendar

House Bill No. 8242
BY Gorham
ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS {LC2813/1}
06/18/2004 Placed on House Calendar

House Bill No. 8633
BY Coderre E, San Bento, Kilmartin, Rose, Dennigan
ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF CITY HALL IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN $3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3573/1}
06/18/2004 Placed on House Calendar

House Bill No. 8616
BY Long
ENTITLED, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE THE CONSTRUCTION, EXTENSION AND IMPROVEMENT OF A WATER WORKS SYSTEM, TO ISSUE NOT MORE THAN $6,200,000 BONDS AND NOTES THEREFOR AND TO IMPOSE ADDITIONAL WATER RATES UNDER CHAPTER 273 OF THE PUBLIC LAWS OF 1968, AS AMENDED, TO PAY THE PRINCIPAL AND INTEREST ON SUCH BONDS AND NOTES {LC3545/1}
06/18/2004 Placed on House Calendar

House Bill No. 8567 (by request)
BY Enos, Amaral
ENTITLED, AN ACT AUTHORIZING THE TOWN OF TIVERTON TO FINANCE THE CONSTRUCTION, RENOVATION, ALTERATION, REPAIR, IMPROVEMENT, EQUIPPING AND FURNISHING OF, AND/OR ADDITIONS TO, THREE PUBLIC ELEMENTARY SCHOOLS IN THE TOWN INCLUDING, BUT NOT LIMITED TO, ENGINEERING AND ARCHITECTURAL COSTS AND TO ISSUE NOT MORE THAN $30,700,000 BONDS AND/OR NOTES THEREFOR INCLUDING BUT NOT LIMITED TO, ANY BONDS OR NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION {LC3453/1}
06/18/2004 Placed on House Calendar

House Bill No. 7971 SUB A
BY Carter, Malik, Rose, Gallison, Brien T
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC1646/1/A}
06/18/2004 Placed on House Calendar

House Bill No. 7458
BY Moura, Brien T, Petrarca, McCauley, Smith
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- RESIDENCY {LC1251/1}
06/18/2004 Placed on House Calendar

Senate Bill No. 2926 SUB A as amended
BY DaPonte, Damiani, Caprio F
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SUNDAY BUSINESS {LC2121/1/A}
06/18/2004 Placed on House Calendar

Senate Bill No. 2332 as amended
BY Badeau, Ciccone, Lanzi, Connors, Cote
ENTITLED, AN ACT RELATING TO SUNDAY SALE OF ALCOHOLIC BEVERAGES {LC1821/1}
06/18/2004 Placed on House Calendar

House Bill No. 8614 SUB A as amended
BY Picard, Trillo, San Bento, Lowe, Lewiss
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION {LC3570/1/A}
06/18/2004 Placed on House Calendar

House Resolution No. 8613 SUB A
BY Picard, San Bento, Lewiss, Lowe, Long
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE LEAD HAZARD MITIGATION LAW WHICH SHALL TAKE EFFECT JULY 1, 2004 {LC3578/2/A}
06/18/2004 Placed on House Calendar

House Bill No. 7933 SUB A
BY Brien T, Laroche, Menard, Winfield
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES {LC1863/1/A}
06/18/2004 Placed on House Calendar

House Bill No. 8452 SUB A as amended
BY Williamson, Landroche, Murphy
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES {LC3224/1/A}
06/18/2004 Placed on House Calendar

House Bill No. 8438
BY Fox
ENTITLED, AN ACT RELATING TO INSURANCE - COMMERCIAL SPECIAL RISKS {LC3188/1}
06/18/2004 Placed on House Calendar

Senate Bill No. 2176
BY Tassoni, Fogarty P
ENTITLED, AN ACT RELATING TO TAXATION -- MUNICIPAL LIEN CERTIFICATES {LC1258/1}
06/18/2004 Placed on House Calendar
Senate Bill No. 2282 (Dept. of Health)
BY Parella
ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS {LC1378/1}
06/18/2004 Placed on House Calendar

Senate Bill No. 3065
BY Sheehan, Revens
ENTITLED, AN ACT NAMING THE LONG TERM CARE PROGRAM, AND ASSOCIATED HOSPITAL WARDS, LOCATED AT THE R.I. INSTITUTE OF MENTAL HEALTH AFTER DR. ANDO SUVARI {LC3259/1}
06/18/2004 Placed on House Calendar

Senate Bill No. 3116
BY Tassoni
ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES {LC3410/1}
06/18/2004 Placed on House Calendar

Senate Bill No. 2997 SUB A
BY Polisena, Damiani
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES {LC3065/1/A}
06/18/2004 Placed on House Calendar

Senate Bill No. 2339 SUB A
BY Sosnowski
ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- REGULATION OF VICIOUS DOGS {LC2213/1/A}
06/18/2004 Placed on House Calendar

COMMITTEE ON FINANCE

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

House Bill No. 8430
BY Carter, Shanley, Malik, Rose, Lewiss
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ECONOMIC DEVELOPMENT CORPORATION {LC3195/1}
06/18/2004 Placed on House Calendar

Senate Bill No. 3050 SUB A
BY Sheehan, Lenihan, Sosnowski, Paiva-Weed, Montalbano J
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ECONOMIC DEVELOPMENT CORPORATION {LC3183/1/A}
06/18/2004 Placed on House Calendar

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

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

House Bill No. 8665 SUB A as amended
BY Anguilla, Lewiss, Winfield, Ajello, Williams
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES {LC3670/2/A}
06/18/2004 Placed on House Calendar

Senate Bill No. 2162 SUB B as amended
BY Issa, Tassoni, Walaska
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES {LC897/2/B}
06/18/2004 Placed on House Calendar

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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

House Resolution No. 8287 SUB A as amended
BY Gallison, Anguilla, Malik, Rose, Enos
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE TRANSPORTATION OF LIQUEFIED NATURAL GAS {LC2934/1/A}
06/18/2004 Placed on House Calendar

Senate Bill No. 3113
BY McCaffrey, Paiva-Weed, Walaska, Sosnowski, Lenihan
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- THE RHODE ISLAND BAYS, RIVERS, AND WATERSHEDS COORDINATION TEAM {LC3386/1}
06/18/2004 Placed on House Calendar

NEW BUSINESS

House Bill No. 8671
BY Schadone
ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTION {LC3710/1}
06/18/2004 Introduced, referred to House Corporations

House Bill No. 8672 (by request)
BY Gemma
ENTITLED, AN ACT REVISING THE CHARTER OF THE CITY OF WARWICK {LC3694/1}
06/18/2004 Introduced, referred to House Judiciary

House Bill No. 8673
BY Moura, Ajello
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ENERGY FACILITY SITING ACT {LC3675/1}
06/18/2004 Introduced, referred to House Corporations

House Resolution No. 8674
BY Benson, Gallison, Shavers, Cerra, Kennedy
ENTITLED, HOUSE RESOLUTION COMMENDING MARY KAY GASPERINI SALOMONE AND THE HONORABLE MARY ANN CARROLL FOR THE CREATION AND ONGOING SUCCESS OF "OPERATION SUPPORT OUR TROOPS" {LC3713/1}

Representative Benson requests unanimous consent for immediate consideration.
There is no objection.

Read and passed, on a motion of Representative Benson seconded by Representatives Gallison, Gemma, Fox, Shanley, Giannini and by unanimous consent, on a voice vote.

CALENDAR

From the Calendar as a Special Order of Business is taken:

House Bill No. 8219 SUB A (Governor)
BY Watson, Callahan, Story, Long, Scott
ENTITLED, AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005 {LC2792/1/A}

By unanimous consent, the House will take up each of the following items separately:

ARTICLE 1 – RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2005

ARTICLE 2 – RELATING TO BORROWING IN ANTICIPATION OF RECEIPTS FROM TAXES

ARTICLE 3 – RELATING TO CIGARETTE TAX

ARTICLE 4 – RELATING TO OIL SPILL RESPONSE FUND

ARTICLE 5 – RELATING TO CAPITAL DEVELOPMENT PROGRAM

ARTICLE 6 – RELATING TO DEPOSITORS ECONOMIC PROTECTION CORPORATION-SINKING FUND

ARTICLE 7 – RELATING TO TOBACCO DEALERS LICENSES

ARTICLE 8 – RELATING TO GENERAL PUBLIC ASSISTANCE - HARDSHIP CONTINGENCY FUND

ARTICLE 9 – RELATING TO HOSPITAL UNCOMPENSATED CARE

ARTICLE 10 – RELATING TO MAKING REVISED APPROPRIATION IN SUPPORT OF FY 2004

ARTICLE 11 – RELATING TO MOTOR VEHICLE EXCISE TAX

ARTICLE 12 – RELATING TO HUMAN RESOURCE INVESTMENT COUNCIL

ARTICLE 13 – RELATING TO LABOR AND TRAINING FEES

ARTICLE 14 – RELATING TO CHILD SUPPORT ENFORCEMENT

ARTICLE 15 – RELATING TO LICENSING OF CHILD CARE PROVIDERS

ARTICLE 16 – RELATING TO STATE AID

ARTICLE 17 – RELATING TO OMNIBUS TAX

ARTICLE 18 – RELATING TO MOTOR FUEL TAX

ARTICLE 19 – RELATING TODRUG COURT MAGISTRATE

ARTICLE 20 – RELATING TO HUMAN SERVICES – STATE INCOME TAX REFUND INTERCEPT

ARTICLE 21 – RELATING TO LICENSING OF HOSPITAL FACILITIES

ARTICLE 22 – RELATING TO HEALTH INSURANCE – EARLY INTERVENTION SERVICES

ARTICLE 23 – RELATING EDUCATION

ARTICLE 24 – RELATING TO RESPONSIBILITY OF BUDGET OFFICER FOR BUDGET

ARTICLE 25 – RELATING TO HUMANSERVICES – FAMILY INDEPENDENCE PROGRAM

ARTICLE 26 – RELATING TO COMMERCIAL LAW – GENERAL REGULATORY PROVISIONS – PURCHASE AND SALE OF PRECIAOUS METALS

ARTICLE 27 – RELATING TO HUMAN SERVICES – CHILD CARE STATE SUBSIDIES

ARTICLE 28 – RELATING TO VIDEO LOTTERY TERMINALS

ARTICLE 29 – RELATING TO NONRESIDENT SHAREHOLDER WITHHOLDING

ARTICLE 30 – RELATING TO BUSINESS REGULATION FEES

ARTICLE 31 – RELATING TO PUBLIC UTILITIES AND CARRIERS –Article 32 – TELECOMMUNICATION SURCHARGE

ARTICLE 32 – RELATING TO FUGITIVE TASK FORCE

ARTICLE 33 – RELATING TO ENVIRONMENTAL MANAGEMENT FEES

ARTICLE 34 – RELATING TO BOARD OF GOVERNORS FOR HIGHER EDUCATION – POWERS AND DUTIES

ARTICLE 35 – RELATING TO PUBLLIC UTILITIES AND CARRIERS

ARTICLE 36 – RELATING TO LICENSING OF NURSING FACILITIES

ARTICLE 37 – RELATING TO RESOURCE RECOVERY CORPORATION

ARTICLE 38 –RELATING TO ADMINISTRATIVE PROCEDURES

ARTICLE 39 – RELATING TO COMPENSATION OF BOARD MEMBERS

ARTICLE 40 – RELATING TO PUBLIC OFFICERS AND EMPLOYERS AND LABOR AND LABOR RELATIONS

ARTICLE 41 – RELATING TO ISSUANCE OF LICENSES UPON PAYMENT OF TAXES

ARTICLE 42 – RELATING TO MILITARY AFFAIRS

ARTICLE 43 – RELATING TO PHARMACEUTICAL ASSISTANCE

ARTICLE 44 – RELATING TO EARLY INTERVENTION

ARTICLE 45 – RELATING TO AUTHORIZATION UNDER PUBLIC CORPORATION DEBT MANAGEMENT ACT

ARTICLE 46 – RELATING TO WATERS AND NAVIGATION – COASTAL AND ESTUARY HABITAT RESTORATION PROGRAM AND TRUST FUND

ARTICLE 47 – RELATING TO COURT ADMINISTRATION

ARTICLE 48 – RELATING TO HUMAN SERVICES – MEDICAL ASSISTANCE – NURSING FACILITY RATES

ARTICLE 49 – RELATING TO ESTABLISHING A DISTRESSED HOSPITAL PROGRAM

ARTICLE 50 – RELATING TO EFFECTIVE DATE

ARTICLE 40

RELATING TO PUBLIC OFFICERS AND EMPLOYERS AND LABOR AND LABOR RELATIONS

Representative Costantino moves to recommit Article 40 seconded by Representatives Faria and Kilmartin

Minority Leader Watson objects.

The motion to recommit prevails on a roll call vote, 31 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 31: The Honorable Speaker Murphy and Representatives Ajello, Anderson, Anguilla, Benson, Brien, Carter, Cerra, Costantino, Crowley, Enos, Faria, Fox, Gallison, Gemma, Giannini, Kilmartin, Landroche, Laroche, Lewiss, Malik, McCauley, Menard, Montanaro, Picard, Rose, Schadone, Shanley, Shavers, Williams, Williamson.

NAYS - 10: Representatives Amaral, Caprio, Corvese, McHugh, McManus, Moffitt, Mumford, Savage, Story, Watson.

Article 40 is read and recommitted to the committee on Finance.

REQUEST

Representative Winfield and Moura request the journal to reflect that if they had voted on Article 40, they would have voted in the affirmative.

ARTICLE 2

RELATING TO BORROWING IN ANTICIPATION OF RECEIPTS FROM TAXES

Representative Costantino moves passage of the article, seconded by Representatives Faria and Gallison.

The article is read and prevails, on a roll call vote, 47 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Enos, Faria, Fox, Gallison, Gemma, Giannini, Jacquard, Kilmartin, Landroche, Laroche, Lewiss, Lima, Malik, McHugh, McManus, McNamara, Menard, Moffitt, Moura, Mumford, Picard, Rose, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Watson, Williams, Williamson.

NAYS - 0.

REQUEST

Representative Winfield requests the journal to reflect that if he had voted on Article 2, he would have voted in the affirmative.

ARTICLE 3

RELATING TO CIGARETTE TAX

Representative Costantino moves passage of the article, seconded by Representatives Carter and Crowley.

Representatives Trillo, Amaral, and Costantino discuss the article.

The article is read and prevails, on a roll call vote, 41 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, DeSimone, Enos, Fox, Gallison, Gemma, Giannini, Jacquard, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, Menard, Moffitt, Moura, Mumford, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Story, Williams, Williamson, Winfield.

NAYS - 8: Representatives Amaral, Faria, Kilmartin, McManus, Picard, Savage, Trillo, Watson.
Representative Kennedy requests the journal to reflect that is he had voted on Article 3, he would have voted in the affirmative.

Representative Long requests the journal to reflect that is he had voted on Article 3, he would have voted in the negative.

ARTICLE 5

RELATING TO CAPITAL DEVELOPMENT PROGRAM

Representative Costantino moves passage of the article, seconded by Representatives Williamson and Gallison.

By unanimous consent, Representative Costantino, seconded by Representatives McCauley, Gallison, Faria, Williamson and Malik, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

1. In Article 5, page 2, line 9, by deleting the number "$68,000,000" and inserting in place the number "$70,000,000".
2. In Article 5, page 2, line 11, by deleting the number "$68,000,000" and inserting in place the number "$70,000,000".
3. In Article 5, page 2, line 12, by deleting the number "$17,000,000" and inserting in place the number "$19,000,000".
4. In Article 5, page 6, line 21, by deleting the number "$68,000,000" and inserting in place the number "$70,000,000".
5. In Article 5, page 6, line 22, by deleting the number "$17,000,000" and inserting in place the number "$19,000,000".
6. In Article 5, page 6, line 28, by deleting the number "$8.5" and inserting in place the number "$10.5".
7. In Article 5, page 7, line 4, by inserting the language "local land trusts, conservation commissions, and other environmental nonprofit organizations" after the word "municipalities".
8. In Article 5, page 7, line 5, by inserting the language "consistent with the state guide plan and local comprehensive plan" after the word "preservation".
9. In Article 5, page 7, line 10, by deleting the period "." after the word "Zoo" and inserting in place thereof a comma ",".
10. In Article 5, page 7, line 11, by deleting the word "other" preceding the word "municipalities".

Respectfully submitted, _____
REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 56 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moura, Mumford, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Watson.

By unanimous consent, Representative Costantino, seconded by Representatives Fox, Anguilla, Crowley, Shanley, Savage, Amaral, Story, Malik, Shavers, Slater, Lewiss, Ginaitt, Trillo, Mumford, Carter, Handy, Gemma, Cerra, Williamson, and Benson, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 5, on page 3, by inserting the following language between lines 1 and 2:

"(11) University of Rhode Island Center for Biotechnology
and Life Sciences $50,000,000

Approval of this question will allow the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed $50,000,000 for the construction of the University of Rhode Island Center for Biotechnology and Life Sciences.

(12) Quonset Point/Davisville $48,000,000

Approval of this question will authorize the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed $48,000,000 for road and utility infrastructure, building demolition, site preparation, and pier rehabilitation at the Quonset Point/Davisville Industrial Park."

(2) In Article 5, page 7, by inserting the following language immediately following line 34:

"Question 11 relating to bonds and notes totaling $50,000,000 shall be allocated to the construction of the University of Rhode Island Center for Biotechnology and Life Sciences.

Question 12 relating to bonds and notes totaling $48,000,000 shall be allocated to road and utility infrastructure, building demolition, site preparation, and pier rehabilitation at the Quonset Point/Davisville Industrial Park."

Respectfully submitted,
_____ REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 59 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moura, Mumford, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.
By unanimous consent, Representative Amaral, seconded by Representatives Savage and Long, offers a written motion to amend.

Representatives Costantino, and Amaral discuss the amendment. Representative Amaral withdraws his amendment.

By unanimous consent, Representative Amaral, seconded by Representative Savage, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 5, page 2, line 9, by deleting the numeral "$68,000,000" and inserting in place thereof the numeral "$73,000,000".

(2) In Article 5, page 6, line 32, by deleting the numeral "$43,000,000" and inserting in place thereof the numeral "$48,000,000".

(3) In Article 5, page 7, line 4, by deleting the numeral "$10,000,000" and inserting in place thereof the numeral "$15,000,000".

Respectfully submitted,
_____ REPRESENTATIVE AMARAL

Representatives Malik, Amaral, and Benson discuss the amendment.

The motion to amend is read and fails, on a roll call vote, 15 members voting in the affirmative and 44 members voting in the negative as follows:

YEAS - 15: Representatives Amaral, Anderson, Caprio, Enos, Ginaitt, Long, McHugh, McManus, Moffitt, Montanaro, Mumford, Petrarca, Savage, Story, Watson.

NAYS - 44: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Aubin, Benson, Brien, Carter, Cerra, Corvese, Costantino, Crowley, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McNamara, Menard, Moran, Moura, Picard, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Tejada, Wasylyk, Williams, Williamson, Winfield.

Article 5 is read and prevails, as amended, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.
Representatives Benson, and Amaral request the journal to reflect that if they had voted on Article 5, as amended, they would have voted in the affirmative.

ARTICLE 6
RELATING TO DEPOSITORS ECONOMIC PROTECTION CORPORATION-SINKING FUND

Representative Costantino moves passage of the article, seconded by Representatives Faria, San Bento, and Slater.

Article 6 is read and prevails, on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy,

Kilmartin, Landroche, Laroche, Lewiss, Lima, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Williams, Williamson.
NAYS - 0.

Representatives Amaral, Long, Moura, Montanaro and Winfield request the journal to reflect that if they had voted on Article 6, they would have voted in the affirmative.

ARTICLE 7
RELATING TO TOBACCO DEALERS LICENSES

Representative Costantino moves passage of the article, seconded by Representatives Carter and Faria.

Article 7 is read and prevails, on a roll call vote, 56 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Petrarca, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Picard, Trillo, Watson.
Representative Kennedy requests the journal to reflect that if he had voted on Article 7, he would have voted in the affirmative.

ARTICLE 8

RELATING TO GENERAL PUBLIC ASSISTANCE - HARDSHIP CONTINGENCY FUND

Representative Costantino moves passage of the article, seconded by Representatives San Bento, Crowley, Carter, Rose, Ajello, and Slater.

Article 8 is read and prevails, on a roll call vote, 52 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Carter, Cerra, Corvese, Costantino, Crowley, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McHugh, McManus, McNamara, Menard, Moffitt,

Montanaro, Moran, Moura, Mumford, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Trillo, Williamson, Winfield.

NAYS - 0.

ARTICLE 9

RELATING TO HOSPITAL UNCOMPENSATED CARE

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Peter Ginaitt, State Representative, District 22, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: 04 H 8219 SUB A – Article 9

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

While the substance of Article 9 will not benefit myself or my family, voting on this article could be perceived as improper as an employee of Rhode Island Hospital.

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

Peter Ginaitt
Representative, District 22

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 18th day of June AD, 2004

David W. Dumas
Notary Public

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

WILLIAM J. MURPHY
Speaker of the House of Representatives

Representative Costantino moves passage of the article, seconded by Representatives Faria, Carter, Gallison, and Slater.

By unanimous consent, Representative Costantino, seconded by Representatives Carter, Jacquard and Faria, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 9, page 3, by deleting lines 9 through 34 in their entirety.
(2) In Article 9, page 4, by deleting lines 1 and 2 in their entirety.

Respectfully submitted,
_____ REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 50 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Carter, Cerra, Corvese, Costantino, Crowley, Enos, Faria, Fox, Gallison, Gemma, Giannini, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Moffitt, Montanaro, Moran, Moura, Mumford, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Williamson, Winfield.

NAYS - 1: Representative Watson.

Representatives Menard requests the journal to reflect that is he had voted on the amendment to Article 9, he would have voted in the negative.

Representatives Laroche requests the journal to reflect that he had voted incorrectly on the amendment to Article 9, he should have voted in the negative.

Article 9 is read and prevails, as amended, on a roll call vote, 47 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Carter, Cerra, Corvese, Costantino, Crowley, Enos, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McManus, McNamara, Moffitt, Montanaro, Moran, Moura, Mumford, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Story, Trillo, Wasylyk, Williamson, Winfield.

NAYS - 3: Representatives Brien, Picard, Watson.

Representatives Laroche requests the journal to reflect that he had voted incorrectly on Article 9, as amended, he should have voted in the negative.

Representatives Menard requests the journal to reflect that if he had voted on Article 9, as amended, he would have voted in the negative.

Representatives Amaral and Savage request the journal to reflect that if they had voted on Article 9, as amended, they would have voted in the affirmative.

ARTICLE 10

RELATING TO MAKING REVISED APPROPRIATION IN SUPPORT OF FY 2004

Representative Costantino moves passage of the article, seconded by Representatives Fox, Carter, Faria, Shanley.

By unanimous consent, Representative Costantino, seconded by Representative Carter, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 10, page 22, line 6, by deleting the number “5,475,204” and inserting in place thereof the number “5,670,204”.

(2) In Article 10, page 22, line 6, by deleting the number “123,102,440” and inserting in place thereof the number “123,297,440”.

(3) In Article 10, page 22, line 33, by deleting the number “2,420,296” and inserting in place thereof the number “2,615,296”.

(4) In Article 10, page 22, line 33, by deleting the number "134,004,391" and inserting in place thereof the number "134,199,391".

(5) In Article 10, page 23, line 1, by deleting the number "(436,599)" and inserting in place thereof the number "(631,599)".

(6) In Article 10, page 23, line 1, by deleting the number "11,411,144" and inserting in place thereof the number "11, 216,144".

(7) In Article 10, page 23, line 3, by deleting the number "(576,663)" and inserting in place thereof the number "(771,663)".

(8) In Article 10, page 23, line 3, by deleting the number "13,084,482" and inserting in place thereof the number "12,889,482".

(1) In Article 10, page 23, between lines 33 and 34 by adding the following:

"Federal Funds	0	5,000	5,000
Total – District Court	7,923,671	235,043	8,158,714"

Respectfully submitted,
_____ REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Story, Tejada, Trillo, Watson, Williamson, Winfield.

NAYS - 0.

Representative Mumford discusses the article as amended.

Article 10 is read and prevails, as amended, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 11

RELATING TO MOTOR VEHICLE EXCISE TAX

Representative Costantino moves passage of the article, seconded by Representatives Faria, Carter, Gemma, and Rose.

Representative Giannini discusses the article.

Article 11 is read and prevails, on a roll call vote, 47 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Brien, Carter, Cerra, Corvese, Costantino, Crowley, Enos, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McNamara, Menard, Moffitt, Montanaro, Moura, Mumford, Picard, Rose, San Bento, Savage, Schadone, Shanley, Slater, Story, Trillo, Williams, Williamson, Winfield.

NAYS - 14: Representatives Anderson, Benson, Caprio, DeSimone, Giannini, McHugh, McManus, Moran, Petrarca, Scott, Shavers, Tejada, Wasylyk, Watson.

Representative Cerra requests the journal to reflect that she had voted incorrectly on Article 11, she should have voted in the negative.

ARTICLE 12
RELATING TO HUMAN RESOURCE INVESTMENT COUNCIL

Representative Costantino moves passage of the article, seconded by Representatives Faria, Carter, Anguilla, Crowley, McNamara, Malik, Slater, Lewiss, San Bento, Aubin, Moran, Jacquard, and Benson.

Representatives Moura, Watson, Costantino, Amaral, McNamara, and Jacquard discuss the article.

Article 12 is read and prevails, on a roll call vote, 61 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Wasylyk, Williams, Williamson, Winfield.

NAYS - 2: Representatives Amaral, Watson.

ARTICLE 13

RELATING TO LABOR AND TRAINING FEES

Representative Costantino moves passage of the article, seconded by Representatives Carter, Faria, Jacquard, San Bento, Malik, Anguilla, and Crowley.

Article 13 is read and prevails, on a roll call vote, 52 members voting in the affirmative and 10 members voting in the negative as follows:

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

NAYS - 10: Representatives Amaral, Benson, Long, Moffitt, Mumford, Petrarca, Reilly, Savage, Trillo, Watson.

ARTICLE 14

RELATING TO CHILD SUPPORT ENFORCEMENT

Representative Costantino moves passage of the article, seconded by Representatives Faria, Carter, Gemma, Jacquard, Crowley, and Slater.

Representative Scott, Costantino, and Slater discuss the article.

Article 14 is read and prevails, on a roll call vote, 63 members voting in the affirmative and 1 member voting in the negative as follows:

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

NAYS - 1: Representative Watson.

ARTICLE 15

RELATING TO LICENSING OF CHILD CARE PROVIDERS

Representative Costantino moves passage of the article, seconded by Representatives Slater and Carter.

Representatives Watson, Slater and Moura discuss the article.

Article 15 is read and prevails, on a roll call vote, 57 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Montanaro, Moura, Mumford, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Wasylyk, Williams, Williamson, Winfield.

NAYS - 5: Representatives Long, Moran, Reilly, Trillo, Watson.

ARTICLE 16

RELATING TO STATE AID

Representative Costantino moves passage of the article, seconded by Representatives Faria, Slater, Rose, Crowley, Jacquard, San Bento, and Gemma.

By unanimous consent, Representative Costantino, seconded by Representative Carter, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 16, page 1, by deleting SECTION 1 in its entirety, lines 3 through 26 inclusive.

(2) In Article 16, page 1, line 27 by deleting the language “SECTION 2” and inserting in place thereof the language “SECTION 1”.

(3) In Article 16, page 2, line 18, by deleting the language “SECTION 3” and inserting in place thereof the language “SECTION 2”.

(4) In Article 16, page 5, line 23, by deleting the language “SECTION 4” and inserting in place thereof the language “SECTION 3”.

(5) In Article 16, page 5, line 23, by deleting the numeral "2004" and inserting in place thereof the numeral "2003".

Respectfully submitted,
_____ REPRESENTATIVE COSTANTINO

Representatives Watson, Crowley, and Costantino discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Representative Winfield requests the journal to reflect that if he had voted on the amendment to Article 16, he would have voted in the affirmative.

Article 16 is read and prevails, as amended, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Representative Winfield requests the journal to reflect that if he had voted on Article 16, as amended he would have voted in the affirmative.

ARTICLE 17

RELATING TO OMNIBUS TAX

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Joseph H. Scott, State Representative, District 39, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: Article 17 Substitute "A" – Relating to omnibus tax – specifically 1% tax on hotel rooms for local taxing authorities.

2. (Nature of the potential conflict) I have the following interest in the matter:
Partner of a hotel which would be obligated to collect the tax.

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

Joseph H. Scott
Representative, District 39

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 18th day of June AD, 2004

David W. Dumas
Notary Public

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

WILLIAM J. MURPHY
Speaker of the House of Representatives

Representative Costantino moves passage of the article, seconded by Representatives Faria, Slater, San Bento, and Rose.

By unanimous consent, Representative Costantino, seconded by Representatives Faria, Lewiss, Crowley, Fox, Slater, and Landroche offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 17, page 6, by deleting the language on lines 25 through 34 in their entirety.
(2) In Article 17, page 7, by deleting the language on lines 1 through 34 in their entirety.
(3) In Article 17, page 8, by deleting the language on lines 1 through 30 in their entirety.
(4) In Article 17, page 8, between lines 30 and 31, by inserting the following language:
"SECTION 8. Section 42-63.1-2 of the General Laws in Chapter 42-63.1 entitled "Tourism and Development" is hereby amended to read as follows:
42-63.1-2. Definitions. -- For the purposes of this chapter:
(1) "Consideration" means the monetary charge for the use of space devoted to transient lodging accommodations.
(2) "Corporation" means the Rhode Island economic development corporation.
(3) "District" means the regional tourism districts set forth in section 42-63.1-5.
(4) "Hotel" means any facility offering a minimum of three (3) rooms for which the public may, for a consideration, obtain transient lodging accommodations. The term "hotel" shall include hotels, motels, tourist homes, tourist camps, lodging houses, and inns and shall exclude schools, hospitals, sanitariums, nursing homes, and chronic care centers.
(5) "Occupancy" means a person, firm or corporation's use of space ordinarily used for transient lodging accommodations not to exceed thirty (30) days. Excluded from "occupancy" is the use of space for which the occupant has a written lease for the space, which lease covers a rental period of twelve (12) months or more.
(6) "Tax" means the hotel tax imposed by subsection 44-18-36.1(a)."
(5) In Article 17, on page 8, line 31, by deleting the figure "10" and inserting in place thereof the figure "9".
(6) In Article 17, on page 9, line 23, by deleting the figure "11" and inserting in place thereof the figure "10".
(7) In Article 17, on page 10, line 13, by deleting the figure "12" and inserting in place thereof the figure "11".
(8) In Article 17, on page 14, line 17, by deleting the figure "13" and inserting in place thereof the figure "12".
(9) In Article 17, on page 14, line 20, by deleting the word "Section" and inserting in place thereof the word "Sections".
(10) In Article 17, on page 14, line 20, by deleting the figure "10" and inserting in place thereof the figures "8 and 9".
(11) In Article 17, on page 14, line 20, by deleting the figure "11" and inserting in place thereof the figure "10".

(12) In Article 17, on page 14, line 20, by deleting the figure "12" and inserting in place thereof the figure "11".

(13) In Article 17, on page 14, line 21, by deleting the word "sections" and inserting place thereof the word "section".

Respectfully submitted,
_____ REPRESENTATIVE COSTANTINO

Representatives Moura, Montanaro, and Mumford discuss the amendment.

Representative Mumford requests to vote Section 10 of Article 17 separately. The Honorable Speaker Murphy rules it is divisible.

Representatives Kilmartin continues discussion on the amendment.

The motion to amend is read and prevails on a roll call vote, 65 members voting in the affirmative and 1 member voting in the negative as follows:

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

NAYS - 1: Representative Naughton.

Representative Naughton requests the journal to reflect that if she had voted incorrectly on the amendment to Article 17, she should have voted in the affirmative

Representative Amaral requests to vote Section 1 of Article 17 separately. The Honorable Speaker Murphy rules it is divisible

Section 1, of Article 17 prevails on a roll call vote, 48 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 48: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Faria, Fox, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Moffitt, Montanaro, Moura, Mumford, Naughton, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Williams, Williamson, Winfield.

NAYS - 13: Representatives Amaral, Aubin, Dennigan, Enos, Gallison, Gorham, McManus, Menard, Moran, Petrarca, Reilly, Trillo, Watson.

Representative Long requests the journal to reflect that if he had voted on Section 1 of Article 17, he would have voted in the affirmative.

Section 10, of Article 17 prevails on a roll call vote, 50 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Aubin, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Picard, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Story, Williams, Williamson, Winfield.

NAYS - 10: Representatives Amaral, Gorham, McManus, Moffitt, Mumford, Petrarca, Reilly, Savage, Trillo, Watson.

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Article 17 is read and prevails, as amended, on a roll call vote, 60 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Gorham, Watson.

Representative Shavers requests the journal to reflect that if she had voted on Article 17, as amended, she would have voted in the affirmative.

Representative Anguilla requests the journal to reflect that if he had voted on Article 17, he would have voted in the affirmative on the sections and the Article.

ARTICLE 18

RELATING TO MOTOR FUEL TAX

Representative Costantino moves passage of the article, seconded by Representatives Jacquard, Faria and Malik.

By unanimous consent, Representative Costantino, seconded by Representatives Fox and several other members of the House, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

In Article 18, page 1, line 28, after the year "2004," by inserting the following "three and two-tenths cents ($0.032) shall be available for general revenue,".

Respectfully submitted,
_____ REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Article 18 is read and prevails, as amended, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

ARTICLE 19

RELATING TO DRUG COURT MAGISTRATE

Representative Costantino moves passage of the article, seconded by Representatives Faria, Carter, Gemma, Shavers, Kilmartin, Lewiss, Corvese, Rose, McNamara, and San Bento.

Representatives Watson and McNamara discuss the article.

By unanimous consent, Representative Watson, seconded by Representatives Amaral, Long, and Gorham, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 19, page 1, line 4, by deleting the words "by the presiding justice of the superior court" and inserting in place thereof the words "in accordance with the provisions of Chapter 8-16.1".

(2) In Article 19, page 1, line 12, by deleting the words "by the presiding justice of the superior court" and inserting in place thereof the words "in accordance with the provisions of Chapter 8-16.1".

Respectfully submitted, _____
REPRESENTATIVE WATSON

Representatives Costantino, Gorham, Kilmartin, Long, Watson, Fox, Amaral, Schadone, and Gemma discuss amendment.

The motion to amend is read and fails on a roll call vote, 12 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 12: Representatives Amaral, Gorham, Long, McHugh, McManus, Moffitt, Mumford, Petrarca, Savage, Story, Trillo, Watson.

NAYS - 52: The Honorable Speaker Murphy and Representatives Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Picard, Reilly, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Tejada, Voccola, Williams, Williamson.

Representative Winfield requests the journal to reflect that if he had voted on the amendment to Article 19, he would have voted in the negative.

Article 19 is read and prevails, on a roll call vote, 54 members voting in the affirmative and 12 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Murphy and Representatives Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Tejada, Voccola, Williams, Williamson.

NAYS - 12: Representatives Amaral, Gorham, Long, McHugh, McManus, Moffitt, Mumford, Petrarca, Scott, Story, Trillo, Watson.

Representative Winfield requests the journal to reflect that if he had voted on Article 19, he would have voted in the affirmative.

ARTICLE 20

RELATING TO HUMAN SERVICES – STATE INCOME TAX REFUND INTERCEPT

Representative Costantino moves passage of the article, seconded by Representatives Anguilla, San Bento, and Gallison.

Article 20 is read and prevails, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: Representatives Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson.

NAYS - 0.

Representative Winfield requests the journal to reflect that is he had voted on Article 20, he would have voted in the affirmative.

ARTICLE 21

RELATING TO LICENSING OF HOSPITAL FACILITIES

Representative Costantino moves passage of the article, seconded by Representatives Faria and Carter.

By unanimous consent, Representative Costantino, seconded by Representatives Faria and Carter, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

In Article 21, page 1, line 6, by deleting the words and figure "three and three tenths percent (3.03%)" and inserting in place thereof "three and fourteen hundredths percent (3.14%)".

Respectfully submitted, _____
REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Article 21 is read and prevails, as amended, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

ARTICLE 22

RELATING TO HEALTH INSURANCE – EARLY INTERVENTION SERVICES

Representative Costantino moves passage of the article, seconded by Representatives Carter, Faria and Naughton.

By unanimous consent, Representative Naughton, offers Representative Costantino's amendment seconded by Representative McNamara.

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 22, on page 1, line 8, by inserting the following language after the word "services" and before the period ".": ", which coverage shall take effect no later than January 1, 2005 ".

(2) In Article 22, on page 1, line 28, by inserting the following language after the word "services" and before the period ".": ", which coverage shall take effect no later than January 1, 2005".

(3) In Article 22, on page 2, line 18, by inserting the following language after the word "services" and before the period ".": ", which coverage shall take effect no later than January 1, 2005."

(4) In Article 22, on page 3, line 4, by inserting the following language after the word "services" and before the period ".": ", which coverage shall take effect no later than January 1, 2005."

Respectfully submitted,
REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Article 22 is read and prevails, as amended, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

ARTICLE 23

ARTICLE 23 – RELATING EDUCATION

Representative Costantino moves passage of the article, seconded by Representatives Gallison, Rose, Shanley, Faria, Crowley and Jacquard.

By unanimous consent, Representative Crowley, offers Representative Costantino's amendment, seconded by Representatives Kennedy, Shanley, Gallison and Lewiss.

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 23, page 14, line 30, by deleting all language appearing on said line and inserting in place thereof the following:

"SECTION 5. Chapter 16-45 of the General Laws entitled "Regional Vocational Schools" is hereby amended by adding thereto the following section:

16-45-11. Legislative career and technical education commission established. - - (a) Commission established. There is hereby established a special joint legislative study commission on career and technical education commission. Said career and technical education study commission shall consist of twelve (12) members: six (6) members shall be appointed by the speaker of the house of representatives from among the members of the house of representatives, not more than five (5) of whom shall be from the same political party; six (6) members shall be appointed by the president of the senate from among the members of the senate, not more than five (5) of whom shall be from the same political party.

(b) Purpose. The purpose of the career and technical education study commission shall be to make a comprehensive examination of the issues relating to the governance, financing, and operation of the system of career and technical education in Rhode Island in order to guide the implementation of the recommendations contained in the Restructuring Career and Technical Education in Rhode Island report as prepared and presented by the career and technical education task force (March 2000). The focus of the career and technical education study commission shall include, but not be limited to, the following: to promote Rhode Island's education and economic development by providing guidance for the development of a statewide system for career and technical education, utilizing effective and proven career and technical education delivery models; implementing an effective system of governance, including protection for the student rights of those students interested in engaging in career and technical education; financing and maintaining state of the art equipment, facilities, and programming, including ensuring student access to the same across the district and geographic boundaries; and strengthening career and technical education programming designed to meet the labor needs of Rhode Island business and industry, as well as to support and advance Rhode Island's economy.

SECTION 6. Chapter 16-77 of the General Laws entitled "Establishment of Charter Public Schools" is hereby amended by adding thereto the following section:

16-77-12. Charter school reporting. - - All charter schools shall continuously monitor their financial operations by tracking actual versus budgeted revenue and expense. The chief financial officer of the charter school shall submit a report on a quarterly basis to the state office of municipal affairs certifying the status of the charter school budget.

The quarterly reports shall be in a format prescribed by the state office of municipal affairs and the state auditor general. The reports shall contain a statement as to whether any actual or projected shortfalls in budget line items are expected to result in a year-end deficit, the projected impact on year-end financial results including all accruals and encumbrances, and how the charter school plans to address any such shortfalls.

The auditor general or the state director of administration may petition the superior court to order the charter school to file said reports. The director of administration may also direct the state controller and general treasurer to withhold any funding to the charter school until the

school complies with the reporting requirements hereunder. Failure to comply with this section shall be cause for the revocation of the school charter.

SECTION 7. Chapter 16-2 of the General Laws entitled "School Committees and Superintendents" is hereby amended by adding thereto the following sections:

16-2-9.2. The advisory council on school finances. -- (a) The legislature hereby finds and declares that there is a need for an advisory council on school finances to strengthen the fiscal accountability of school districts, regional school districts, state schools and charter schools in Rhode Island. The council shall be composed of five (5) members as follows: (1) The auditor general of the state of Rhode Island or his or her designee; (2) The executive director of the Rhode Island association of school committees or his or her designee; (3) The president of the Rhode Island association of school business officials or his or her designee; (4) The commissioner of elementary and secondary education or his or her designee; and (5) The director of the department of administration or his or her designee. The auditor general or his or her designee shall serve as chair of the council. By July 1, 2005, the council shall develop recommendations for a uniform system of accounting, including a chart of accounts for all school districts, regional school districts, state schools and charter schools. Said recommendations shall be advisory in nature and may be adopted by the office of auditor general and the department of education in part or in whole.

(b) The council shall meet no less than annually and recommend changes in accounting procedures to be adopted by school districts, regional school districts, state schools and charter schools as well as apprise school business officials, charter school officials, school committees and school superintendents, school administrators and state school officials about professional development opportunities that promotes sound fiscal practices and a knowledge of current state and federal rules and regulations regarding school finance. The council shall also report, annually, its activities and recommendations to the house committee on education accountability, the senate committee on education and the office of the governor.

16-2-9.3. School district accounting compliance. - - (a) The office of auditor general and the department of education shall promulgate a uniform system of accounting, including a chart of accounts based on the recommendations of the advisory council on school finance, and require all accounts of the school districts, regional school districts, state schools and charter schools to be kept in accordance therewith; provided, that in any case in which the uniform system of accounting is not practicable, the office of auditor general in conjunction with the department of education shall determine the manner in which the accounts shall be kept.

(b) For the purpose of securing a uniform system of accounting and a chart of accounts the advisory council on school finances, as defined in section 16-2-9.2 may make such surveys of the operation of any school districts, regional school district, state school or charter school as they shall deem necessary.

(c) If any school district, regional school district, state school or charter school fails to install and maintain the uniform system of accounting, including a chart of accounts, or fails to keep its accounts and interdepartmental records, or refuses or neglects to make the reports and to furnish the information in accordance with the method prescribed by the office of auditor general and the department of education or hinders or prevents the examination of accounts and financial records, the auditor general and the commissioner of education may make a report to the board of regents for elementary and secondary education in writing, specifying the nature and extent of the failure, refusal, neglect, hindrance, or prevention, and the board of regents are hereby authorized and directed to review the matter so reported. If the regents shall find that failure,

refusal, neglect, hindrance, or prevention exists and that the school district, regional school district, state school or charter school should properly comply in the matter so reported, the regents shall direct the school district, regional school district, state school or charter school, in writing, to so comply. If the failure, refusal, neglect, hindrance, or prevention shall continue for a period of ten (10) days following the written direction, the regents may withhold distribution of state aid to said school district, regional school district, state school or charter school.

SECTION 8. This article shall take effect as of July 1, 2004."

Respectfully submitted,
REPRESENTATIVE COSTANTINO

Representatives Amaral, Crowley, Benson and Moura discuss the amendment**.**

The motion to amend is read and prevails on a roll call vote, 72 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

By unanimous consent, Representative Jacquard, seconded by Representatives Costantino, Schadone, Gemma, Coogan and Naughton offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 23, page 14, between lines 29 and 30 by adding the following language:

"SECTION 5. Section 16-7.1-5 of the General Laws in Chapter 16-7.1 entitled "The Rhode Island Student Investment Initiative" is hereby amended to read as follows:

16-7.1-5. Intervention and support for failing schools. -- (a) The board of regents shall adopt a series of progressive support and intervention strategies consistent with the Comprehensive Education Strategy and the principles of the "School Accountability for Learning and Teaching" (SALT) of the board of regents for those schools and school districts that continue to fall short of performance goals outlined in the district strategic plans. These strategies shall initially focus on: (1) technical assistance in improvement planning, curriculum alignment, student assessment, instruction, and family and community involvement; (2) policy support; (3) resource oversight to assess and recommend that each school has adequate resources necessary to meet performance goal; and (4) creating supportive partnerships with education institutions, business, governmental, or other appropriate nonprofit agencies. If after a three (3) year period of support there has not been improvement in the education of students as determined by objective criteria to be developed by the board of regents, then there shall be progressive levels of control by the department of elementary and secondary education over the school and/or district budget, program, and/or personnel. This control by the department of elementary and secondary education may be exercised in collaboration with the school district and the municipality. If further needed, the school shall be reconstituted. Reconstitution responsibility is delegated to the board of regents and may range from restructuring the school's governance, budget, program, personnel, and/or may include decisions regarding the continued operation of the school. The board of regents shall assess the district's capacity and may recommend the provision of additional district, municipal and/or state resources. If a school or school district is under the board of regents' control as a result of actions taken by the board pursuant to this section, the local school committee shall be responsible for funding that school or school district at the same level as in the prior academic year increased by the same percentage as the state total of school aid is increased.

(b) For FY ~~2004,~~ 2005, the department shall dedicate one hundred thousand dollars ($100,000) from funds appropriated to support progressive support and intervention and SALT visits to support the Rhode Island Consortium for Instructional Leadership and Training. This consortium is engaged in training school leaders to be more effective instructional leaders in the standards based instruction environment."

(2) In Article 23, page 14, line 30 by deleting the number "5" after the word "SECTION" and adding the number "6".

Respectfully submitted,

REPRESENTATIVE JACQUARD

The motion to amend is read and prevails on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

REQUESTS

Representatives Benson and Winfield request the journal to reflect that if they had voted on Representative Jacquard's amendment, they would have voted in the affirmative.

Representatives Moura, Story, Gorham, Crowley, and Kilmartin, discuss the article as amended.

Article 23 is read and prevails, as amended, on a roll call vote, 69 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representatives Palumbo.

ARTICLE 34

RELATING TO BOARD OF GOVERNORS FOR HIGHER EDUCATION – POWERS AND DUTIES

Representative Costantino moves passage of the article, seconded by Representatives Fox, Rose, Shanley, Malik, Slater, Kilmartin, Faria, Crowley and San Bento.

By unanimous consent, Representative Costantino, seconded by Representative Faria, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

In Article 34, page 3, by deleting all the language in lines 25 through 34, inclusive, and inserting in place thereof the following language:

"**16-59-9. Educational budget and appropriations. --** (a) The general assembly shall annually appropriate any sums it deems necessary for support and maintenance of higher education in the state and the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payment of the appropriations or so much of the sums that are necessary for the purposes appropriated, upon the receipt by him or her of proper vouchers as the board of governors for higher education may by rule provide. The board shall receive, review, and adjust the budgets of its several subordinate committees and agencies and for the office of higher education and present the budget as part of the budget for higher education, under the requirements of section 35-3-4. and the board may reallocate the budget of any board or agency or the office of higher education upon the request of the board or agency or upon its own initiative. "

Respectfully submitted,

REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Representatives Mumford, Long, and Shanley, discusses the article as amended.
By unanimous consent, Representative McHugh, seconded by Representative Benson and Caprio, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT

RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 34, page l, line 28, by restoring all of the stricken language.
(2) In Article 34, page 2, line 9, by restoring all of the stricken language.
(3) In Article 34, page 3, line 31, by restoring all of the stricken language.
(4) In Article 34, page 3, lines 32-34, by restoring all of the stricken language.

Respectfully submitted,

REPRESENTATIVE MCHUGH

Representatives McHugh, Benson, Gorham, Costantino, Palumbo, Long, Caprio, Mumford, Montanaro, Crowley, Williamson, and Moffitt discuss the amendment.

The motion to amend is read and fails on a roll call vote, 26 members voting in the affirmative and 46 members voting in the negative as follows:

YEAS - 26: Representatives Amaral, Benson, Callahan, Caprio, Cerra, DeSimone, Faria, Gorham, Long, McHugh, McManus, Moffitt, Moran, Mumford, Palumbo, Petrarca, Reilly, Savage, Scott, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson.

NAYS - 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Carter, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Enos, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moura, Naughton, Picard, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Williams, Williamson, Winfield.

Representative Faria requests the journal to reflect that is he had voted incorrectly on the amendment to Article 34, he should have voted in the negative.

Article 34 is read and prevails, as amended, on a roll call vote, 50 members voting in the affirmative and 21 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Picard, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Smith, Voccola, Williams, Williamson, Winfield.

NAYS - 21: Representatives Amaral, Benson, Callahan, Caprio, Coogan, Gorham, Long, McHugh, McManus, Moffitt, Mumford, Palumbo, Petrarca, Reilly, Savage, Scott, Story, Tejada, Trillo, Wasylyk, Watson.

ARTICLE 25

RELATING TO HUMANSERVICES – FAMILY INDEPENDENCE PROGRAM

Representative Slater moves passage of the article, seconded by Representatives Costantino, Shavers, Jacquard, Gemma, Faria, Carter, Lewiss, Malik, and McNamara.

Representative Watson, and Slater discuss the article.

Representative Watson requests to vote page 13, sub-section D, lines 4-13 in Article 25 separately.

The Honorable Speakers Murphy rules it is divisible.

Page 13, sub-section D, lines 4-13 in Article 25 is read and prevails, on a roll call vote, 50 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Handy, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McHugh, McNamara, Menard, Montanaro, Moura, Naughton, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Wasylyk, Williams, Winfield.

NAYS - 14: Representatives Amaral, Callahan, Coogan, Gorham, Jacquard, Kilmartin, Long, McManus, Moffitt, Moran, Mumford, Petrarca, Scott, Watson.

Article 25 is read and prevails, on a roll call vote, 61 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 8: Representatives Amaral, Callahan, Coogan, Gorham, Long, Mumford, Scott, Watson.

ARTICLE 24

RELATING TO RESPONSIBILITY OF BUDGET OFFICER FOR BUDGET

Representative Costantino moves passage of the article, seconded by Representatives Jacquard and Faria.

Article 24 is read and prevails, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Callahan, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 26

RELATING TO COMMERCIAL LAW – GENERAL REGULATORY PROVISIONS – PURCHASE AND SALE OF PRECIAOUS METALS

Representative Carter moves passage of the article, seconded by Representatives Faria, Anguilla, Landroche, Kilmartin, Malik, and Lewiss.

By unanimous consent, Representative Carter, offers Representative Costantino's amendment seconded by Representatives Slater, Wasylyk, Malik, and Faria.

FLOOR AMENDMENT

TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 26, page 1, line 16, by adding a period "." after the word "immediately" and deleting the words "on or after".

(2) In Article 26, page 1, line 17, by deleting the date "July 1, 1981".

Respectfully submitted,
REPRESENTATIVE COSTANTINO

Representatives Watson, Carter, and Costantino, discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 62 members voting in the affirmative and 1 member voting in the negative as follows:

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

NAYS - 1: Representative Coogan.

The article is read and prevails, as amended, on a roll call vote, 61 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Callahan, Carter, Cerra, Coderre, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Trillo, Watson.

NAYS - 2: Representatives Coogan, Reilly.

Representatives Winfield requests the journal to reflect that if he had voted on the amendment and Article 26, as amended, he would have voted in the affirmative.

ARTICLE 27

RELATING TO HUMAN SERVICES – CHILD CARSTATE SUBSIDIES

Representative Slater moves passage of the article, seconded by Representatives Faria, Carter, Gallison, Costantino, Shavers, Gemma, Jacquard, and Cerra.

Representatives Almeida, and Slater discuss the article.

Representative Smith requests to vote page 2, section B separately. The Honorable Speaker rules it is divisible.

Page 2, Section B prevails, on a roll call vote, 49 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 49: The Honorable Speaker Murphy and Representatives Amaral, Anguilla, Aubin, Benson, Brien, Callahan, Caprio, Carter, Coderre, Corvese, Costantino, Crowley, Enos, Fox, Gallison, Gemma, Ginaitt, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Montanaro, Naughton, Palumbo, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Trillo, Voccola, Wasylyk, Winfield.

NAYS - 22: Representatives Ajello, Almeida, Anderson, Coogan, Dennigan, DeSimone, Faria, Giannini, Gorham, Handy, Jacquard, McHugh, Moran, Moura, Mumford, Petrarca, Picard, Reilly, Smith, Tejada, Watson, Williams.

Representative Wasylyk requests the journal to reflect that he had voted incorrectly on Page 2 Section B, he should have voted in the negative.

Article 27 is read and prevails, on a roll call vote, 47 members voting in the affirmative and 18 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Anguilla, Aubin, Benson, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Enos, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Montanaro, Moura, Mumford, Naughton, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Trillo.

NAYS - 18: Representatives Almeida, Amaral, Anderson, Caprio, Coogan, Dennigan, DeSimone, Faria, Gorham, Jacquard, Long, Moran, Palumbo, Reilly, Smith, Tejada, Watson, Williams.

Representative Winfield and Voccola request the journal to reflect that if they had voted on Article 27, they would have voted in the affirmative.

Representative Wasylyk requests the journal to reflect that if he had voted on Article 27, he would have voted in the negative.

ARTICLE 28
RELATING TO VIDEO LOTTERY TERMINALS

Representative Costantino moves passage of the article, seconded by Representatives Carter, Fox Faria, Landroche, Jacquard, Lewiss and Lima.

By unanimous consent, Representative Costantino, seconded by Representatives Lima and Faria, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

1. In Article 28, page 1, line 11, by deleting the language: "twenty-eight and three quarters percent (28.75%)" and inserting in place thereof the language: "twenty-eight and eighty-five hundredths percent (28.85%)".
2. In Article 28, page 1, line 26, by deleting the word "and" and inserting in place thereof the language: "provided, however, beginning January 1, 2005, the town of Lincoln shall receive one and one quarter percent (1.25%); and".
3. In Article 28, page 1, line 27, by deleting the inserted number "(6)" and inserting in place thereof the number "(5)".

Respectfully submitted, _____

REPRESENTATIVE COSTANTINO

Representatives Watson, Costantino, Gorham, Williamson, San Bento, Montanaro. Lima, Trillo, Gemma, Jacquard, Menard, and San Bento discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 53 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Carter, Cerra, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McManus, McNamara, Menard, Montanaro, Moura, Naughton, Petrarca, Picard, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Smith, Tejada, Wasylyk, Williams, Williamson, Winfield.

NAYS - 15: Representatives Amaral, Benson, Callahan, Coogan, Gorham, Long, McHugh, Moffitt, Mumford, Reilly, Savage, Scott, Story, Trillo, Watson.

By unanimous consent, Representative Gorham, seconded by Representatives Scott and Trillo, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

1. In Article 28, page 1, line 11, by deleting the following language: "twenty-eight and three quarters percent (28.75%)" and by restoring in place thereof the following original language "twenty-seven percent (27%)".
2. In Article 28, page 2, after line 14, by adding the following language "SECTION 2. Any monies generated as a result of the changes made to section 42-61.2-7 by this article shall be distributed to local communities as additional school aid."
3. In Article 28, page 2, line 15, by deleting the number "2" after the word "SECTION" and by inserting in place thereof the number "3".

Respectfully submitted

REPRESENTATIVE GORHAM

Representatives Costantino, Gorham, Gemma, and Menard discuss the amendment.

The motion to amend is read and fails on a roll call vote, 15 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 15: Representatives Amaral, Anguilla, Callahan, Gorham, Long, Moffitt, Mumford, Picard, Reilly, Savage, Scott, Story, Trillo, Wasylyk, Watson.

NAYS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Montanaro, Moura, Naughton, Palumbo, Petrarca, Rose, San Bento, Schadone, Shavers, Slater, Tejada, Williams, Williamson, Winfield.

Representative Smith requests the journal to reflect that if he had voted on the last amendment to Article 27, he would have voted in the affirmative.

By unanimous consent, Representative Trillo, seconded by Representative Scott offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

1. In Article 28, page 1, lines 10 and 11, by reinstating the language "twenty-seven percent (27%)" and deleting the inserted language "twenty-eight and three quarters percent (28.75%)".

2. In Article 1, page 3, line 9, by deleting the number "3,000,000" and inserting in place thereof the number "4,000,000".

Respectfully submitted,

_____
REPRESENTATIVE TRILLO

Representative Costantino discusses the amendment.

The motion to amend is read and fails on a roll call vote, 14 members voting in the affirmative and 56 members voting in the negative as follows:

YEAS - 14: Representatives Amaral, Benson, Callahan, Caprio, Dennigan, Gorham, Long, Moffitt, Mumford, Savage, Scott, Story, Trillo, Watson.

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

Representatives Moura and Watson discuss the Article, as amended.

Representative Watson requests to vote page 1, lines 10-12 separately. The Honorable Speaker rules it is divisible.

Page1, lines 10-12 prevails on a roll call vote, 55 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McManus, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Palumbo, Petrarca, Picard, Rose, San Bento, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Williams, Williamson, Winfield.

NAYS - 13: Representatives Amaral, Anguilla, Benson, Callahan, Gorham, Long, McHugh, Moffitt, Mumford, Savage, Story, Trillo, Watson.
Article 28 is read and prevails, as amended, on a roll call vote, 64 members voting in the affirmative and 7 members voting in the negative as follows:

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

NAYS - 7: Representatives Benson, Caprio, Coogan, Palumbo, Reilly, Tejada, Trillo.
Representative Tejada requests the journal to reflect that he had voted incorrectly on the amendment and the Article, he should have voted in the affirmative.

RECESS

At 6:13 o'clock P.M. the Honorable Speaker Murphy declares the House to be in recess.

ORDER

At 7:42 o'clock P.M. the Honorable Speaker Murphy calls the House to order.

CALENDAR

ARTICLE 29

RELATING TO NONRESIDENT SHAREHOLDER WITHHOLDING

Representative Costantino moves passage of the article, seconded by Representatives Crowley, Anguilla, Faria, Carter, San Bento, Ajello, and Slater.

Article 29 is read and prevails, on a roll call vote, 64 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Moran, Voccola.

Representatives Corvese and Moffitt request the journal to reflect that if they had voted on Article 29, they would have voted in the affirmative.

ARTICLE 30

RELATING TO BUSINESS REGULATION FEES

Representative Costantino moves passage of the article, seconded by Representatives Crowley, Faria, Carter and Slater.

Article 30 is read and prevails, on a roll call vote, 63 members voting in the affirmative and 5 members voting in the negative as follows:

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

NAYS - 5: Representatives Caprio, Kennedy, Reilly, San Bento, Watson.
Representative Gorham requests the journal to reflect that is he had voted incorrectly on Article 30, he should have voted in the negative.

ARTICLE 31

RELATING TO PUBLIC UTILITIES AND CARRIERS –Article 32 – TELECOMMUNICATION SURCHARGE

Representative Costantino moves passage of the article, seconded by Representatives Carter, Gallison, Crowley, Shanley, Malik and Lima.

By unanimous consent, Representative Malik, offers Representative Costantino's amendment, seconded by Gallison, Enos, and several other members of the House.

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 31, on page 5, line 9, by inserting after the number "2004" the following words "and shall expire on June 30, 2007".

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 60 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Palumbo, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Williams, Williamson, Winfield.

NAYS - 5: Representatives Giannini, Gorham, McManus, Petrarca, Watson.

By unanimous consent, Representative Lima, seconded by Representative Fox offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) On page 5, of Article 31, between lines 7 and 8, insert the following language: "(h) Except as otherwise provided by law, the agency shall not use, disclose or otherwise make available call location information for any purpose other than as specified in subsection 39-1-62 (c)."

Respectfully submitted,

_____

REPRESENTATIVE LIMA

Representatives Amaral and Mumford discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

Article 31 is read and prevails, as amended, on a roll call vote, 52 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Handy, Jacquard, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, Menard, Montanaro, Moran, Naughton, Palumbo, Rose, San Bento, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Williams, Williamson, Winfield.

NAYS - 14: Representatives Giannini, Gorham, Kennedy, McHugh, McManus, Moffitt, Mumford, Petrarca, Picard, Reilly, Savage, Trillo, Wasylyk, Watson.

ARTICLE 32

RELATING TO FUGITIVE TASK FORCE

Representative Costantino moves passage of the article, seconded by Representatives Carter, Rose, Kilmartin and Slater.

Representatives Brien, Costantino, and Watson discuss the article.

Article 32 is read and prevails, on a roll call vote, 66 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Almeida, Watson.

ARTICLE 33

RELATING TO ENVIRONMENTAL MANAGEMENT FEES

Representative Costantino moves passage of the article, seconded by Representatives Crowley, Jacquard, Faria, Malik, San Bento, and Williamson.

Representative Watson, and Costantino discuss the article.

Article 33 is read and prevails, on a roll call vote, 60 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Smith, Story, Tejada, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 10: Representatives Amaral, Benson, Gorham, McManus, Moffitt, Reilly, Savage, Scott, Trillo, Watson.

ARTICLE 35

RELATING TO PUBLLIC UTILITIES AND CARRIERS

Representative Costantino moves passage of the article, seconded by Representatives Carter, Faria, and Crowley.

Article 35 is read and prevails, on a roll call vote, 70 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Shanley.

ARTICLE 36

RELATING TO LICENSING OF NURSING FACILITIES

Representative Costantino moves passage of the article, seconded by Representative Faria.

Representative Benson, Costantino, Watson, Trillo, Caprio, Trillo, and Picard discuss the article.

By unanimous consent, Representative Trillo, offers and oral motion to amend.

Representative Costantino moves to recommit Article 36, seconded by Representatives Crowley, Naughton, Benson, Faria, Carter, Fox, Ginaitt, Cerra, Giannini, Rose, Almeida, Coderre, McNamara, Malik, Lewiss, San Bento, Kennedy, Shavers, Picard, Aubin, Williams, Trillo, Moffitt, Story, Amaral, Savage, Palumbo, Reilly and several other members of the House, by unanimous consent on a voice vote.

Article 36 is read and recommitted to the committee on Finance.

ARTICLE 37

RELATING TO RESOURCE RECOVERY CORPORATION

Representative Costantino moves passage of the article, seconded by Representatives San Bento, Naughton, Crowley, Faria, Carter, Lowe, Gemma, and Rose.

Representatives Cerra and Benson discuss the article.

By unanimous consent, Representative Benson, seconded by Representative Cerra offers an oral motion to amend. Representative Savage objects to the oral amendment.

Article 37 is read and prevails, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representative Cerra requests the journal to reflect that if she had voted on Article 37, she would have voted in the negative.

ARTICLE 38

RELATING TO ADMINISTRATIVE PROCEDURES

Representative Naughton moves passage of the article, seconded by Representatives Costantino, Amaral and Winfield.

Article 38 is read and prevails, on a roll call vote, 66 members voting in the affirmative and 3 members voting in the negative as follows:

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

NAYS - 3: Representatives Ajello, Dennigan, Wasylyk.

ARTICLE 39

RELATING TO COMPENSATION OF BOARD MEMBERS

Representative Costantino moves passage of the article, seconded by Representatives Picard, Gemma, Lewiss, Moffitt, Mumford and Faria.

NOW PRESIDING

At 8:30 o'clock P.M., the Honorable Speaker Murphy yields the rostrum to the Honorable Deputy Speaker Winfield

Article 39 is read and prevails, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Voccola, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

ARTICLE 41

RELATING TO ISSUANCE OF LICENSES UPON PAYMENT OF TAXES

Representative Costantino moves passage of the article, seconded by Representatives Rose and Benson.

By unanimous consent, Representative Lima, seconded by Representative Fox, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR

THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

In Article 41, page 2, between lines 5 and 6, by adding the following language:

"Unless otherwise required by law, no department, board, commission, authority or other agency shall maintain, use or disclose for any other purpose the social security information obtained pursuant to this section."

Respectfully submitted,

_____

REPRESENTATIVE LIMA

The motion to amend is read and prevails on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: Representatives Ajello, Almeida, Amaral, Anderson, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

By unanimous consent, Representative Lima, seconded by Representative Fox, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

1. In Article 41, page 1, line 15, by adding the language "or, if unpaid, is pursuing administrative or appellate review of such taxes" after the word "person".

2. In Article 41, page 2, line 18, by adding the language "or, if a conference has been requested, after a conference has been held" after the first word and punctuation "licensee,"

3. In Article 41, page 2, line 23, by adding the letter "(a)" after the language "license. – "

4. In Article 41, page 2, between lines 32 and 33, by inserting the following language:

"(b) If a licensee thereafter files an overdue return and/or remits past taxes due or enters into a satisfactory time payment agreement with respect to any and all returns due and taxes payable, the tax administrator shall, within five (5) business days of a licensee's request, provide

the appropriate agency or authority the certificate of good standing specified in section 5-75-5 of this chapter. Within five (5) business days of receiving such a certificate, the agency or authority shall reinstate, reissue, renew or otherwise extend the licensee's license."

5. In Article 41, page 3, line 24, by adding the language "and of the procedures available to the person to contest that determination" after the word "registration".

6. In Article 41, page 3, line 30, by adding the language "or, if a conference has been requested, after a conference has been held" after the first word "registrant".

7. In Article 41, page 4, between lines 5 and 6, by inserting the following language:

"(e) If the licensee thereafter files an overdue return and/or remits past taxes due or enters into a satisfactory time payment agreement with respect to any and all returns due and taxes payable, the tax administrator shall, within five (5) business days of a licensee's request, provide the appropriate agency or authority the certificate of good standing specified in section 5-75-5 of this chapter. Within five (5) business days of receiving such a certificate, the agency or authority shall reinstate, reissue, renew or otherwise extend the licensee's license."

8. In Article 41, page 4, line 6, by deleting the letter "(e)" and inserting in place thereof the letter "(f)".

9. In Article 41, page 4, line 22, by inserting the language: "and of the procedures available to the person to contest the determination" after the word "registration".

10. In Article 41, page 4, line 29, by inserting the language "or, if a conference has been requested, after a conference has been held" after the first words "or registrant".

11. In Article 41, page 5, between lines 5 and 6, by inserting the following language:

"(e) If the licensee thereafter files an overdue return and/or remits past taxes due or enters into a satisfactory time payment agreement with respect to any and all returns due and taxes payable, the tax administrator shall, within five (5) business days of a licensee's request, provide the appropriate agency or authority the certificate of good standing specified in section 5-75-5 of this chapter. Within five (5) business days of receiving such a certificate, the agency or authority shall reinstate, reissue, renew or otherwise extend the licensee's license."

Respectfully submitted,

_____

REPRESENTATIVE LIMA

The motion to amend is read and prevails on a roll call vote, 65 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 65: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 1: Representative Gemma.

Representatives Amaral, Coderre, Trillo, Jacquard, Tejada, Gemma, Wasylyk, Crowley, Caprio, Watson, Moffitt, and Shanley discuss the article as amended.

Representative Gemma offers an oral motion to amend.

Representative Costantino objects.

Article 41 is read and prevails, as amended, on a roll call vote, 42 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 42: Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Carter, Coderre, Coogan, Corvese, Costantino, Dennigan, Enos, Faria, Fox, Gallison, Giannini, Ginaitt, Handy, Jacquard, Kilmartin, Landroche, Lewiss, Malik, McCauley, McManus, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Palumbo, Picard, Rose, Savage, Schadone, Shanley, Slater, Smith, Story, Williams, Winfield.

NAYS - 14: Representatives Amaral, Benson, Gemma, Gorham, Kennedy, Long, Lowe, Moffitt, Petrarca, Reilly, San Bento, Scott, Trillo, Wasylyk.

Representative Crowley requests the journal to reflect that if he had voted on Article 41, as amended, he would have voted in the affirmative.

Representative Tejada requests the journal to reflect that if he had voted on Article 41, as amended, he would have voted in the negative.

Representative Benson requests the journal to reflect that she had voted incorrectly on Article 41, as amended, she should have voted in the affirmative.

ARTICLE 42

RELATING TO MILITARY AFFAIRS

Representative Carter moves passage of the article, seconded by Representative Fox and several other members of the House.

By unanimous consent, Representative Carter, seconded by Representatives Fox and several other members of the House, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 42, page 1, line 21, by deleting the word "five".

(2) In Article 42, page 1, line 22, by deleting the figure "85%" and inserting in place thereof the figure "80%".

Respectfully submitted,

_____
REPRESENTATIVE CARTER

Representatives Moffitt and Gallison discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 64 members voting in the affirmative and 1 member voting in the negative as follows:

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

NAYS - 1: Representative Benson.

Representative Benson requests the journal to reflect that she had voted incorrectly on the last amendment, she should have voted in the affirmative.

By unanimous consent, Representative Ajello, seconded by Representative Tejada, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

In Article 42, page 2, line 8, by inserting the language "marital status, age, sexual orientation, gender identity or expression," after the word and punctuation "disability,".

Respectfully submitted,

_____
REPRESENTATIVE AJELLO

Representatives Moffitt and Carter discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 62 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 62: Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moran, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Tejada, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 4: Representatives Anderson, Moffitt, Montanaro, Trillo.

Representatives Montanaro requests the journal to reflect that if he had voted on the amendment, he would have voted in the affirmative.

Article 42 is read and prevails, as amended, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: Representatives Ajello, Almeida, Amaral, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

Representative Carter discusses Article 42 as amended.

ARTICLE 43

RELATING TO PHARMACEUTICAL ASSISTANCE

Representative Costantino moves passage of the article, seconded by Representatives Crowley, Slater, Naughton, and Coderre.

By unanimous consent, Representative Costantino, seconded by Representatives Crowley, Slater, Naughton, and Coderre offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:
(1) In Article 43, page 1, line 16, by deleting the words "injectible drugs for multiple sclerosis".
(2) In Article 43, page 1, line 17, by deleting the word "and".
(2) In Article 43, page 1, line 24, by deleting the words and comma "drugs for the treatment of multiple sclerosis,".
(3)

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 62 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 62: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Tejada, Trillo, Voccola, Williams, Winfield.

NAYS - 4: Representatives Benson, Giannini, Story, Wasylyk.
.
Article 43 is read and prevails, as amended, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

Representative Moura requests the journal to reflect that if he had voted on Article 43, as amended, he would have voted in the affirmative.

ARTICLE 44

RELATING TO EARLY INTERVENTION

Representative Slater moves passage of the article, seconded by Representatives Williams, Dennigan, Coogan, Coderre, Cerra, Shavers, Gemma, and Anderson.

Article 44 is read and prevails, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

Representative Moura requests the journal to reflect that if he had voted on Article 44, he would have voted in the affirmative.

ARTICLE 45

RELATING TO AUTHORIZATION UNDER PUBLIC CORPORATION DEBT MANAGEMENT ACT

Representative Costantino moves passage of the article, seconded by Representatives Fox, Carter, Crowley, and Slater.

By unanimous consent, Representative Gemma, seconded by Representative Jacquard, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:
(1) In Article 45, on page 10 by deleting SECTION 7 in its entirety beginning with line 22 on page 10 through and including line 25 on page 14.
(2) In Article 45, on page 14, line 26, by deleting the numeral "8" after the word "SECTION" and inserting in place thereof the numeral "7".
(3) In Article 45, one page 15, line 18, by deleting the numeral "9" after the word "SECTION" and inserting in place thereof the numeral "8".

Respectfully submitted,

_____
REPRESENTATIVE GEMMA

Representatives Gemma, McNamara and Costantino discuss the amendment.

The motion to amend is read and fails on a roll call vote, 5 members voting in the affirmative and 53 members voting in the negative as follows:

YEAS - 5: Representatives Benson, Dennigan, Gemma, Jacquard, Schadone.

NAYS - 53: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Caprio, Carter, Coderre, Coogan, Corvese, Costantino, Crowley, DeSimone, Enos, Fox, Gallison, Giannini, Ginaitt, Handy, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McManus, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Palumbo, Picard, Reilly, Rose, San Bento, Savage, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Williams, Winfield.

Representative Gemma requests to vote section 7 separately. The Honorable Deputy Speaker rules it is divisible.

Section 7 of Article 45, prevails on a roll call vote, 58 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 58: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Enos, Fox, Gallison, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McManus, McNamara, Menard,

Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Tejada, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Gemma.

Representatives Moffitt, Mumford, and Scott request the journal to reflect that if they had voted on section 7 of Article 45 they would have voted in the affirmative.

Article 45 is read and prevails, on a roll call vote, 66 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 66: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Gemma.

ARTICLE 46

RELATING TO WATERS AND NAVIGATION – COASTAL AND ESTUARY HABITAT RESTORATION PROGRAM AND TRUST FUND

Representative Costantino moves passage of the article, seconded by Representatives Carter, Handy, Lima, Naughton, Fox, Lewiss, Crowley, Shavers, Gemma, Ginaitt, Cerra, Malik, McNamara, Anguilla, Dennigan, Aubin, Ajello, Lally, Enos, Long, Savage, Amaral, Story, Faria, Giannini and several other members of the House.

Article 46 is read and prevails, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 47

RELATING TO COURT ADMINISTRATION

Representative Carter moves passage of the article, seconded by Representatives Gallison, Schadone, San Bento, Rose, and Lewiss.

By unanimous consent, Representative Carter, offers Representative Costantino's amendment, seconded by Representative Schadone.

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) In Article 47, on page 2, by underlining all of the language on lines 2 and 3.

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Naughton, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Schadone, Savage, Lima, Lewiss, Story, McNamara, Watson, Jacquard, Amaral, Kilmartin, Long, Gemma, Fox, and Savage discuss the article as amended.
By unanimous consent, Representative Moffitt, seconded by Representative Mumford, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:
By deleting Article 47 in its entirety.

Respectfully submitted,

_____
REPRESENTATIVE MOFFITT

Representative Ginaitt discusses the amendment.

The motion to amend is read and fails on a roll call vote, 15 members voting in the affirmative and 53 members voting in the negative as follows:

YEAS - 15: Representatives Amaral, Gemma, Gorham, Long, McManus, McNamara, Moffitt, Mumford, Picard, Savage, Scott, Shanley, Story, Trillo, Watson.

NAYS - 53: Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Benson, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Giannini, Ginaitt, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, Menard, Montanaro, Moran, Moura, Naughton, Palumbo, Petrarca, Reilly, Rose, San Bento, Schadone, Shavers, Slater, Smith, Tejada, Voccola, Williams, Williamson, Winfield.

Article 47 is read and prevails, as amended, on a roll call vote, 47 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 47: Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Giannini, Jacquard, Kilmartin, Lally, Landroche, Lewiss, Lima, Lowe, Malik, McCauley, Menard, Montanaro, Moran, Moura, Naughton, Palumbo, Petrarca, Picard, Rose, San Bento, Schadone, Shavers, Slater, Tejada, Voccola, Williams, Williamson, Winfield.

NAYS - 22: Representatives Amaral, Benson, Crowley, Gemma, Ginaitt, Gorham, Handy, Kennedy, Long, McHugh, McManus, McNamara, Moffitt, Mumford, Reilly, Savage, Scott, Shanley, Smith, Story, Trillo, Watson.

ARTICLE 48

RELATING TO HUMAN SERVICES – MEDICAL ASSISTANCE – NURSING FACILITY RATES

Representative Costantino moves passage of the article, seconded by Representatives Carter and Faria.

Article 48 is read and prevails, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Voccola, Watson, Williams.

NAYS - 0.

Representative Smith requests the journal to reflect that if he had voted on Article 48, he would have voted in the affirmative.

ARTICLE 49

RELATING TO ESTABLISHING A DISTRESSED HOSPITAL PROGRAM

Representative Slater moves passage of the article, seconded by Representatives Jacquard, Ajello, Naughton, Carter, Faria and Cerra.

By unanimous consent, Representative Slater, offers Representative Costantino's amendment, seconded by Representatives Naughton, Faria, and Lally.

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

By deleting Article 49 in its entirety and by inserting in its place thereof the following language:

"ARTICLE 49
RELATING TO HOSPITAL EFFICIENCY

SECTION 1. Chapter 23-17.17 of the General Laws entitled "Health Care Quality Program" is hereby amended by adding thereto the following section:

23-17.17-7. Rhode Island Hospital Efficiency, Leverage and Profitability (RI HELP) program. - - (a) There is established in the department of health a program to provide state assistance to those Rhode Island hospitals that have the greatest need for assistance relative to all hospitals.

(b) Establishment of indices. Three (3) indices shall be established to determine eligibility of the program. Using 2003 data as reported in "The Health of RI's Hospitals (2003)" (Report), each hospital shall be ranked by each index and any hospital that meets the requirements on at least two (2) of the three (3) indices shall be eligible to receive assistance. The General Assembly may from time to time change the year from which data is used to determine eligibility for the RI HELP program. The three (3) indices are established as follows:

(1) Efficiency. This shall be computed by determining the Total Asset Turnover and Fixed Asset Turnover of each hospital. Any hospital with a total rating above zero (0) as displayed in the Report, Chart 9, shall meet the requirements for this index.

(2) Leverage. This shall be computed by determining the Debt to capitalization ratio and the Debt Service Coverage ratio for each hospital. Any hospital with a total rating less than zero (0) as displayed in the Report, Chart 8, shall meet the requirements for this index.

(3) Profitability. This shall computed by determining the average Profit Margin for each hospital for the previous three (3) fiscal years (2001, 2002, 2003). Any hospital with a three (3) year average rating below negative three percent (-3.0%) as calculated from the data in the Report, Table 1, shall meet the requirements for this index.

(c) Distribution of funds. Funds shall be distributed to each eligible hospital on the basis of the ratio of each eligible hospital's inpatient discharges in 2003 to the sum of all eligible hospitals' inpatient discharges in 2003.

(d) Appropriation of funds. Funds for this program are subject to appropriation by the General Assembly, and may be ratably reduced at any time the General Assembly determines that insufficient funding is available to pay the full amount due to all hospitals that are determined to be eligible for assistance under this program. The budget appropriation for FY 2005 is set at two million three hundred thousand dollars ($2, 300,000).

(e) Payments. Payments shall be made to eligible hospitals on or before December 31 of each year that funds are appropriated for this program by the General Assembly.

SECTION 2. This Article shall take effect on July 1, 2004."

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

The motion to amend is read and prevails on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, San Bento, Savage, Scott, Shanley, Shavers, Slater, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Article 49 is read and prevails, as amended, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: Representatives Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Caprio, Cerra, Coderre, Coogan, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Smith, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williamson, Winfield.

NAYS - 0.

ARTICLE 4

RELATING TO OIL SPILL RESPONSE FUND

Representative Costantino moves passage of the article, seconded by Representatives Faria, Malik, Enos and Naughton.

Article 4 is read and prevails, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Dennigan, DeSimone, Enos, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Montanaro, Moran, Moura, Mumford, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Story, Tejada, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

NEW ARTICLES

By unanimous consent, Representative Almeida seconded by Representatives Fox, Ajello, Tejada, Williams, Moran, Handy, Faria, Shavers, and San Bento, offers a written motion to amend:

Representatives Almeida, Williams, Slater, Gorham, Trillo, Tejada, Handy, and Fox discuss the amendment.

Representative Almeida withdraws the amendment.

By unanimous consent, Representative Amaral seconded by Representatives Scott, McManus and Long, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

(1) By adding thereto the following new Article:

"Article _____

RELATING TO PROPERTY TAX RELIEF

SECTION 1. Section 44-33-9 of the General Laws in Chapter 44-33 entitled "Property Tax Relief" is hereby amended to read as follows:

44-33-9. Computation of credit. -- The amount of any claim made pursuant to this chapter is determined as follows: (1) For any taxable year, a claimant is entitled to a credit against his or her tax liability equal to the amount by which the property taxes accrued or rent constituting property taxes accrued upon the claimant's homestead for the taxable year exceeds a certain percentage of the claimant's total household income for that taxable year, which percentage is based upon income level and household size. The credit is computed in accordance with the following table.

Income Range 1 Person 2 or More Persons
less than $6000 3% 3%
$6001-9000 4% 4%
$9001-12000 5% 5%
$12001-15000 6% 5%
$15001-~~30000~~ 35000 6% 6%

(2) The maximum amount of the credit granted under this chapter will be as follows:

Year Credit Maximum

Commencing July 1977 $ 55.00
Commencing July 1978 $150.00
Commencing July 1979 $175.00
Commencing July 1980 $200.00
Commencing on July 1997 $250.00
Commencing 2004 $300.00
and subsequent years
SECTION 2. This article shall take effect upon passage."

(2) In Article 28, page 1, lines 10 through 11, by restoring the original language "twenty-seven percent (27%)".

(4) In Article 28, page 1, line 11 by deleting the language "twenty-eight and three quarters percent (28.75%)".

(5)

Respectfully submitted,

_____
REPRESENTATIVE AMARAL

Representative Jacquard discusses the amendment.

The motion to amend is read and fails on a roll call vote, 14 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 14: Representatives Amaral, Enos, Faria, Giannini, Gorham, Long, McManus, Moffitt, Mumford, Savage, Scott, Story, Trillo, Watson.

NAYS - 51: Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Caprio, Carter, Cerra, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Fox, Gallison, Gemma, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McHugh, McNamara, Menard, Montanaro, Moran, Moura, Naughton, Palumbo, Petrarca, Picard, Reilly, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Smith, Voccola, Williams, Winfield.

By unanimous consent, Representative Wasylyk, seconded by Representative Reilly, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR

THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

By adding the following new Article:

"ARTICLE _____

RELATING TO STATE AFFAIRS AND GOVERNMENT -- INSURANCE

SECTION 1. Title 42 of the General Laws entitled "State Affairs and Government" is hereby amended by adding thereto the following chapter:

CHAPTER 14.5 DEPARTMENT OF INSURANCE COMMISSIONER

42-14.5-1. Establishment of department -- Commissioner. – There is hereby established within the executive branch of state government a department of insurance commissioner. The head of the department shall be the state insurance commissioner. The director shall receive such salary as provided by law. The department of insurance commissioner shall have offices which shall be assigned to it by the department of administration.

42-14.5-2. Appointment and term of commissioner. – (a) The governor, with the advice and consent of the senate, shall appoint the state insurance commissioner, who shall be a person qualified by training and experience to perform the duties set forth in section 42-14.5-3. The appointment shall be made from a list of at least three (3) persons prepared and submitted by a committee consisting of: one (1) physician, appointed by the Rhode Island Medical Society; one (1) representative of labor, appointed by the president of the Rhode Island AFL-CIO; one (1) representative of consumers group, chosen by the governor; one (1) representative from the board of nursing; the director of health, or his or her designee; one (1) representative of businesses, chosen by the governor; one (1) representative of the Rhode Island Trial Lawyers Association; one (1) representative of the Hospital Association of Rhode Island; and the director of business regulation, or his or her designee.

(b) The state insurance commissioner upon his or her appointment and advice and consent, shall be considered qualified and shall serve a term of five (5) years. At the completion of said term, an insurance commissioner may be reappointed. Also, any person serving as state insurance commissioner shall not become employed by any employer licensed pursuant to the provision of title 27 for a period of two (2) years.

42-14.5-3. Functions of commissioner. – The state insurance commissioner shall:

(a) Have all the powers and duties formerly vested to the director of the department of business regulation and/or the insurance commissioner, and/or the commissioner of insurance with regard to insurance as outlined in title 27 of the general laws;

(b) Enforce the provisions of title 27 of the general laws and all regulations promulgated thereunder;

(c) Promulgate rules and regulations as allowed by the provisions of title 27, insofar as such powers were previously granted to the director of the department of business regulation, in accordance with the Administrative Procedures Act, chapter 35 of title 42.

42-14.5-4. Transfer of functions from the department of business regulation. – (a) There are hereby transferred to the department of insurance commissioner all functions formerly administered by the department of business regulation under the provisions of title 27 of the general laws.

(b) Whenever in title 27 of the general laws, the words "director of business regulation" or "insurance commissioner" or "commissioner of insurance" or "commissioner" or "department of business regulation" or "insurance division of the department of business regulation" shall appear, the same shall be deemed to mean the state insurance commissioner or the department of

insurance commissioner, as the case may be.

42-14.5-5. Function of department. – (1) It shall be the function of the department of insurance commissioner:

(a) to regulate and control insurance as was formerly regulated and controlled by the department of business regulation; and

(b) to protect the public interest by and through the powers specifically granted by this chapter and by and through those powers specifically granted by title 27 of the general laws; and

(c) to regulate pricing through the explicit approval, disapproval, or modification of all rate changes submitted by and through the provisions of chapter 62 of title 42 and/or title 27, inclusive, of the general laws; and

(d) to recommend to the general assembly changes which his or her opinion should be made to the general or public laws relating to insurance; and

(e) to establish and maintain a program to reduce costs and increase efficiency through the use of electronic methods to transmit documents, including policy forms and rate filings, to and from insurers and the department of insurance commissioner; and

(f) to review the adequacy of insurance carrier preventive health, health education and disease management program; and

(g) to promulgate such rules and regulations as are necessary and proper to carry out the duties assigned to him or her by this title or any other provision of law.

42-14.5-6. Notice of hearings. – Whenever any hearing is required or permitted to be held pursuant to law or regulation of the department of insurance commissioner, and whenever no statutory provision exists providing that notice shall be given to interested parties prior to hearing, no such hearing shall be held without notice in writing be given at least ten (10) days prior to such hearing to all interested parties. For purposes of this section, an "interested party" shall be deemed to include the party subject to regulation hereunder and any party entitled to appear at the hearing. Notice to the party that will be subject to regulation and any party who has made known his or her intention to appear at the hearing shall be sufficient if it be in writing and mailed, first class mail, to the party at his or her regular business address. Notice to the general public shall be sufficient hereunder if it be by publication in a newspaper of general circulation in the municipality affected by the regulation and through the open meeting laws of the state, section 42-46-1 et seq.

42-14.5-7. Reporting by certain insurers -- Settlements. – (a) Every insurer providing professional liability insurance to licensed physicians, dentists, or dental hygienists shall send a complete report to the board of medical licensure and discipline established pursuant to chapter 37 of title 5, or the board of examiners in dentistry established pursuant to chapter 31.1 of title 5 and the state insurance commissioner as to any claim, notice, settlement, judgment or arbitration award of a claim or action for damages for death or personal injury caused by such person's negligence, error, or omission in practice or his or her rendering of unauthorized professional services. The report shall be sent within thirty (30) days after service of such arbitration award on the parties or notice of the claim, settlement, judgment or arbitration award.

(b) Notwithstanding any other provision of law, an insurer shall have the contractual right to settle any claim up to the limits of the policy without the insured's consent, unless the policy by its express terms prohibits the insurer from settling any claim without the consent of the insured.

(c) All insurers doing business in the state of Rhode Island in liability insurance for health care professionals, dentists or dental hygienists shall file an annual report with the

commissioner of insurance. This report must be filed for each year by March 1 of the next year. The information required for each year shall include, for each rating class:

(1) The number of insured;

(2) The total premiums paid;

(3) The total number of claims made, the years in which the incidents giving rise to the claims occurred, and the total number of those claims outstanding at the end of the year;

(4) The total amount of claims paid, the years in which the incidents giving rise to the claims occurred, and the amount of the costs which can be identified with these claims for investigation, processing, and defense of these claims; and

(5) The number of lawsuits filed.

42-14.5-8. Quarterly reporting by insurers. – (a) Notwithstanding any provision of chapter 27, all insurers licensed by the state of Rhode Island by and through chapter 27, shall provide to the state insurance commissioner a report of claims dollars paid, administrative costs in dollars, premium dollars received, amount of assets in reserve and any income on investments of those assets in reserve.

(b) The state insurance commissioner is authorized to promulgate rules and regulations in order to:

(1) Determine the standard form and format the quarterly reports shall take; and (2) Define "claims dollars," "administrative costs," "premium dollars" and "reserve."

42-14.5-9. Minimum policy provisions. – The commissioner of insurance shall promulgate rules and regulations establishing the minimum provisions which all professional liability insurance policies for licensed health care providers, dentists or dental hygienists must contain. The commissioner shall establish a "merit rating plan" which shall be based in part on the past claims paid on behalf of the insured.

42-14.5-10. Clerical assistance and expenses. – The state insurance commissioner may employ such clerical assistance and incur such office and traveling expenses for him of herself, his or her deputies and assistants as may be necessary in the performance of his or her duties, and as provided by this title, within the amounts appropriated therefor.

42-14.5-11. Payment of expenses -- Fees. – The general assembly shall annually appropriate such sum as it may deem necessary for the payment of the salary of the state insurance commissioner, for the payment of the salaries of his or her deputies and for the payment of the clerical and other assistance, office and traveling expenses of the state insurance commissioner, his or her deputies and assistants, and the state controller is hereby authorized and directed to draw his or her orders for the payment of those sums, or so much of them as may from time to time be required, upon receipt by him or her of proper vouchers. All fees, charges for examinations and other collections received by him or her as state insurance commissioner shall be paid to the general treasurer for the use of the state.

42-14.5-12. Actuary. – The state insurance commissioner may appoint an actuary to assist him or her in the performance of his or her duties, including, but not limited to, evaluating fire, casualty, health and other insurance rates. The actuary shall serve under the direction of the commissioner and shall be removable at the pleasure of the commissioner. Insurance companies doing business in this state shall be assessed according to a schedule of their direct writings of insurance in this state to pay for the compensation of the actuary.

42-14.5-13. Subpoena power – False swearing. – In connection with any matters having to do with the discharge of his or her duties pursuant to this chapter, the state insurance commissioner, in all cases of every nature pending before him or her, is hereby authorized and

empowered to summon witnesses to attend and testify in like manner as in either the supreme or the superior courts. The state insurance commissioner is authorized to compel the production of all papers, books, documents, records, certificates or other legal evidence that may be necessary for the determination and the decision of any question or the discharge of any duty required by law of the department, by issuing a subpoena duces tecum signed by the state insurance commissioner. Every person who disobeys this writ shall be considered in contempt of the department, and the department may punish that and any other contempt of the authority in like manner as contempt may be punished in either the supreme or the superior court. Any person who shall willfully swear falsely in any proceedings, matter or hearing before the department shall be deemed guilty of the crime of perjury.

42-14.5-14. Insurance – Administrative penalties. – (a) Whenever the state insurance commissioner shall have cause to believe that a violation of title 27 or the regulations promulgated thereunder or chapter 14.5 of title 42 or the regulations promulgated thereunder has occurred by a licensee, the state insurance commissioner may, in accordance with the requirements of the administrative procedures act, chapter 35 of this title:

(1) Revoke or suspend a license;

(2) Levy an administrative penalty in an amount not less than one thousand dollars ($1,000) nor more than fifty thousand dollars ($50,000);

(3) Order the violator to cease such actions;

(4) Require the licensee to take such actions as are necessary to comply with title 27 or the regulations thereunder; or

(5) Any combination of the above penalties.

(b) Any monetary penalties assessed pursuant to this section shall be as general revenues.

42-14.5-15. Order to cease and desist. – If the state insurance commissioner has reason to believe that any person, firm, corporation or association is conducting any activities requiring licensure under title 27 without obtaining a license, or who after the denial, suspension or revocation of a license conducts any activities requiring licensure under title 27, the department may issue its order to that person, firm, corporation or association commanding them to appear before the department at a hearing to be held no sooner than ten (10) days nor later than twenty (20) days after issuance of that order to show cause why the department should not issue an order to that person to cease and desist from the violation of the provisions of title 27. The order to show cause may be served on any person, firm, corporation or association named in the order in the same manner that summons in a civil action may be served, or by mailing a copy of the order, certified mail, return receipt requested, to that person at any address at which he or she has done business or at which he or she lives. If, upon that hearing, the department is satisfied that the person is in fact violating any provision of title 27, then the department may order that person, in writing, to cease and desist from that violation. All hearings shall be governed in accordance with chapter 35 of this title, the "administrative procedures act." If that person fails to comply with an order of the department after being afforded a hearing, the superior court in Providence county has jurisdiction upon complaint of the department to restrain and enjoin that person from violating this chapter.

42-14.5-16. Form and rate filing fees. – The following fees shall be charged for the services of the department of insurance commissioner in reviewing policy or certificate forms, as those terms are defined in subsection 27-29-2(7), and related forms and rates that are required by law to be submitted by insurers, as that term is defined in subsection 27-29-2(4), for review and approval by the director prior to use:

(a) For each policy or certificate form included in a single package, including any related forms, rates and other documents submitted in the same package – forty dollars ($40.00); and

(b) For related forms or revised rates in connection with a policy that has been previously approved, submitted in a single package, charged based upon the number of policies involved – twenty-five dollars ($25.00).

(c) Fees shall be submitted with each filing and shall be deposited as general revenue. These fees shall be in addition to any taxes and fees otherwise payable to the state.

42-14.5-17. Cost of legal fees. – The state insurance commissioner is hereby authorized and may in his or her discretion recover the reasonable cost of legal services provided by in-house attorneys of the department of insurance commissioner and incurred by the department of insurance commissioner in matters pertaining to rate filings and examinations. Nothing in this section shall limit the power of the state insurance commissioner to retain legal counsel and to recover the costs of such legal counsel pursuant to other provisions of the general laws.

42-14.5-18. Division of consumer affairs. – Notwithstanding the provisions of title 27, there shall be a division of consumer affairs within the department of insurance commissioner, which shall act on the state insurance commissioner's behalf and at his or her direction in order to carry out his responsibilities under this title with respect to such matters. The division shall be responsible for the following:

(a) The division shall receive and review complaints from residents of this state concerning their insurance problems, including claims disputes, and serve as a mediator in such disputes in order to assist the commissioner in determining whether statutory requirements and contractual obligations within the commissioner's jurisdiction have been fulfilled; and

(b) The division shall coordinate and conduct outreach programs, deemed necessary by the state insurance commissioner, to properly inform and educate the public on insurance matters; and

(c) The division shall submit quarterly reports to the state insurance commissioner including the number of complaints received each quarter, for which licensee of title 27 the complaint was filed, and the number of complaints which have been resolved.

SECTION 2. Sections 42-14-1, 42-14-2, 42-14-4, 42-14-5, 42-14-7, 42-14-8 and 42-14-9 of the General Laws in Chapter 42-14 entitled "Department of Business Regulation" are hereby amended to read as follows:

42-14-1. Establishment -- Head of department. -- There shall be a department of business regulation. The head of the department shall be the director of business regulation who shall carry out, except as otherwise provided by this title, this chapter; chapters 1, 2, and 4 -- 12, inclusive, of title 3; chapters 3, 20.5, 38, 49, 52, 53 and 58 of title 5; chapter 31 of title 6; chapter 11 of title 7; and chapters 1 -- 29, inclusive, of title 19, except section 19-24-6; chapter 26 of title 23; chapters 1 -- 36, inclusive, of title 27. The director of business regulation shall also perform the duties required by any and all other provisions of the general laws and public laws insofar as those provisions relate to the director of revenue and regulation, chief of the division of banking ~~and insurance,~~ chief of the division of intoxicating beverages, and each of the divisions, except as otherwise provided by this title.

42-14-2. Functions of department. -- (1) It shall be the function of the department of business regulation:

(a) To regulate and control banking ~~and insurance~~, foreign surety companies, sale of securities, building and loan associations, fraternal benefit and beneficiary societies;

(b) To regulate and control the manufacture, transportation, possession, and sale of

alcoholic beverages;

(c) To license and regulate the manufacture and sale of articles of bedding, upholstered furniture, and filling materials.

(2) Whenever any hearing is required or permitted to be held pursuant to law or regulation of the department of business regulation, and whenever no statutory provision exists providing that notice be given to interested parties prior to hearing, no such hearing shall be held without notice in writing being given at least ten (10) days prior to such hearing to all interested parties. For purposes of this section, an "interested party" shall be deemed to include the party subject to regulation hereunder, the Rhode Island consumers' council, and any party entitled to appear at the hearing. Notice to the party that will be subject to regulation, the Rhode Island consumers' council, and any party who has made known his or her intention to appear at the hearing shall be sufficient if it be in writing and mailed, first class mail, to the party at his or her regular business address. Notice to the general public shall be sufficient hereunder if it be by publication in a newspaper of general circulation in the municipality affected by the regulation.

42-14-4. Banking and insurance division. Banking division. -- Within the department of business regulation there shall be a banking and insurance division. The division shall have offices which shall be assigned to it by the department of administration.

42-14-5. Administrator of banking and insurance. Administrator of banking. -- (a) The director of business regulation shall, in addition to his or her regular duties, act as administrator of banking and insurance and shall administer the functions of the department relating to the regulation and control of banking and insurance, foreign surety companies, sale of securities, building and loan associations, and fraternal benefit and beneficiary societies.

(b) Wherever the words "banking administrator" ~~or "insurance administrator"~~ occur in this chapter or any general law, public law, act, or resolution of the general assembly or department regulation, they shall be construed to mean banking commissioner and insurance ~~commissioner~~.

42-14-7. Deputies to administrator. -- The administrator of banking ~~and insurance~~ may appoint one or more deputies to assist him or her in the performance of his or her duties, who shall be removable at the pleasure of the administrator, and the administrator in his or her official capacity shall be liable for any deputy's misconduct or neglect of duty in the performance of his or her official duties. Service of process upon any deputy, or at the office of the administrator upon some person there employed, at any time, shall be as effectual as service upon the administrator.

42-14-8. Clerical assistance and expenses. -- The administrator of banking ~~and insurance~~ may employ such clerical assistance and incur such office and traveling expenses for him or herself, his or her deputies and assistants as may be necessary in the performance of his or her other duties, and as provided by this title, within the amounts appropriated therefor.

42-14-9. Payment of expenses -- Fees. -- The general assembly shall annually appropriate such sum as it may deem necessary for the payment of the salary of the administrator of banking ~~and insurance,~~ for the payment of the salaries of his or her deputies and for the payment of the clerical and other assistance, office and traveling expenses of the administrator of banking and ~~insurance,~~ his or her deputies and assistants, and the state controller is hereby authorized and directed to draw his or her orders for the payment of those sums, or so much of them as may from time to time be required, upon receipt by him or her of proper vouchers, approved by the director of business regulation. All fees, charges for examinations and other collections received by him or her as administrator of banking, insurance, and securities shall be paid to the general

treasurer for the use of the state.

SECTION 3. Sections 42-14-2.1, 42-14-2.3, 42-14-10, 42-14-16, 42-14-16.1 and 42-14-18 of the General Laws in Chapter 42-14 entitled "Department of Business Regulation" are hereby repealed.

42-14-2.1. Reporting by certain insurers -- Settlements. -- ~~(a) Every insurer providing professional liability insurance to licensed physicians, dentists, or dental hygienists shall send a complete report to the board of medical licensure and discipline established pursuant to chapter 37 of title 5, or the board of examiners in dentistry established pursuant to chapter 31.1 of title 5 and the department of business regulation as to any claim, notice, settlement, judgment, or arbitration award of a claim or action for damages for death or personal injury caused by such person's negligence, error, or omission in practice or his or her rendering of unauthorized professional services. The report shall be sent within thirty (30) days after service of such arbitration award on the parties or notice of the claim, settlement, judgment, or arbitration award.~~

~~(b) Notwithstanding any other provision of law, an insurer shall have the contractual right to settle any claim up to the limits of the policy without the insured's consent, unless the policy by its express terms prohibits the insurer from settling any claim without the consent of the insured.~~

~~(c) All insurers doing business in the state of Rhode Island in liability insurance for health care professionals, dentists, or dental hygienists shall file an annual report with the commissioner of insurance. This report must be filed for each year by March 1 of the next year. The information required for each year shall include, for each rating class:~~

~~(1) The number of insured;~~

~~(2) The total premiums paid;~~

~~(3) The total number of claims made, the years in which the incidents giving rise to the claims occurred, and the total number of those claims outstanding at the end of the year;~~

~~(4) The total amount of claims paid, the years in which the incidents giving rise to the claims occurred, and the amount of the costs which can be identified with these claims for investigation, processing, and defense of these claims; and~~

~~(5) The number of lawsuits filed.~~

42-14-2.3. Minimum policy provisions. -- ~~The commissioner of insurance shall promulgate, on or before January 1, 1987, rules and regulations establishing the minimum provisions which all professional liability insurance policies for licensed health care providers, dentists, or dental hygienists must contain. The commissioner shall establish a "merit rating plan" which shall be based in part on the past claims paid on behalf of the insured.~~

42-14-10. Actuary. -- ~~The administrator of banking and insurance may appoint an actuary to assist him or her in the performance of his or her duties, including, but not limited to, evaluating fire, casualty and other insurance rates. The actuary shall serve under the direction of the administrator and shall be removable at the pleasure of the administrator. Insurance companies doing business in this state shall be assessed according to a schedule of their direct writings of insurance in this state to pay for the compensation of the actuary.~~

42-14-16. Insurance -- Administrative penalties. -- ~~(a) Whenever the director shall have cause to believe that a violation of title 27 or the regulations promulgated thereunder has occurred by a licensee, the director may, in accordance with the requirements of the Administrative Procedures Act, chapter 35 of this title:~~

~~(1) Revoke or suspend a license;~~

~~(2) Levy an administrative penalty in an amount not less than one hundred dollars ($100)~~

nor more than fifty thousand dollars ($50,000);

~~(3) Order the violator to cease such actions;~~

~~(4) Require the licensee to take such actions as are necessary to comply with title 27 or the regulations thereunder; or~~

~~(5) Any combination of the above penalties.~~

~~(b) Any monetary penalties assessed pursuant to this section shall be as general revenues.~~

42-14-16.1. Order to cease and desist. -- ~~If the director has reason to believe that any person, firm, corporation or association is conducting any activities requiring licensure under title 27 without obtaining a license, or who after the denial, suspension or revocation of a license conducts any activities requiring licensure under title 27, the department may issue its order to that person, firm, corporation or association commanding them to appear before the department at a hearing to be held no sooner than ten (10) days nor later than twenty (20) days after issuance of that order to show cause why the department should not issue an order to that person to cease and desist from the violation of the provisions of title 27. The order to show cause may be served on any person, firm, corporation or association named in the order in the same manner that summons in a civil action may be served, or by mailing a copy of the order, certified mail, return receipt requested, to that person at any address at which he or she has done business or at which he or she lives. If, upon that hearing, the department is satisfied that the person is in fact violating any provision of title 27, then the department may order that person, in writing, to cease and desist from that violation. All hearings shall be governed in accordance with chapter 35 of this title, the "Administrative Procedures Act." If that person fails to comply with an order of the department after being afforded a hearing, the superior court in Providence county has jurisdiction upon complaint of the department to restrain and enjoin that person from violating this chapter.~~

42-14-18. Form and rate filing fees. -- ~~The following fees shall be charged for the services of the division of insurance in reviewing policy or certificate forms, as those terms are defined in section 27-29-2(f), and related forms and rates that are required by law to be submitted by insurers, as that term is defined in section 27-29-2(e), for review and approval by the director prior to use:~~

~~(a) For each policy or certificate form included in a single package, including any related forms, rates, and other documents submitted in the same package -- forty dollars ($40.00); and~~

~~(b) For related forms or revised rates in connection with a policy that has been previously approved, submitted in a single package, charged based upon the number of policies involved -- twenty-five dollars ($25.00).~~

~~(c) Fees shall be submitted with each filing and shall be deposited as general revenue. These fees shall be in addition to any taxes and fees otherwise payable to the state.~~

SECTION 4. Section 27-18.5-3 of the General Laws in Chapter 27-18.5 entitled "Individual Health Insurance Coverage" is hereby amended to read as follows:

27-18.5-3. Guaranteed availability to certain individuals. -- (a) Notwithstanding any of the provisions of this title to the contrary, all health insurance carriers that offer health insurance coverage in the individual market in this state shall provide for the guaranteed availability of coverage to an eligible individual or an individual who has had health insurance coverage, including coverage in the individual market, or coverage under a group health plan or coverage under 5 U.S.C. section 8901 et seq. and had that coverage continuously for at least twelve (12) consecutive months and who applies for coverage in the individual market no later than sixty-

three (63) days following termination of the coverage, desiring to enroll in individual health insurance coverage, and who is not eligible for coverage under a group health plan, part A or part B or title XVIII of the Social Security Act, 42 U.S.C. section 1395c et seq. or 42 U.S.C. section 1395j et seq., or any state plan under title XIX of the Social Security Act, 42 U.S.C. section 1396 et seq. (or any successor program) and does not have other health insurance coverage (provided, that eligibility for the other coverage shall not disqualify an individual with twelve (12) months of consecutive coverage if that individual applies for coverage in the individual market for the primary purpose of obtaining coverage for a specific pre-existing condition, and the other available coverage excludes coverage for that pre-existing condition) and may not:

(1) Decline to offer the coverage to, or deny enrollment of, the individual; or

(2) Impose any preexisting condition exclusion with respect to the coverage.

(b) (1) All health insurance carriers that offer health insurance coverage in the individual market in this state shall offer all policy forms of health insurance coverage. Provided, the carrier may elect to limit the coverage offered so long as it offers at least two (2) different policy forms of health insurance coverage (policy forms which have different cost-sharing arrangements or different riders shall be considered to be different policy forms) both of which:

(i) Are designed for, made generally available to, and actively market to, and enroll both eligible and other individuals by the carrier; and

(ii) Meet the requirements of subparagraph (A) or (B) of this paragraph as elected by the carrier:

(A) If the carrier offers the policy forms with the largest, and next to the largest, premium volume of all the policy forms offered by the carrier in this state; or

(B) If the carrier offers a choice of two (2) policy forms with representative coverage, consisting of a lower-level coverage policy form and a higher-level coverage policy form each of which includes benefits substantially similar to other individual health insurance coverage offered by the carrier in this state and each of which is covered under a method that provides for risk adjustment, risk spreading, or financial subsidization.

(2) For the purposes of this subsection, "lower-level coverage" means a policy form for which the actuarial value of the benefits under the coverage is at least eighty-five percent (85%) but not greater than one hundred percent (100%) of the policy form weighted average.

(3) For the purposes of this subsection, "higher-level coverage" means a policy form for which the actuarial value of the benefits under the coverage is at least fifteen percent (15%) greater than the actuarial value of lower-level coverage offered by the carrier in this state, and the actuarial value of the benefits under the coverage is at least one hundred percent (100%) but not greater than one hundred twenty percent (120%) of the policy form weighted average.

(4) For the purposes of this subsection, "policy form weighted average" means the average actuarial value of the benefits provided by all the health insurance coverage issued (as elected by the carrier) either by that carrier or, if the data are available, by all carriers in this state in the individual market during the previous year (not including coverage issued under this subsection), weighted by enrollment for the different coverage. The actuarial value of benefits shall be calculated based on a standardized population and a set of standardized utilization and cost factors.

(5) The carrier elections under this subsection shall apply uniformly to all eligible individuals in this state for that carrier. The election shall be effective for policies offered during a period of not shorter than two (2) years.

(c) (1) A carrier may deny health insurance coverage in the individual market to an

eligible individual if the carrier has demonstrated to the director that:

(i) It does not have the financial reserves necessary to underwrite additional coverage; and

(ii) It is applying this subsection uniformly to all individuals in the individual market in this state consistent with applicable state law and without regard to any health status-related factor of the individuals and without regard to whether the individuals are eligible individuals.

(2) A carrier upon denying individual health insurance coverage in this state in accordance with this subsection may not offer that coverage in the individual market in this state for a period of one hundred eighty (180) days after the date the coverage is denied or until the carrier has demonstrated to the director state insurance commissioner that the carrier has sufficient financial reserves to underwrite additional coverage, whichever is later.

(d) Nothing in this section shall be construed to require that a carrier offering health insurance coverage only in connection with group health plans or through one or more bona fide associations, or both, offer health insurance coverage in the individual market.

(e) A carrier offering health insurance coverage in connection with group health plans under this title shall not be deemed to be a health insurance carrier offering individual health insurance coverage solely because the carrier offers a conversion policy.

(f) Nothing in this section shall be construed to create additional restrictions on the amount of premium rates that a carrier may charge an individual for health insurance coverage provided in the individual market; or to prevent a health insurance carrier offering health insurance coverage in the individual market from establishing premium rates or modifying applicable copayments or deductibles in return for adherence to programs of health promotion and disease prevention, insofar as all premium rates charged to an individual for health insurance coverage provided in the individual market shall be subject to approval by the state insurance commissioner as described in section 27-18.5-3.1.

(g) (1) In the case of a health insurance carrier that offers health insurance coverage in the individual market through a network plan, the carrier may limit the individuals who may be enrolled under that coverage to those who live, reside, or work within the service areas for the network plan; and within the service areas of the plan, deny coverage to individuals if the carrier has demonstrated to the director state insurance commissioner that:

(i) It will not have the capacity to deliver services adequately to additional individual enrollees because of its obligations to existing group contract holders and enrollees and individual enrollees; and

(ii) It is applying this subsection uniformly to individuals without regard to any health status-related factor of the individuals and without regard to whether the individuals are eligible individuals.

(2) Upon denying health insurance coverage in any service area in accordance with the terms of this subsection, a carrier may not offer coverage in the individual market within the service area for a period of one hundred eighty (180) days after the coverage is denied.

SECTION 5. Chapter 27-18.5 of the General Laws entitled "Individual Health Insurance Coverage" is hereby amended by adding thereto the following section:

27-18.5-3.1. Rates charged subscribers -- Reserves -- Hearing by commissioner. – The rates proposed to be charged by any corporation organized under this chapter to its subscribers shall be filed by the corporation at the office of the state insurance commissioner no less than sixty (60) days of renewal of any contract. Within thirty (30) days after receipt of the application, the state insurance commissioner shall hold a public hearing upon not less than ten

(10) days written notice prior to the hearing. The hearing shall be subject to the provisions of the open meeting law, section 42-46-1 et seq. The notice shall contain a description of the rates proposed to be charged and a copy of the notice shall be sent to the applicant and to the department of the attorney general. At any hearing held pursuant to this section, the applicant shall be required to establish that the rates proposed to be charged to subscribers are consistent with the proper conduct of its business, with true actuarial risk and with the interest of the public. The applicant shall also be required to describe the methodologies for the calculation of provider reimbursement as related to the rate subject to approval. Rates proposed to be charged by any corporation organized under this chapter shall maintain total reserves in a dollar amount sufficient to pay claims and operating expenses for not less than one month. Those reserves shall be computed as of each December 31st, and a report setting forth the computation shall be submitted to the state insurance commissioner together with the corporation's Rhode Island annual statement to the insurance commissioner of the state of Rhode Island. Any documents presented in support of a filing of proposed rates under this section shall be made available for public inspection at a time and at a place as the state insurance commissioner may deem reasonable. The state insurance commissioner, upon the hearing, may administer oaths, examine and cross examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which the state insurance commissioner deems relevant. The state insurance commissioner shall issue a decision as soon as is reasonably possible following completion of the hearing. The decision shall approve, disapprove, or modify the rates proposed to be charged by the applicant. The state insurance commissioner shall consider risk, provider reimbursements, administrative loads, reserve levels and the cost structure for pharmaceuticals when making a decision regarding rates.

SECTION 6. Section 27-19-6 of the General Laws in Chapter 27-19 entitled "Nonprofit Hospital Service Corporations" is hereby amended to read as follows:

27-19-6. Rates charged subscribers -- Reserves. -- The rates proposed to be charged by any corporation organized under this chapter to its subscribers shall be filed by the corporation at the office of the director of business regulation state insurance commissioner no less than sixty (60) days of renewal of any contract. Within thirty (30) days after receipt of the application, the ~~director~~ state insurance commissioner shall hold a public hearing upon not less than ten (10) days written notice prior to the hearing. The hearing shall be subject to the provisions of the open meetings law, chapter 42-46. The notice shall contain a description of the rates proposed to be charged and a copy of the notice shall be sent to the applicant and to the department of the attorney general. At any hearing held under this section, the applicant shall be required to establish that the rates proposed to be charged to subscribers are consistent with the proper conduct of its business, with true actuarial risk, and with the interest of the public. The applicant shall also be required to describe the methodologies for the calculation of provider reimbursements as related to the state, subject to approval. Rates proposed to be charged by any corporation organized under this chapter shall be sufficient to maintain total reserves in a dollar amount sufficient to pay claims and operating expenses for not less than one month. Those reserves shall be computed as of each December 31st, and a report setting forth the computation shall be submitted to the director of the department of business regulation state insurance commissioner together with the corporation's Rhode Island annual statement to the insurance commissioner. Any documents presented in support of a filing of proposed rates under this section shall be made available for public inspection by any party entitled to participate in a

~~hearing provided under this section~~ at a time and at a place as the ~~director~~ commissioner may deem reasonable. The director state insurance commissioner, upon the hearing, may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which he or she deems relevant. The ~~director~~ state insurance commissioner shall issue a decision as soon as is reasonably possible following the completion of the hearing. The decision may shall approve, disapprove, or modify the rates proposed to be charged by the applicant. The state insurance commissioner shall consider risk, provider reimbursements, administrative loads, reserve levels, and the cost structure for pharmaceuticals when making a decision regarding rates.

SECTION 7. Section 27-20-6 of the General Laws in Chapter 27-20 entitled "Nonprofit Medical Service Corporations" is hereby amended to read as follows:

27-20-6. Rates charged subscribers -- Reserves -- Hearing by director. Rates charged subscribers -- Reserves -- Hearing by commissioner. -- The rates proposed to be charged by any corporation organized under this chapter to its subscribers shall be filed by the corporation at the office of the director of business regulation state insurance commissioner no less than sixty (60) days of renewal of any contract. Within thirty (30) days after receipt of the application, the ~~director~~ state insurance commissioner shall hold a public hearing upon not less than ten (10) days written notice prior to the hearing. The hearing shall be subject to the provisions of the open meetings law, chapter 42-46. The notice shall contain a description of the rates proposed to be charged and a copy of the notice shall be sent to the applicant and to the department of the attorney general. At any hearing held pursuant to this section, the applicant shall be required to establish that the rates proposed to be charged to subscribers are consistent with the proper conduct of its business, with true actuarial risk, and with the interest of the public. The applicant shall also be required to describe the methodologies for the calculation of provider reimbursements as related to the state, subject to approval. Rates proposed to be charged by any corporation organized under this chapter shall maintain total reserves in a dollar amount sufficient to pay claims and operating expenses for not less than one month. Those reserves shall be computed as of each December 31st, and a report setting forth the computation shall be submitted to the director of the department of business regulation state insurance commissioner together with the corporation's Rhode Island annual statement to the insurance commissioner of the state of Rhode Island. Any documents presented in support of a filing of proposed rates under this section shall be made available for public inspection by any party entitled to participate in a ~~hearing provided pursuant to this section~~ at a time and at a place as the ~~director~~ state insurance commissioner may deem reasonable. The ~~director~~ state insurance commissioner, upon the hearing, may administer oaths, examine and cross examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which the director state insurance commissioner deems relevant. The director state insurance commissioner shall issue a decision as soon as is reasonably possible following completion of the hearing. The decision may shall approve, disapprove, or modify the rates proposed to be charged by the applicant. The state insurance commissioner shall consider risk, provider reimbursements, administrative loads, reserve levels and the cost structure for pharmaceuticals when making a decision regarding rates.

SECTION 8. Section 27-20.1-3 of the General Laws in Chapter 27-20.1 entitled "Nonprofit Dental Service Corporations" is hereby amended to read as follows:

27-20.1-3. Contracts. -- (a) Each nonprofit dental service corporation may contract with its subscribers for a dental service as may be provided under any nonprofit dental service plan adopted by the corporation.

~~(b) The rates charged by the nonprofit dental service corporation to its subscribers shall be consistent with the proper conduct of its business and the interests of the public and shall at all times be subject to the approval of the director of business regulation.~~

(c) Nothing contained in this chapter or in any nonprofit dental service plan shall affect the ordinary professional relationship between the person rendering dental services under the plan and the subscriber to whom the services are rendered; and no action based upon or arising out of the relationship or relating to dental services rendered pursuant to a nonprofit dental service plan shall be maintained against the nonprofit dental service corporation operating the plan.

(d) No contract between a nonprofit dental service corporation and a dentist for the provisions of services to patients may require that the dentist indemnify or hold harmless the nonprofit dental service corporation for any expenses and liabilities, including without limitation, judgments, settlements, attorneys' fee, court costs, and any associated charges, incurred in connection with any claim or action brought against the nonprofit dental service corporation based on the nonprofit dental service corporation's management decisions, or utilization review provisions for any patient.

SECTION 9. Chapter 27-20.1 of the General Laws entitled "Nonprofit Dental Service Corporations" is hereby amended by adding thereto the following section:

27-20.1-3.1. Rates charged subscribers -- Reserves -- Hearing by Commissioner. -- The rates proposed to be charged by any corporation organized under this chapter to its subscribers shall be filed by the corporation at the office of the state insurance commissioner no less than sixty (60) days of renewal of any contract. Within thirty (30) days after receipt of the application, the state insurance commissioner shall hold a public hearing upon not less than ten (10) days written notice prior to the hearing. The hearing shall be subject to the provisions of the open meetings law, chapter 42-46 et seq. The notice shall contain a description of the rates proposed to be charged and a copy of the notice shall be sent to the applicant and to the department of the attorney general. At any hearing held pursuant to this section, the applicant shall be required to establish that the rates proposed to be charged to subscribers are consistent with the proper conduct of its business, with true actuarial risk, and with the interest of the public. The applicant shall also be required to describe the methodologies for the calculation of provider reimbursements as related to the rate, subject to approval. Rates proposed to be charged by any corporation organized under this chapter shall maintain total reserves in a dollar amount sufficient to pay claims and operating expenses for not less than one month. Those reserves shall be computed as of each December 31st, and a report setting forth the computation shall be submitted to the state insurance commissioner together with the corporation's Rhode Island annual statement to the insurance commissioner of the state of Rhode Island. Any documents presented in support of a filing of proposed rates under this section shall be made available for public inspection at a time and at a place as the state insurance commissioner may deem reasonable. The state insurance commissioner, upon the hearing, may administer oaths, examine and cross examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which the state insurance commissioner deems relevant. The state insurance commissioner shall issue a decision as soon as is reasonably

possible following completion of the hearing. The decision shall approve, disapprove, or modify the rates proposed to be charged by the applicant. The state insurance commissioner shall consider risk, provider reimbursements, administrative loads, reserve levels and the cost structure for pharmaceuticals when making a decision regarding rates. SECTION 10. Section 27-20.2-3 of the General Laws in Chapter 27-20.2 entitled "Nonprofit Optometric Service Corporations" is hereby amended to read as follows:

27-20.2-3. Contracts. -- (a) Each nonprofit optometric service corporation may contract with its subscribers for an optometric service under any nonprofit optometric service plan adopted by the corporation.

~~(b) The rates charged by the nonprofit optometric service corporation to its subscribers shall be consistent with the proper conduct of its business and the interests of the public, and shall at all times be subject to the approval of the director of business regulation.~~

(c) Nothing contained in this chapter or in any nonprofit optometric service plan shall affect the ordinary professional relationship between the person rendering optometric services under the plan and the subscriber to whom the services are rendered; and no action based upon or arising out of the relationship or relating to optometric services rendered pursuant to a nonprofit optometric service plan shall be maintained against the nonprofit optometric service corporation operating the plan.

SECTION 11. Chapter 27-20.2 of the General Laws entitled "Nonprofit Optometric Service Corporations" is hereby amended by adding thereto the following section:

27-20.2-3.1. Rates charged subscribers -- Reserves -- Hearing by commissioner. -- The rates proposed to be charged by any corporation organized under this chapter to its subscribers shall be filed by the corporation at the office of the state insurance commissioner no less than sixty (60) days of renewal of any contract. Within thirty (30) days after receipt of the application, the state insurance commissioner shall hold a public hearing upon not less than ten (10) days written notice prior to the hearing. The hearing shall be subject to the provisions of the open meetings law, chapter 42-46 et seq. The notice shall contain a description of the rates proposed to be charged and a copy of the notice shall be sent to the applicant and to the department of the attorney general. At any hearing held pursuant to this section, the applicant shall be required to establish that the rates proposed to be charged to subscribers are consistent with the proper conduct of its business, with true actuarial risk, and with the interest of the public. The applicant shall also be required to describe the methodologies for the calculation of provider reimbursements as related to the rate, subject to approval. Rates proposed to be charged by any corporation organized under this chapter shall maintain total reserves in a dollar amount sufficient to pay claims and operating expenses for not less than one month. Those reserves shall be computed as of each December 31st, and a report setting forth the computation shall be submitted to the state insurance commissioner together with the corporation's Rhode Island annual statement to the insurance commissioner of the state of Rhode Island. Any documents presented in support of a filing of proposed rates under this section shall be made available for public inspection at a time and at a place as the state insurance commissioner may deem reasonable. The state insurance commissioner, upon the hearing, may administer oaths, examine and cross examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which the state insurance commissioner deems relevant. The state insurance commissioner shall issue a decision as soon as is reasonably possible following completion of the hearing. The decision shall approve, disapprove, or modify

the rates proposed to be charged by the applicant. The state insurance commissioner shall consider risk, provider reimbursements, administrative loads, reserve levels and the cost structure for pharmaceuticals when making a decision regarding rates.

SECTION 12. Section 42-62-13 of the General Laws in Chapter 42-62 entitled "Catastrophic Health Insurance Plan Act" is hereby amended to read as follows:

42-62-13. Rates charged. -- (a) The rates proposed to be charged or a rating formula proposed to be used by any insurer under this section to employers, the state or any political subdivision of the state, or individuals, shall be filed by the insurer at the office of the director of ~~business regulation~~ state insurance commissioner. Within sixty (60) days after receipt of the application, the director, or the director's designee, state insurance commissioner may shall hold a public hearing upon not less than ten (10) days' written notice prior to the hearings. The hearing shall be subject to the provisions of the open meetings law, chapter 42-46. The notice shall contain a description of the rates proposed to be charged and a copy of the notice shall be sent to the applicant and to the consumer protection unit of the department of attorney general. At any hearing held under this section, the applicant shall be required to establish that the rates proposed to be charged or the rating formula proposed to be used are consistent with the proper conduct of its business, with true actuarial risk, and with the interest of the public. The applicant shall also be required to describe the methodologies for the calculation of provider reimbursements as related to the state, subject to approval. Any documents presented in support of a filing of proposed rates under this section shall be made available for public examination at any time and place that the director state insurance commissioner may deem reasonable. The ~~director, or the director's designee,~~ state insurance commissioner, or the commissioner's designee, upon that hearing may administer oaths, examine and cross-examine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance and require the production of all books, papers, records, correspondence, or other documents which he or she deems relevant. Any designee who shall conduct a hearing pursuant to this section shall report his or her findings in writing to the director commissioner within ~~eighty (80)~~ twenty (20) days of the filing with a recommendation for approval, disapproval, or modification of the rates proposed to be charged by the applicant. The recommended decision shall become part of the record. The director commissioner shall make and issue a decision not later than ten (10) days following the issuance of the recommended decision or, if the director commissioner hears the application without the appointment of a designee, as soon as is reasonably possible following the completion of the hearing on the proposed rate change, but not later than thirty (30) days following the hearing. The decision may approve, disapprove, or modify the rates proposed to be charged by the applicant. Insurers requesting changes in rates shall underwrite the reasonable expenses of the department of business regulation insurance commissioner in connection with the hearing, including any costs related to advertisements, stenographic reporting, and expert witnesses fees. Notwithstanding any other provisions of law, the filing of proposed rates or a rating formula and the holding and conduct of any hearings in connection with these proposed rates or rating formula shall be pursuant to this section. The state insurance commissioner shall consider risk, provider reimbursements, administrative loads, reserve levels, and the cost structure for pharmaceuticals when making a decision regarding rates.

(b) Whenever the term "designee" is used in this section, it shall mean a person who is impartial, a member in good standing of the Rhode Island bar and a person who is sufficiently acquainted with the rules of evidence as used in the superior court of the state so as to enable that

person to conduct a hearing as designee of the ~~director~~ commissioner. The reasonable per diem cost of the designee as appointed by the director commissioner shall be paid by the insurers requesting changes in the rates.

SECTION 13. Sections 23-17.13-2, 23-17.13-3 and 23-17.13-4 of the General Laws in Chapter 23-17.13 entitled "Health Care Accessibility and Quality Assurance Act" are hereby amended to read as follows:

23-17.13-2. Definitions. [Effective January 1, 2004.] -- As used in this chapter:

(1) "Adverse decision" means any decision by a review agent not to certify an admission, service, procedure, or extension of stay. A decision by a reviewing agent to certify an admission, service, or procedure in an alternative treatment setting, or to certify a modified extension of stay, shall not constitute an adverse decision if the reviewing agent and the requesting provider are in agreement regarding the decision.

(2) "Contractor" means a person/entity that:

(i) Establishes, operates or maintains a network of participating providers;

(ii) Contracts with an insurance company, a hospital or medical or dental service plan, an employer, whether under written or self insured, an employee organization, or any other entity providing coverage for health care services to administer a plan; and/or

(iii) Conducts or arranges for utilization review activities pursuant to chapter 17.12 of this title.

(3) "Direct service ratio" means the amount of premium dollars expended by the plan for covered services provided to enrollees on a plan's fiscal year basis.

~~(4) "Director" means the director of the department of health.~~

(5) "Emergency services" has the same meaning as the meaning contained in the rules and regulations promulgated pursuant to chapter 12.3 of title 42, as may be amended from time to time, and includes the sudden onset of a medical or mental condition that the absence of immediate medical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily or mental functions, or serious dysfunction of any bodily organ or part.

(6) "Health care entity" means a licensed insurance company, hospital, or dental or medical service plan or health maintenance organization, or a contractor as described in subdivision (2), that operates a health plan.

(7) "Health care services" includes, but is not limited to, medical, mental health, substance abuse, and dental services.

(8) "Health plan" means a plan operated by a health care entity as described in subdivision (6) that provides for the delivery of care services to persons enrolled in the plan through:

(i) Arrangements with selected providers to furnish health care services; and/or

(ii) Financial incentives for persons enrolled in the plan to use the participating providers and procedures provided for by the plan.

(9) "Provider" means a physician, hospital, pharmacy, laboratory, dentist, or other state licensed or other state recognized provider of health care services or supplies, and whose services are recognized pursuant to 213(d) of the Internal Revenue Code, 26 U.S.C. section 213(d), that has entered into an agreement with a health care entity as described in subdivision (6) or contractor as described in subdivision (2) to provide these services or supplies to a patient enrolled in a plan.

(10) "Provider incentive plan" means any compensation arrangement between a health

care entity or plan and a provider or provider group that may directly or indirectly have the effect of reducing or limiting services provided with respect to an individual enrolled in a plan.

(11) "Qualified health plan" means a plan that the ~~director of the department of health~~ commissioner certified, upon application by the program, as meeting the requirements of this chapter.

(12) "Qualified utilization review program" means utilization review program that meets the requirements of chapter 17.12 of this title.

(13) "Most favored rate clause" means a provision in a provider contract whereby the rates or fees to be paid by a health plan are fixed, established or adjusted to be equal to or lower than the rates or fees paid to the provider by any other health plan or third party payor.

(14) "Commissioner" means the state insurance commissioner.

23-17.13-3. Certification of health plans. [Effective January 1, 2004.] -- (a) Certification process.

(1) Certification.

(i) The ~~director~~ commissioner shall establish a process for certification of health plans meeting the requirements of certification in subsection (b).

(ii) The ~~director~~ commissioner shall act upon the health plan's completed application for certification within ninety (90) days of receipt of such application for certification.

(2) Review and recertification. - To ensure compliance with subsection (b), the ~~director~~ commissioner shall establish procedures for the periodic review and recertification of qualified health plans not less than every five (5) years; provided, however, that the director commissioner may review the certification of a qualified health plan at any time if there exists evidence that a qualified health plan may be in violation of subsection (b).

(3) Cost of certification. - The total cost of obtaining and maintaining certification under this title and compliance with the requirements of the applicable rules and regulations are borne by the entities so certified and shall be one hundred and fifty percent (150%) of the total salaries paid to the certifying personnel of the department of the insurance commissioner engaged in those certifications less any salary reimbursements and shall be paid to the director commissioner to and for the use of the department of the insurance commissioner. That assessment shall be in addition to any taxes and fees otherwise payable to the state.

(4) Standard definitions. - To help ensure a patient's ability to make informed decisions regarding their health care, the director commissioner shall promulgate regulation(s) to provide for standardized definitions (unless defined in existing statute) of the following terms in this subdivision, provided, however, that no definition shall be construed to require a health care entity to add any benefit, to increase the scope of any benefit, or to increase any benefit under any contract:

(i) Allowable charge;

(ii) Capitation;

(iii) Co-payments;

(iv) Co-insurance;

(v) Credentialing;

(vi) Formulary;

(vii) Grace period;

(viii) Indemnity insurance;

(ix) In-patient care;

(x) Maximum lifetime cap;

(xi) Medical necessity;

(xii) Out-of-network;

(xiii) Out-patient;

(xiv) Pre-existing conditions;

(xv) Point of service;

(xvi) Risk sharing;

(xvii) Second opinion;

(xviii) Provider network;

(xix) Urgent care.

(b) Requirements for certification. - The ~~director~~ commissioner shall establish standards and procedures for the certification of qualified health plans that conduct business in this state and who have demonstrated the ability to ensure that health care services will be provided in a manner to assure availability and accessibility, adequate personnel and facilities, and continuity of service, and has demonstrated arrangements for ongoing quality assurance programs regarding care processes and outcomes; other standards shall consist of, but are not limited to, the following:

(1) Prospective and current enrollees in health plans must be provided information as to the terms and conditions of the plan consistent with the rules and regulations promulgated under chapter 12.3 of title 42 so that they can make informed decisions about accepting and utilizing the health care services of the health plan. This must be standardized so that customers can compare the attributes of the plans, and all information required by this paragraph shall be updated at intervals determined by the director commissioner. Of those items required under this section, the director commissioner shall also determine which items shall be routinely distributed to prospective and current enrollees as listed in this subsection and which items may be made available upon request. The items to be disclosed are:

(i) Coverage provisions, benefits, and any restriction or limitations on health care services, including but not limited to, any exclusions as follows: by category of service, and if applicable, by specific service, by technology, procedure, medication, provider or treatment modality, diagnosis and condition, the latter three (3) of which shall be listed by name.

(ii) Experimental treatment modalities that are subject to change with the advent of new technology, may be listed solely by the broad category "Experimental Treatments". The information provided to consumers shall include the plan's telephone number and address where enrollees may call or write for more information or to register a complaint regarding the plan or coverage provision.

(2) Written statement of the enrollee's right to seek a second opinion, and reimbursement if applicable.

(3) Written disclosure regarding the appeals process described in section 23-17.12-1 et seq. and in the rules and regulations for the utilization review of care services, promulgated by the department of health, the telephone numbers and addresses for the plan's office which handles complaints as well as for the office which handles the appeals process under section 23-17.12-1 et seq. and the rules and regulations for the utilization of health.

(4) Written statement of prospective and current enrollees' right to confidentiality of all health care record and information in the possession and/or control of the plan, its employees, its agents and parties with whom a contractual agreement exists to provide utilization review or who in any way have access to care information. A summary statement of the measures taken by the plan to ensure confidentiality of an individual's health care records shall be disclosed.

(5) Written disclosure of the enrollee's right to be free from discrimination by the health plan and the right to refuse treatment without jeopardizing future treatment.

(6) Written disclosure of a plan's policy to direct enrollees to particular providers. Any limitations on reimbursement should the enrollee refuse the referral must be disclosed.

(7) A summary of prior authorization or other review requirements including preauthorization review, concurrent review, post-service review, post-payment review and any procedure that may lead the patient to be denied coverage for or not be provided a particular service.

(8) Any health plan that operates a provider incentive plan shall not enter into any compensation agreement with any provider of covered services or pharmaceutical manufacturer pursuant to which specific payment is made directly or indirectly to the provider as an inducement or incentive to reduce or limit services, to reduce the length of stay or the use of alternative treatment settings or the use of a particular medication with respect to an individual patient, provided however, that capitation agreements and similar risk sharing arrangements are not prohibited.

(9) Health plans must disclose to prospective and current enrollees the existence of financial arrangements for capitated or other risk sharing arrangements that exist with providers in a manner described in paragraphs (i), (ii), and (iii):

(i) "This health plan utilizes capitated arrangements, with its participating providers, or contains other similar risk sharing arrangements;

(ii) This health plan may include a capitated reimbursement arrangement or other similar risk sharing arrangement, and other financial arrangements with your provider;

(iii) This health plan is not capitated and does not contain other risk sharing arrangements."

(10) Written disclosure of criteria for accessing emergency health care services as well as a statement of the plan's policies regarding payment for examinations to determine if emergency health care services are necessary, the emergency care itself, and the necessary services following emergency treatment or stabilization. The health plan must respond to the request of the treating provider for post-stabilization treatment by approving or denying it as soon as possible.

(11) Explanation of how health plan limitations impact enrollees, including information on enrollee financial responsibility for payment for co-insurance, co-payment, or other non-covered, out-of-pocket, or out-of-plan services. This shall include information on deductibles and benefits limitations including, but not limited to, annual limits and maximum lifetime benefits.

(12) The terms under which the health plan may be renewed by the plan enrollee, including any reservation by the plan of any right to increase premiums.

(13) Summary of criteria used to authorize treatment.

(14) A schedule of revenues and expenses, including direct service ratios and other statistical information which meets the requirements set forth below on a form prescribed by the ~~director~~ commissioner.

(15) Plan costs of health care services, including but not limited to all of the following:

(i) Physician services;

(ii) Hospital services, including both inpatients and outpatient services;

(iii) Other professional services;

(iv) Pharmacy services, excluding pharmaceutical products dispensed in a physician's office;

(v) Health education;

(vi) Substance abuse services and mental health services.

(16) Plan complaint, adverse decision, and prior authorization statistics. This statistical data shall be updated annually:

(i) The ratio of the number of complaints received to the total number of covered persons, reported by category, listed in paragraphs (b)(15)(i) -- (vi);

(ii) The ratio of the number of adverse decisions issued to the number of complaints received, reported by category;

(iii) The ratio of the number of prior authorizations denied to the number of prior authorizations requested, reported by category;

(iv) The ratio of the number of successful enrollee appeals to the total number of appeals filed.

(17) Plans must demonstrate that:

(i) They have reasonable access to providers, so that all covered health care services will be provided. This requirement cannot be waived and must be met in all areas where the health plan has enrollees;

(ii) Urgent health care services, if covered, shall be available within a time frame that meets standards set by the director commissioner.

(18) A comprehensive list of participating providers listed by office location, specialty if applicable, and other information as determined by the director commissioner, updated annually.

(19) Plans must provide to the ~~director~~ commissioner, at intervals determined by the ~~director~~ commissioner, enrollee satisfaction measures. The ~~director~~ commissioner is authorized to specify reasonable requirements for these measures consistent with industry standards to assure an acceptable degree of statistical validity and comparability of satisfaction measures over time and among plans. The director commissioner shall publish periodic reports for the public providing information on health plan enrollee satisfaction.

(c) Issuance of certification.

(1) Upon receipt of an application for certification, the ~~director~~ commissioner shall notify and afford the public an opportunity to comment upon the application.

(2) A health care plan will meet the requirements of certification, subsection (b) by providing information required in subsection (b) to any state or federal agency in conformance with any other applicable state or federal law, or in conformity with standards adopted by an accrediting organization provided that the director commissioner determines that the information is substantially similar to the previously mentioned requirements and is presented in a format that provides a meaningful comparison between health plans.

(3) All health plans shall be required to establish a mechanism, under which providers, including local providers participating in the plan, provide input into the plan's health care policy, including technology, medications and procedures, utilization review criteria and procedures, quality and credentialing criteria, and medical management procedures.

(4) All health plans shall be required to establish a mechanism under which local individual subscribers to the plan provide input into the plan's procedures and processes regarding the delivery of health care services.

(5) A health plan shall not refuse to contract with or compensate for covered services an otherwise eligible provider or non-participating provider solely because that provider has in good faith communicated with one or more of his or her patients regarding the provisions, terms or requirements of the insurer's products as they relate to the needs of that provider's patients.

(6) (i) All health plans shall be required to publicly notify providers within the health plans' geographic service area of the opportunity to apply for credentials. This notification process shall be required only when the plan contemplates adding additional providers and may be specific as to geographic area and provider specialty. Any provider not selected by the health plan may be placed on a waiting list.

(ii) This credentialing process shall begin upon acceptance of an application from a provider to the plan for inclusion.

(iii) Each application shall be reviewed by the plan's credentialing body.

(iv) All health plans shall develop and maintain credentialing criteria to be utilized in adding providers from the plans' network. Credentialing criteria shall be based on input from providers credentialed in the plan and these standards shall be available to applicants. When economic considerations are part of the decisions, the criteria must be available to applicants. Any economic profiling must factor the specialty utilization and practice patterns and general information comparing the applicant to his or her peers in the same speciality will be made available. Any economic profiling of providers must be adjusted to recognize case mix, severity of illness, age of patients and other features of a provider's practice that may account for higher than or lower than expected costs. Profiles must be made available to those so profiled.

(7) A health plan shall not exclude a provider of covered services from participation in its provider network based solely on:

(i) The provider's degree or license as applicable under state law; or

(ii) The provider of covered services lack of affiliation with, or admitting privileges at a hospital, if that lack of affiliation is due solely to the provider's type of license.

(8) Health plans shall not discriminate against providers solely because the provider treats a substantial number of patients who require expensive or uncompensated medical care.

(9) The applicant shall be provided with all reasons used if the application is denied.

(10) Plans shall not be allowed to include clauses in physician or other provider contracts that allow for the plan to terminate the contract "without cause"; provided, however, cause shall include lack of need due to economic considerations.

(11) (i) There shall be due process for non-institutional providers for all adverse decisions resulting in a change of privileges of a credentialed non-institutional provider. The details of the health plan's due process shall be included in the plan's provider contracts.

(ii) A health plan is deemed to have met the adequate notice and hearing requirement of this section with respect to a non-institutional provider if the following conditions are met (or are waived voluntarily by the non-institutional provider):

(A) The provider shall be notified of the proposed actions and the reasons for the proposed action.

(B) The provider shall be given the opportunity to contest the proposed action.

(C) The health plan has developed an internal appeals process that has reasonable time limits for the resolution of an internal appeal.

(12) If the plan places a provider or provider group at financial risk for services not provided by the provider or provider group, the plan must require that a provider or group has met all appropriate standards of the department of business regulation.

(13) A health plan shall not include a most favored rate clause in a provider contract.

23-17.13-4. Penalties and enforcement. -- (a) The ~~director of the department of health~~ state insurance commissioner may, in lieu of the suspension or revocation of a license, levy an administrative penalty in an amount not less than five hundred dollars ($500) nor more than fifty

thousand dollars ($50,000), if reasonable notice, in writing, is given of the intent to levy the penalty and the particular health organization has a reasonable time in which to remedy the defect in its operations which gave rise to the penalty citation. The director of health state insurance commissioner may augment this penalty by an amount equal to the sum that the ~~director~~ commissioner calculates to be the damages suffered by enrollees or other members of the public.

(b) Any person who knowingly and willfully violates this chapter shall be guilty of a misdemeanor and may be punished by a fine not to exceed five hundred dollars ($500) or by imprisonment for a period not exceeding one year, or both.

(c) (1) If the ~~director of health~~ state insurance commissioner shall for any reason have cause to believe that any violation of this chapter has occurred or is threatened, the director of ~~health~~ state insurance commissioner may give notice to the particular health organization and to their representatives, or other persons who appear to be involved in the suspected violation, to arrange a conference with the alleged violators or their authorized representatives for the purpose of attempting to ascertain the facts relating to the suspected violation, and, in the event it appears that any violation has occurred or is threatened, to arrive at an adequate and effective means of correcting or preventing the violation;

(2) Proceedings under this subsection shall be governed by chapter 35 of title 42.

(d) (1) The ~~director of health~~ state insurance commissioner may issue an order directing a particular health organization or a representative of that health organization to cease and desist from engaging in any act or practice in violation of the provisions of this chapter;

(2) Within thirty (30) days after service of the order to cease and desist, the respondent may request a hearing on the question of whether acts or practices in violation of this chapter have occurred. Those hearings shall be conducted pursuant to sections 42-35-9 through 42-35-13, and judicial review shall be available as provided by sections 42-35-15 and 42-35-16.

(e) In the case of any violation of the provisions of this chapter, if the ~~director of health~~ state insurance commissioner elects not to issue a cease and desist order, or in the event of noncompliance with a cease and desist order issued pursuant to subsection (d), the director of ~~health~~ state insurance commissioner may institute a proceeding to obtain injunctive relief, or seeking other appropriate relief, in the superior court for the county of Providence.

SECTION 14. This article shall take effect upon passage."

Respectfully submitted,

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REPRESENTATIVE WASYLYK

Representative Jacquard discusses the amendment.

The motion to amend is read and fails on a roll call vote, 11 members voting in the affirmative and 45 members voting in the negative as follows:

YEAS - 11: Representatives Giannini, Gorham, Moffitt, Mumford, Reilly, Rose, Scott, Trillo, Voccola, Wasylyk, Watson.

NAYS - 45: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Caprio, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Enos, Faria, Fox, Gallison, Gemma, Handy, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lima, Long, Lowe, Malik, McCauley, McHugh, McManus, McNamara, Menard, Naughton, Palumbo, Picard, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Tejada, Winfield.

ARTICLE 1

RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2005

Representative Costantino moves passage of the article, seconded by Representatives Carter, Fox, Faria, Gemma, San Bento, and Shanley.

Representatives Costantino and Fox discuss the article.

By unanimous consent, Representative Costantino, seconded by Representatives Faria, Gemma, San Bento, Malik and Carter, offers the following written motion to amend:

FLOOR AMENDMENT
TO
2004 -- H 8219 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2004 -- H 8219 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005", as follows:

By deleting Article 1 in its entirety and replacing it with the following language:

"SECTION 1. Subject to the conditions, limitations and restrictions hereinafter contained in this act, the following general revenue amounts are hereby appropriated out of any money in the treasury not otherwise appropriated to be expended during the fiscal year ending June 30,

2005. The amounts identified for federal funds and restricted receipts shall be made available pursuant to section 35-4-22 and Chapter 41 of Title 42 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her orders upon the general treasurer for the payment of such sums or such portions thereof as may be required from time to time upon receipt by him or her of properly authenticated vouchers.

Administration
Central Management
General Revenues 3,820,003
Federal Funds 280,705
Total - Central Management 4,100,708
Accounts and Control General Revenues 4,004,758
Budgeting General Revenues 2,349,275
Municipal Affairs
General Revenues 1,188,426
Federal Funds 9,966,039
Total - Municipal Affairs 11,154,465
Purchasing General Revenues 2,015,876
Auditing General Revenues 1,690,061
Human Resources General Revenues 6,882,631
Personnel Appeal Board General Revenues 117,622
Taxation
General Revenues 17,684,104
Federal Funds 1,027,275
Restricted Receipts 1,109,092
Other Funds
Motor Fuel Tax Evasion Program 56,487
Temporary Disability Insurance 756,775
Total - Taxation 20,633,733
Registry of Motor Vehicles
General Revenues 15,354,008
Federal Funds 28,826
Restricted Receipts 14,255
Total – Registry of Motor Vehicles 15,397,089
Child Support Enforcement
General Revenues 3,309,006
Federal Funds 6,655,612
Total – Child Support Enforcement 9,964,618
Central Services
General Revenues
General Revenues 11,622,086
Energy Office Grants 662,515
Renewable Energy Program 400,000
Federal Funds 18,069,352
Restricted Receipts 776,577
Total - Central Services 31,530,530

Office of Library and Information Services
General Revenues 4,453,301
Federal Funds 1,287,901
Restricted Receipts 5,000
Other Funds
Federal Highway - PL Systems Planning 997,220
Air Quality Modeling 17,459
Total - Office of Library and Information Services 6,760,881
General
General Revenues
Information Processing Overhead 680,000
Miscellaneous Grants 1,018,200
Shepard Building Operating/Parking 1,970,331
Rhode Island Sports Foundation 550,000
Asset Inventory 150,000
Torts – Courts 400,000
Property Tax Relief Credit 6,000,000
State Employees/Teachers Retiree Health Subsidy 5,644,039
Economic Development Corporation 6,820,287
Office of City & Town Development – EDC 375,000
EPScore – EDC 1,500,000
Centers of Excellence 3,000,000
Economic Policy Council 300,000
Housing Resources Commission 3,260,147
Neighborhood Opportunities Program 5,000,000
Motor Vehicle Excise Tax Payment 104,987,142
Property Revaluation 860,656
General Revenue Sharing Program 52,438,532
Payment in Lieu of Tax Exempt Properties 22,716,117
Distressed Communities Relief Program 8,533,333
Resource Sharing and State Library Aid 8,091,959
Library Construction Aid 2,621,329
Restricted Receipts 1,125,983
Other Funds
RICAP - State House Terrace/South Stairs 150,000
RICAP - Chapin Health Laboratory 150,000
RICAP - Cranston Street Armory 1,000,000
RICAP - Old State House 300,000
RICAP - Veterans' Office Building 150,000
RICAP - Court Buildings – HVAC 100,000
RICAP - Washington County Government Center 215,000
RICAP - Williams Powers Building 210,000
RICAP - State House Renovations – Phase II 325,000
RICAP – State House Renovations – Phase III 245,000
RICAP – Powers Building Technology Infrastructure 200,000
RICAP - Environmental Compliance 500,000

RICAP - Fox Point Hurricane Barrier 50,000
RICAP – Pastore Center Sewer 1,250,000
RICAP – Fire Code Compliance State Buildings 250,000
Total - General 243,138,055
Debt Service Payments
General Revenues Debt Service Payments 91,725,442
Federal Funds 1,286,406
Restricted Receipts 7,786,896
Other Funds
MHRH Community Services Program 5,412,502
MHRH Community Mental Health Program 2,087,498
DEM – Narragansett Bay Commission 373,493
DEM – Wastewater Treatment 4,731,069
DEM – Recreation 4,167,438
RIPTA - Debt Service 623,059
Transportation Debt Service 34,569,648
RIRBA - DLT – Temporary Disability Insurance 45,586
COPS - DLT Building – TDI 360,935
COPS - Center General – Furniture – TDI 19,046
COPS - Pastore Center Telecommunications – TDI 17,236
COPS – DLT Building – Reed Act 29,821
COPS – Center General – Furniture – Reed Act 5,642
COPS – Pastore Center Telecommunications – Reed Act 1,425
Debt - URI Education and General 1,088,999
Debt - URI Housing Loan Funds 1,751,951
Debt - URI Dining Services 266,889
Debt - URI Health Services 126,218
Debt - W. Alton Jones Services 112,766
Debt - URI Memorial Union 98,277
Debt - URI Sponsored Research (Indirect Cost) 101,334
Debt - RIC Education and General 296,614
Debt - RIC Housing 568,191
Debt - RIC Student Center and Dining 177,951
Debt - RIC Student Union 217,171
Debt - CCRI Bookstore 177,092
Total - Debt Service Payments 158,226,595
Sheriffs General Revenues 13,427,890
Grand Total - Administration 531,394,787
Business Regulation
Central Management General Revenues 1,686,137
Banking Regulation General Revenues 1,687,281
Securities Regulation General Revenues 806,336
Commercial Licensing and Regulation
General Revenues 1,206,764
Restricted Receipts 100,000
Total - Commercial Licensing and Regulation 1,306,764

Racing and Athletics General Revenues 546,145
Insurance Regulation
General Revenues 3,985,206
Restricted Receipts 529,657
Total - Insurance Regulation 4,514,863
Board of Accountancy General Revenues 135,480
Grand Total - Business Regulation 10,683,006
Labor and Training
Central Management
General Revenues 272,253
Restricted Receipts 446,311
Total - Central Management 718,564
Workforce Development Services
Federal Funds 14,673,696
Restricted Receipts 12,960,602
Other Funds
Reed Act – Rapid Job Entry 1,650,413
Reed Act – Woonsocket netWORKri Office Renovations 150,000
Reed Act – Workforce Development 5,998,166

Of the $7.8 million appropriated from Reed Act funds, $1.7 million may be used solely for the Rapid Job Entry Program to engage welfare recipients in employment preparation and placement through employment assessment workshop and job club/job search workshop activities; $150,000 may be used solely for netWORKri office renovations; and $6.0 million may be used solely for the administration of this state's unemployment compensation law and public employment offices.

Total - Workforce Development Services 35,432,877
Workforce Regulation and Safety General Revenues 3,398,566
Income Support
General Revenues 2,908,229
Federal Funds 14,061,495
Restricted Receipts 1,378,091
Other Funds
Temporary Disability Insurance Fund 168,309,848
Employment Security Fund 211,325,000
Total - Income Support 397,982,663
Injured Workers Services Restricted Receipts 11,232,483
Labor Relations Board General Revenues 342,154
Grand Total - Labor and Training 449,107,307
Legislature
General Revenues 27,576,547
Restricted Receipts 1,099,365
Other Funds 1,500,000
Grand Total - Legislature 30,175,912
Lieutenant Governor General Revenues 865,343
Secretary of State
Administration General Revenues 1,504,994

Corporations
General Revenues
General Revenues ` 1,499,570
UCC Automated System 42,000
Total - Corporations 1,541,570
State Archives
General Revenues 97,132
Restricted Receipts 523,433
Total - State Archives 620,565
Elections
General Revenues 743,196
Federal Funds 2,635,250
Total - Elections 3,378,446
State Library General Revenues 727,344
Office of Civics and Public Information General Revenues 427,331
Grand Total - State 8,200,250
General Treasurer
Treasury
General Revenues 2,512,566
Federal Funds 260,709
Restricted Receipts 10,000
Other Funds Temporary Disability Insurance Fund 266,131
Total – Treasury 3,049,406
State Retirement System
Other Funds
Administrative Expenses - State Retirement System 6,758,560
Retirement - Treasury Investment Operations 686,228
Total - State Retirement System 7,444,788
Unclaimed Property Restricted Receipts 19,561,000
RI Refunding Bond Authority General Revenues 72,308
Crime Victim Compensation Program
General Revenues 2,453,083
Federal Funds 4,111,057
Restricted Receipts 2,800,639
Total - Crime Victim Compensation Program 9,364,779
Grand Total - General Treasurer 39,492,281
Boards for Design Professionals General Revenues 413,929
Board of Elections
General Revenues 1,608,350
Federal Funds 1,001,828
Grand Total - Board of Elections 2,610,178
Rhode Island Ethics Commission General Revenues 1,170,328
Office of Governor General Revenues 4,345,275
Public Utilities Commission
General Revenues 820,154
Federal Funds 73,038

Restricted Receipts 5,338,350
Grand Total - Public Utilities Commission 6,231,542
Rhode Island Commission on Women General Revenues 83,639
Children, Youth, and Families
Central Management
General Revenues 7,814,153
Federal Funds 3,779,826
Total - Central Management 11,593,979
Children's Behavioral Health Services
General Revenues 21,866,852
Federal Funds 24,102,655
Total - Children's Behavioral Health Services 45,969,507
Juvenile Correctional Services
General Revenues 28,553,943
Federal Funds 2,759,533
Restricted Receipts 6,500
Other Funds RICAP – NAFI Center 50,000
Total - Juvenile Correctional Services 31,369,976
Child Welfare
General Revenues 85,253,517
Federal Funds 64,612,054
Restricted Receipts 1,512,441
Total - Child Welfare 151,378,012
Higher Education Incentive Grants General Revenues 200,000
Grand Total - Children, Youth, and Families 240,511,474
Elderly Affairs
General Revenues
General Revenues 15,242,626
RIPAE 14,771,146
Safety and Care of the Elderly 600
Federal Funds 12,395,964
Other Funds Intermodal Surface Transportation Fund 4,780,000
Grand Total - Elderly Affairs 47,190,336
Health
Central Management
General Revenues 4,676,158
Federal Funds 5,209,806
Restricted Receipts 2,924,896
Total - Central Management 12,810,860
State Medical Examiner
General Revenues 1,826,750
Federal Funds 156,535
Total - State Medical Examiner 1,983,285
Family Health
General Revenues 2,831,389
Federal Funds 32,001,935

Restricted Receipts 5,723,009
Total - Family Health 40,556,333
Health Services Regulation
General Revenues 4,618,305
Federal Funds 5,003,371
Restricted Receipts 382,236
Total - Health Services Regulation 10,003,912
Environmental Health
General Revenues 4,429,906
Federal Funds 4,070,386
Restricted Receipts 1,439,121
Total - Environmental Health 9,939,413
Health Laboratories
General Revenues 6,008,168
Federal Funds 2,293,950
Total - Health Laboratories 8,302,118
Disease Prevention and Control
General Revenues 4,786,122
Smoking Cessation 835,002
Federal Funds 16,138,332
Restricted Receipts 1,048,821
Other Funds
Child Safety Program 78,979
Walkable Communities Initiative 20,000
Total - Disease Prevention and Control 22,907,256
Grand Total - Health 106,503,177
Human Services
Central Management
General Revenues 6,643,017
Federal Funds 4,320,771
Restricted Receipts 2,450,000
Total - Central Management 13,413,788
Individual and Family Support
General Revenues 21,297,116
Federal Funds 53,649,189
Restricted Receipts 78,661
Other Funds RICAP – Benjamin Rush Paving 187,000
Total - Individual and Family Support 75,211,966
Veterans' Affairs
General Revenues 16,783,678
Federal Funds 6,088,109
Restricted Receipts 1,125,300
Total - Veterans' Affairs 23,997,087
Health Care Quality, Financing and Purchasing
General Revenues 28,155,875
Federal Funds 41,755,575

Restricted Receipts 521,000
Total - Health Care Quality, Financing & Purchasing 70,432,450
Medical Benefits
General Revenues
Hospitals 104,294,973
Nursing Facilities 136,613,825
Managed Care 174,409,991
Special Education 15,561,000
Other 103,983,202
Federal Funds
Hospitals 127,536,850
Nursing Facilities 170,643,461
Managed Care 215,106,833
Special Education 19,439,000
Other 130,135,035
Restricted Receipts Total 15,000
Total - Medical Benefits 1,197,739,170

Supplemental Security Income Program General Revenues 27,299,682 Family Independence Program

General Revenues
Child Care 57,349,929
TANF/Family Independence Program 11,711,783
Federal Funds 83,136,653
Total - Family Independence Program 152,198,365
State Funded Programs
General Revenues
General Public Assistance 3,332,171
Citizenship Participation Program 50,000
Federal Funds 73,485,000
Total - State Funded Programs 76,867,171
Grand Total - Human Services 1,637,159,679
Mental Health, Retardation, and Hospitals
Central Management General Revenues 2,244,163
Hospital and Community System Support
General Revenues 22,208,707
Other Funds
RICAP - Utilities Upgrade 500,000
RICAP - Medical Center Rehabilitation 400,000
RICAP – Utility Systems - Water Tanks and Pipes 200,000
RICAP – Central Power Plant Rehabilitation 100,000
RICAP – Community Facilities Fire Code 365,000
Total - Hospital and Community System Support 23,773,707
Services for the Developmentally Disabled
General Revenues 102,063,777

Notwithstanding the provisions of section 35-3-15 of the Rhode Island General Laws, all unexpended and unencumbered balances as of June 30, 2005 relating to the Pirovano Trust in the

Department of Mental Health, Retardation and Hospitals are hereby reappropriated to fiscal year 2006.

Federal Funds 126,971,267
Other Funds
RICAP – MR/DD Residential Development 1,500,000
RICAP - DD State Owned Group Homes 1,000,000
Total - Services for the Developmentally Disabled 231,535,044
Integrated Mental Health Services
General Revenues 39,474,057
Federal Funds 36,363,567
Total - Integrated Mental Health Services 75,837,624
Hospital and Community Rehabilitation Services
General Revenues 45,746,423
Federal Funds 55,360,212
Other Funds RICAP - Zambarano Buildings and Utilities 200,000
Total - Hospital and Community Rehabilitation Services 101,306,635
Substance Abuse
General Revenues 14,566,654
Federal Funds 14,233,226
Restricted Receipts 75,000
Other Funds RICAP - Asset Protection 100,000
Total - Substance Abuse 28,974,880
Grand Total - Mental Health, Retardation, and Hospitals 463,672,053
Office of the Child Advocate
General Revenues 501,168
Federal Funds 54,172
Grand Total - Child Advocate 555,340
Commission on the Deaf and Hard of Hearing General Revenues 272,198
RI Developmental Disabilities Council Federal Funds 570,511
Governor's Commission on Disabilities
General Revenues 533,865
Federal Funds 180,208
Restricted Receipts 35,166
Other Funds
RICAP – Facility Renovation – Handicapped Accessibility 200,000
Grand Total - Governor's Commission on Disabilities 949,239
Commission for Human Rights
General Revenues 984,444
Federal Funds 239,300
Grand Total - Commission for Human Rights 1,223,744
Mental Health Advocate General Revenues 331,668
Elementary and Secondary Education
Administration of the Comprehensive Education Strategy
General Revenues 15,311,591
Federal Funds 144,764,555
Restricted Receipts 997,339

Total – Administration of the Comprehensive
Education Strategy 161,073,485
Davies Career and Technical School
General Revenues 12,527,365
Federal Funds 1,149,839
Restricted Receipts 25,000
Total - Davies Career and Technical School 13,702,204
RI School for the Deaf
General Revenues 5,699,792
Federal Funds 789,972
Other Funds RICAP - School for the Deaf – Facility Repairs 110,408
Total - RI School for the Deaf 6,600,172
Metropolitan Career and Technical School General Revenues 7,261,970
Education Aid
General Revenues 624,404,475
Federal Funds 578,744
Restricted Receipt 1,968,000
Total – Education Aid 626,951,219
Central Falls School District General Revenues 35,991,685
Housing Aid General Revenues 43,855,701
Teachers' Retirement General Revenues 52,583,171
Grand Total - Elementary and Secondary Education 948,019,607
Public Higher Education
Board of Governors/Office of Higher Education
General Revenues 5,854,845
Federal Funds 3,351,931
Total – Board of Governors/Office of Higher Education 9,206,776
University of Rhode Island
General Revenues 81,600,378
Other Funds
University and College Funds 328,722,654
RICAP - Asset Protection 4,334,000
RICAP – Biological Sciences Center 200,000
Total – University of Rhode Island 414,857,032
Rhode Island College
General Revenues 43,633,200
Other Funds
University and College Funds 63,036,882
RICAP – Asset Protection 1,773,000
RICAP - Alger Hall 1,164,558
Total – Rhode Island College 109,607,640
Community College of Rhode Island
General Revenues 43,167,133
Restricted Receipts 44,685
Other Funds
University and College Funds 49,030,599

RICAP – Asset Protection 1,050,000
RICAP – CCRI Newport Campus 1,544,000
Total Community College of Rhode Island 94,836,417
Grand Total – Public Higher Education 628,507,865
RI State Council on the Arts
General Revenues
Operating Support 455,538
Grants 1,986,526
Federal Funds 720,500
Restricted Receipts 200,000
Grand Total - RI State Council on the Arts 3,362,564
RI Atomic Energy Commission
General Revenues 727,045
Federal Funds 325,000
Other Funds
RICAP – Paint Interior Reactor Building Walls 55,000
URI Sponsored Research 157,168
Grand Total - RI Atomic Energy Commission 1,264,213
RI Higher Education Assistance Authority
General Revenues
Needs Based Grants and Work Opportunities 8,922,769
Authority Operations and Other Grants 1,032,820
Federal Funds 8,048,830
Other Funds Tuition Savings Program - Administration 5,413,273
Grand Total - Higher Education Assistance Authority 23,417,692
RI Historical Preservation and Heritage Commission
General Revenues 1,192,997
Federal Funds 592,746
Restricted Receipts 206,800
Grand Total - RI Historical Pres. and Heritage Comm. 1,992,543
RI Public Telecommunications Authority
General Revenues 1,238,482
Other Funds
Corporation for Public Broadcasting 749,428
RICAP - Digital TV Conversion 2,800,000
Grand Total - Public Telecommunications Authority 4,787,910
Attorney General
Criminal
General Revenues 11,306,968
Federal Funds 1,334,461
Restricted Receipts 346,136
Total - Criminal 12,987,565
Civil
General Revenues 3,455,162
Federal Funds 76,437
Restricted Receipts 456,389

Total - Civil 3,987,988
Bureau of Criminal Identification
General Revenues 815,196
Federal Funds 165,050
Total - Bureau of Criminal Identification 980,246
General General Revenues 1,716,836
Other Funds – RICAP – Building Renovations & Repairs 397,500
Total – General 2,114,336
Grand Total - Attorney General 20,070,135
Corrections
Central Management General Revenues 9,933,312
Parole Board General Revenues 1,062,505
Institutional Custody
General Revenues 124,125,120
Federal Funds 7,958,153
Restricted Receipts 136,875
Other Funds
RICAP – Perimeter/Security Upgrades 100,000
RICAP – Fire Code Safety Improvements 500,000
RICAP - Security Camera Installation 576,728
RICAP – Reintegration Center State Match 253,247
RICAP - General Renovations – Women's 1,000,000
RICAP - Women's Bathroom Renovations 646,700
RICAP – Work Release Roof 415,000
RICAP – Heating and Temperature Control 342,000
RICAP – Medium HVAC Renovations 31,000
Total - Institutional Custody 136,084,823
Rehabilitative Services
General Revenues 12,329,213
Federal Funds 1,753,589
Total – Rehabilitative Services 14,082,802
Grand Total - Corrections 161,163,442
Judiciary
Supreme Court
General Revenues
General Revenues 22,657,579
Defense of Indigents 2,250,000
Federal Funds 849,029
Restricted Receipts 900,949
Other Funds
RICAP - Garrahy Judicial – Lighting/Ceiling 600,000
RICAP - Licht Judicial Complex – Roof 25,000
RICAP – McGrath Judicial Complex - Exterior 100,000
RICAP – Blackstone Valley Courthouse Study 300,000
Total - Supreme Court 27,682,557
Superior Court

General Revenues 17,613,081
Federal Funds 633,327
Total - Superior Court 18,246,408
Family Court
General Revenues 13,889,510
Federal Funds 2,666,077
Restricted Receipts 148,100
Total - Family Court 16,703,687
District Court
General Revenues 8,669,882
Federal Funds 5,000
Total – District Court 8,674,882
Traffic Tribunal General Revenues 6,586,787
Workers' Compensation Court Restricted Receipts 6,124,172
Grand Total - Judiciary 84,018,493
Military Staff
National Guard
General Revenues 1,631,741
Federal Funds 8,593,712
Other Funds
RICAP – Benefit Street Arsenal Rehabilitation 200,000
RICAP - Schofield Armory Rehabilitation 100,000
RICAP – US Property and Finance Office – HVAC 65,000
RICAP – Warwick Armory Boiler 25,000
RICAP – North Smithfield Armory 41,250
RICAP – AMC Roof Replacement 50,000
RICAP – Camp Fogarty Training Site 50,000
RICAP – State Armories Fire Code Comp. 12,500
RICAP – Federal Armories Fire Code Comp. 6,250
RICAP – Logistics/Maintenance Facilities Fire 6,250
Total - National Guard 10,781,703
Emergency Management
General Revenues 544,157
Federal Funds 26,450,299
Restricted Receipts 188,157
Total - Emergency Management 27,182,613
Grand Total - Military Staff 37,964,316
E-911 Emergency Telephone System
General Revenues 3,821,407
Restricted Receipts 1,650,016
Grand Total - E-911 Emergency Telephone System 5,471,423
Fire Safety Code Board of Appeal and Review General Revenues 241,338
State Fire Marshal
General Revenues 1,977,834
Federal Funds 408,390
Other Funds DEA Forfeiture Funds 20,000

Grand Total - State Fire Marshal 2,406,224
Commission on Judicial Tenure and Discipline General Revenues 102,842
Rhode Island Justice Commission
General Revenues 248,367
Federal Funds 5,687,720
Restricted Receipts 90,000
Grand Total - Rhode Island Justice Commission 6,026,087
Municipal Police Training Academy
General Revenues 361,327
Federal Funds 143,000
Grand Total - Municipal Police Training Academy 504,327
State Police
General Revenues 43,012,525
Federal Funds 1,715,334
Restricted Receipts 298,089
Other Funds
RICAP – Barracks and Training Headquarters 161,000
RICAP – Headquarters Repair/Renovation 75,000
Traffic Enforcement - Municipal Training 119,425
Lottery Commission Assistance 119,079
Road Construction Reimbursement 1,587,311
Grand Total - State Police 47,087,763
Office of Public Defender
General Revenues 6,852,438
Federal Funds 419,167
Grand Total - Office of Public Defender 7,271,605
Environmental Management
Policy and Administration
General Revenues 8,314,846
Federal Funds 1,991,206
Restricted Receipts 2,867,879
Other Funds
DOT Recreational Projects 48,582
Blackstone Bikepath Design 1,248,582
RICAP - Dam Repair 1,100,000
Total - Policy and Administration 15,571,095
Natural Resources
General Revenues 15,417,355
Federal Funds 13,486,867
Restricted Receipts 3,655,748
Other Funds
RICAP – Recreational Facilities Improvement 900,000
RICAP – Fort Adams Rehabilitation 350,000
RICAP – Jamestown Fishing Pier 75,000
RICAP - Wickford Marine Facility 200,000
RICAP - Galilee Piers 550,000

RICAP - Newport Piers 200,000
Total - Natural Resources 34,834,970
Environmental Protection
General Revenues 9,012,828
Federal Funds 9,914,944
Restricted Receipts 4,505,251
Total - Environmental Protection 23,433,023
Grand Total - Environmental Management 73,839,088
Coastal Resources Management Council
General Revenues 1,460,351
Federal Funds 2,145,000
Restricted Receipts 250,000
OSPAR South County Restoration Project 0
Grand Total - Coastal Resources Management Council 3,855,351
State Water Resources Board
General Revenues 1,229,023
Federal Funds 500,000
Restricted Receipts 495,000
Other Funds
RICAP - Big River Management Area 92,075
RICAP – Supplemental Water Supplies Development 400,000
Grand Total - State Water Resources Board 2,716,098
Transportation
Central Management
Federal Funds 8,962,162
Other Funds Gasoline Tax 3,545,484
Total - Central Management 12,507,646
Management and Budget
Other Funds Gasoline Tax 1,945,792
Infrastructure – Engineering – Garvee/Motor Fuel Tax Bonds
Federal Funds 198,459,292
Restricted Receipts 4,450,023
Other Funds
Gasoline Tax 49,630,584
RICAP – Pawtucket – Central Falls Train Station Study 100,000
Land Sale Revenue 4,000,000
State Infrastructure Bank 1,000,000
Total - Infrastructure – Engineering – Garvee/Motor
Fuel Tax Bonds 257,639,899
Infrastructure Maintenance
Other Funds
Gasoline Tax 39,532,934
Outdoor Advertising 60,565
Total - Infrastructure Maintenance 39,593,499
Grand Total - Transportation 311,686,836
Statewide Totals

General Revenues 2,939,776,732
Federal Funds 1,861,852,808
Restricted Receipts 114,139,493
Other Funds 1,043,721,925
Statewide Grand Total 5,959,490,958

SECTION 2. Each line appearing in Section 1 of this Article shall constitute an appropriation.

SECTION 3. Upon the transfer of any function of a department or agency to another department or agency, the Governor is hereby authorized by means of executive order to transfer or reallocate, in whole or in part, the appropriations and the full-time equivalent limits affected thereby.

SECTION 4. From the appropriation for contingency shall be paid such sums as may be required at the discretion of the Governor and the Director of Administration to fund expenditures for which appropriations may not exist. Such contingency funds may also be used for expenditures in the several departments and agencies where appropriations are insufficient, or where such requirements are due to unforeseen conditions or are non-recurring items of an unusual nature. Said appropriations may also be used for the payment of bills incurred due to emergencies or to any offense against public peace and property, in accordance with the provisions of Titles 11 and 45 of the General Laws of 1956, as amended. All expenditures and transfers from this account shall be approved by the Director of Administration and the Governor.

SECTION 5. The reimbursement of any state department or agency for the cost of work or services performed for any other department or agency is hereby authorized, subject to regulations promulgated by the Director of Administration.

SECTION 6. The General Assembly may provide a written "statement of legislative intent" signed by the chairperson of the House Finance Committee and by the chairperson of the Senate Finance Committee to show the intended purpose of the appropriations contained in Section 1 of this Article. The statement of legislative intent shall be kept on file in the House Finance Committee and in the Senate Finance Committee.

At least twenty (20) days prior to the issuance of a grant or the release of funds, which grant or funds are listed on the legislative letter of intent, all department, agency and corporation directors, shall notify in writing the chairperson of the House Finance Committee and the chairperson of the Senate Finance Committee of the approximate date when the funds are to be released or granted.

SECTION 7. Appropriation of Temporary Disability Insurance Funds -- There is hereby appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2005.

SECTION 8. Appropriation of Employment Security Funds -- There is hereby appropriated pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2005.

SECTION 9. Appropriations of University and College Funds – There is hereby appropriated pursuant to section 16-59-9 of the Rhode Island General Laws relating to the appropriations of funds by the General Assembly for Higher Education, and section 16-59-18 of the General Laws relating to receipts from sources other than appropriations, any funds received

by the Board of Governors for Higher Education, the University of Rhode Island, Rhode Island College, or the Community College of Rhode Island for the fiscal year ending June 30, 2005 payable out of the University and College Funds.

SECTION 10. Departments and agencies listed below may not exceed the number of full-time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do not include seasonal or intermittent positions whose scheduled period of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor do they include individuals engaged in training, the completion of which is a prerequisite of employment.

Provided, however, that the Governor or designee, Speaker of the House of Representatives or designee, and the President of the Senate or designee may authorize an adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a detailed written recommendation to the Governor, the Speaker of the House, and the President of the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor and the Senate Fiscal Advisor.

FTE POSITION AUTHORIZATION

Departments and Agencies Full-Time Equivalent
Administration 1,269.2
Business Regulation 111.0
Labor and Training 536.7
Legislature 280.0
Lieutenant Governor 10.0
State 59.0
General Treasurer 87.5
Boards for Design Professionals 4.0
Board of Elections 15.0
Rhode Island Ethics Commission 12.0
Office of Governor 47.5
Public Utilities Commission 47.0
Rhode Island Commission on Women 1.0
Children, Youth, and Families 851.8
Elderly Affairs 52.0
Health 493.2
Human Services 1,071.3
Mental Health, Retardation, and Hospitals 1,999.7
Office of the Child Advocate 5.8
Commission on the Deaf and Hard of Hearing 3.0
RI Developmental Disabilities Council 2.0
Governor's Commission on Disabilities 6.6
Commission for Human Rights 15.0
Mental Health Advocate 3.7
Elementary and Secondary Education 333.1
Office of Higher Education 23.0

Provided that 1.0 of the total authorization would be available only for a position that is supported by third party funds.

University of Rhode Island 2,554.6

Provided that 602.0 of the total authorization would be available only for positions that are supported by third party funds.

Rhode Island College 934.2

Provided that 78.0 of the total authorization would be available only for positions that are supported by third party funds.

Community College of Rhode Island 825.9

Provided that 100.0 of the total authorization would be available only for positions that are supported by third party funds.

Rhode Island State Council on the Arts 7.0
RI Atomic Energy Commission 8.6
Higher Education Assistance Authority 46.0
Historical Preservation and Heritage Commission 17.6
Public Telecommunications Authority 22.0
Attorney General 230.5
Corrections 1,539.0
Judiciary 743.5
Military Staff 98.0
E-911 Emergency Telephone System 50.6
Fire Safety Code Bd. of Appeal and Review 3.0
RI State Fire Marshal 32.0
Commission on Judicial Tenure and Discipline 1.0
Rhode Island Justice Commission 9.0
Municipal Police Training Academy 4.0
State Police 281.0
Office of Public Defender 87.2
Environmental Management 538.7
Coastal Resources Management Council 29.0
State Water Resources Board 9.0
Transportation 815.7
Total 16,227.2

SECTION 11. The amounts reflected in this Article include the appropriation of Rhode Island Capital Plan funds for fiscal year 2005 and supersede appropriations provided for FY 2005 within Section 11 of Article 1 of Chapter 376 of the P.L. of 2003.

The following amounts are hereby appropriated out of any money in the State's Rhode Island Capital Plan Fund not otherwise appropriated to be expended during the fiscal years ending June 30, 2006, June 30, 2007, June 30, 2008, and June 30, 2009. These amounts supersede appropriations provided within Section 11 of Article 1 of Chapter 376 of the P.L. of 2003. For the purposes and functions hereinafter mentioned, the State Controller is hereby authorized and directed to draw his or her orders upon the General Treasurer for the payment of such sums and such portions thereof as may be required by him or her upon receipt of properly authenticated vouchers.

FiscalYearEnding Fiscal Year Ending Fiscal Year Ending FiscalYearEnding
Projec t June 30, 2006 June 30, 2007 June 30, 2008 June30, 2009
RICAP – Court Buildings
HVAC 600,000 775,000 800,000 -

RICAP – Legislative Office
Building 5,062,500 6,750,000 1,687,500 -
RICAP – Training School
New Facility 1,000,000 5,000,000 6,800,000 -
RICAP – URI Asset
Protection 5,200,000 3,800,000 3,800,000 3,800,000
RICAP – RIC Asset
Protection 1,650,000 1,650,000 1,650,000 1,650,000
RICAP – CCRI Asset
Protection 1,050,000 1,050,000 1,050,000 1,050,000
RICAP – Building Renovations
and Repairs 371,000 31,000 26,000 34,750
RICAP - Heating and Temperature
Control 827,000 207,000 - -
RICAP - Medium HVAC
Renovations 654,000 - - -
RICAP – Reintegration Center
State Match 350,000 - - -
RICAP – Women's General
Renovations 1,400,000 1,200,000 -
RICAP - Work Release – Roof
Plumbing/HVAC Repairs 623,000 347,000 - -
RICAP – Garrahy Judicial
Lighting/Ceiling 900,000 - - -
RICAP – McGrath Judicial
Complex 125,000 - - -
RICAP – Judicial Complex
Restrooms 50,000 50,000 50,000 -
RICAP - AMC Roof
Replacement 250,000 700,000 800,000 900,000
RICAP – Dam Repair 2,750,000 1,475,000 750,000 750,000

SECTION 12. Reappropriation of Funding for Rhode Island Capital Plan Fund Projects. - Any unexpended funds from Rhode Island Capital Plan Fund project appropriations shall be reappropriated in the ensuing fiscal year and made available for the same purpose.

SECTION 13. Notwithstanding any provisions of Chapter 19 in Title 23 of the Rhode Island General Laws, the Resource Recovery corporation shall transfer to the State Controller the sum of four million three hundred thousand dollars ($4,300,000) on June 30, 2005.

SECTION 14. This article shall take effect as of July 1, 2004."

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

The motion to amend, Article 1, is read and prevails on a roll call vote, 47 members voting in the affirmative and 20 members voting in the negative as follows:

YEAS - 47: Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, McCauley, Menard, Montanaro, Naughton, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Story, Williams, Williamson, Winfield.

NAYS - 20: Representatives Coogan, DeSimone, Gorham, Long, Malik, McHugh, McManus, McNamara, Moffitt, Moran, Mumford, Palumbo, Petrarca, Reilly, Scott, Tejada, Trillo, Voccola, Wasylyk, Watson.

Representatives Crowley, Montanaro, and McNamara, discuss Article 1, as amended. Representatives McNamara, Corvese, Lewiss, Slater, Shanley, Malik, Carter, Gallison, and Lima extend sincere gratitude for all the hard work put into the budget to the following: the Finance Committee along with it's Chairman Costantino and staff; Legislative Council; House Fiscal Staff; Sub Committee on Human Services; and the House Leadership.

Representative Gorham moves to recommit (04-H 8219 SUB A). There is objection.

NOW PRESIDING

At 11:55 o'clock P.M., the Honorable Deputy Speaker yields the rostrum to the Honorable Speaker.

Majority Leader Fox discusses the budget.

Article 1, is read and prevails, as amended, on a roll call vote, 49 members voting in the affirmative and 22 members voting in the negative as follows

YEAS - 49: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moura, Naughton, Picard, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Smith, Williams, Williamson, Winfield.

NAYS - 22: Representatives Amaral, Caprio, Coogan, DeSimone, Gorham, Long, McHugh, McManus, Moffitt, Moran, Mumford, Palumbo, Petrarca, Reilly, Savage, Scott, Story, Tejada, Trillo, Voccola, Wasylyk, Watson.

ARTICLE 50

RELATING TO EFFECTIVE DATE

Representative Costantino moves passage of the article, seconded by Representatives Carter, Faria, Crowley, Fox, Lewiss, Shavers, San Bento, Gemma, Williamson, Landroche, Shanley, Moura, Laroche, and Malik.

Article 50 is read and prevails, on a roll call vote, 50 members voting in the affirmative and 21 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moura, Naughton, Picard, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Slater, Smith, Williams, Williamson, Winfield.

NAYS - 21: Representatives Amaral, Caprio, Coogan, DeSimone, Gorham, Long, McHugh, McManus, Moffitt, Moran, Mumford, Palumbo, Petrarca, Reilly, Scott, Story, Tejada, Trillo, Voccola, Wasylyk, Watson.

Representative Costantino moves an oral amendment to re-number all articles, seconded by Representatives Corvese, Faria, Carter, Williamson, and Kilmartin.

The oral motion to amend is read and prevails on a roll call vote, 53 members voting in the affirmative and 18 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anderson, Anguilla, Aubin, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moura, Naughton, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Slater, Smith, Williams, Williamson, Winfield.

NAYS - 18: Representatives Caprio, Coogan, DeSimone, Gorham, McHugh, McManus, Moffitt, Moran, Mumford, Palumbo, Petrarca, Reilly, Story, Tejada, Trillo, Voccola, Wasylyk, Watson.

Representative Costantino, seconded by Representatives Moura, Montanaro, Rose, Almeida, Anguilla, Dennigan, McNamara, Malik, Corvese, Coderre, Slater, Kennedy, San Bento, Cerra, Shavers, Lewiss, Winfield, Flaherty, Crowley, Naughton, Faria, Carter, Giannini, Handy, Fox, Menard, McCauley, Gallison, Aubin, Brien, Williamson, Picard, Gemma, Schadone, Jacquard, Lally, Anderson, Shanley, Laroche, Landroche, and Kilmartin moves passage of (04-H 8219 SUB A) AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005 {LC2792/1/A}.

The bill marked Substitute "A" as amended is read and passed as amended, and the original bill indefinitely postponed, on a roll call vote, 49 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS – 49: Honorable Speaker Murphy, Ajello, Almeida, Anderson, Anguilla, Aubin, Brien, Carter, Cerra, Coderre, Corvese, Costantino, Crowley, Dennigan, Enos, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moura, Naughton, Picard, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Smith, Williams, Williamson, Winfield.

NAYS – 22: Amaral, Caprio, Coogan, DeSimone, Gorham, Long, McHugh, McManus, Moffitt, Moran, Mumford, Palumbo, Petrarca, Reilly, Savage, Scott, Story, Tejada, Trillo, Voccola, Wasylyk, Watson.

Representative Costantino extends thanks to Michael O'Keefe, Robert Carr, Sharon Reynolds, Kathy Bello, Karen Mathews-O'Brien, Chantale Edouard, Linda Haley, Liza Cohan, Paul Dombrowski, Jim Pontarelli, Chris Wright, Roberta Mendes, Edie Flores, John Mansolillo, Leslie Smith, and John O'Connor.

Majority Leader Fox moves to Transmitt the Budget to the Senate, seconded by Representatives Carter Moura and several other members of the House. Majority Leader Watson objects.

Representative Flaherty moves to reconsider the budget, seconded by Representatives Moura, Montantaro, Crowley, Faria and several other members of the House.

Minority Leader Watson withdraws his objection.

By unanimous consent, (04-H 8219 SUB A) is transmitted to the Senate.

TRANSMITTAL

By unanimous consent, (04-H 8219) on the Clerk's desk is, ordered to be transmitted to the Honorable Senate, forthwith

House Bill No. 8219 SUB A
ENTITLED, AN ACT RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2005 {LC2792/1/A}

ADJOURNMENT

At 12:23 o'clock A.M. on motion of Representative Fox seconded by Representative Watson the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE STEVEN M. COSTANTINO

Dear Lord, help us, as the session moves to its close, and the pressure grows, to practice the virtues of patience and consideration for each other, and compassion for the people of Rhode Island whom we serve. Amen.

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 2159
BY Sosnowski, Tassoni, Issa, Connors, Breene
ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - LIABILITY AND COMPUTATION {LC770/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 2288 SUB A (Dept. of Labor and Training)
BY Bates
ENTITLED, AN ACT RELATING TO MECHANICAL TRADES {LC1385/1/A}
06/18/2004 Transmitted to Governor

Senate Bill No. 2362 as amended
BY Sheehan, Sosnowski
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC1269/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 2616
BY Polisena, Damiani, McCaffrey
ENTITLED, AN ACT RELATING TO INSURANCE – UNFAIR CLAIMS SETTLEMENT PRACTICES ACT{LC2305/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 2697
BY Roberts, Paiva-Weed, Parella, Gibbs
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- MEDICAID EXPENDITURES -- ANNUAL REPORT {LC2676/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 2752 SUB A
BY Caprio F, Pichardo, Perry, Ciccone, DaPonte
ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- PAWNBROKERS {LC2501/1/A}
06/18/2004 Transmitted to Governor

Senate Bill No. 2971
BY Fogarty P, Tassoni, Gallo, McCaffrey, Blais
ENTITLED, AN ACT RELATING TO THE ELIMINATION OF SCHOOL COMMITTEE PRIMARY ELECTIONS IN THE TOWN OF GLOCESTER, RHODE ISLAND {LC2922/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 3022
BY Paiva-Weed, Gibbs
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS {LC2986/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 3026 SUB A
BY Sosnowski, Lenihan, Roberts, Walaska, Gibbs
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION {LC3039/1/A}
06/18/2004 Transmitted to Governor

Senate Bill No. 3027 SUB A
BY Lenihan, Sosnowski, Sheehan, Walaska, Roberts
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION {LC3038/1/A}
06/18/2004 Transmitted to Governor

Senate Bill No. 3028 SUB A
BY Sosnowski, Lenihan, Roberts, Walaska, Gibbs
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - WATERS AND NAVIGATION {LC3071/1/A}
06/18/2004 Transmitted to Governor

Senate Bill No. 3034
BY McBurney, Issa
ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN $3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006 {LC3056/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 3040 SUB A as amended
BY Roberts, Lenihan, Sosnowski, Paiva-Weed, Sheehan
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION {LC3185/1/A}
06/18/2004 Transmitted to Governor

Senate Bill No. 3084 as amended
BY Felag
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS - WARREN {LC3309/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 3088
BY Sosnowski
ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE CONSTRUCTION OF A SCHOOL/COMMUNITY GYMNASIUM AND TO ISSUE NOT MORE THAN $1,550,000 BONDS THEREFOR {LC3314/1}
06/18/2004 Transmitted to Governor

Senate Bill No. 3133
BY Caprio F
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- LAND SURVEYORS {LC3476/1}
06/18/2004 Transmitted to Governor

APPENDIX

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, JUNE 23, 2004:

1 2004-S 2271
BY Fogarty P
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- BURRILLVILLE

Committee on Corporations recommends passage in concurrence.

2 2004-S 2963
BY Breene
ENTITLED, AN ACT RELATING TO REGIONAL SCHOOL DISTRICTS - EXETER - WEST GREENWICH

Committee on Corporations recommends passage in concurrence.

3 2004-S 3030
BY Felag
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Corporations recommends passage in concurrence.

4 2004-S 3031
BY Revens
ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION

Committee on Corporations recommends passage in concurrence.

5 2004-S 3059
BY Revens
ENTITLED, AN ACT RELATING TO TAX CREDIT IN THE CITY OF WARWICK

Committee on Corporations recommends passage in concurrence.

6 2004-S 3060 as amended
BY Fogarty P
ENTITLED, AN ACT EXEMPTING FROM TAXATION PROPERTY OF HARMONY HILL SCHOOL, INC. TO AN AMOUNT NOT EXCEEDING TEN MILLION DOLLARS ($10,000,000)

Committee on Corporations recommends passage as amended in concurrence.

7 2004-S 3069
BY Issa
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Corporations recommends passage in concurrence.

8 2004-S 3155
BY Issa
ENTITLED, AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED $10,000,000 FOR FINANCING CAPITAL IMPROVEMENTS TO VARIOUS CITY BUILDINGS INCLUDING SUCH IMPROVEMENTS AS ARE NECESSARY IN ORDER TO COMPLY WITH THE STATE MANDATED FIRE/BUILDING CODE REGULATIONS

Committee on Corporations recommends passage in concurrence.

Louis D'Antuono
Clerk of the House

Friday, June 18, 2004

APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, JUNE 22, 2004:

1 2004-H 8667
BY Menard
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

Ordered on the Calendar

2 2004-H 7425
BY Kennedy
ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

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

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

4 2004-H 8420 SUB A
BY Landroche
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

5 2004-H 8574 SUB A
BY Kennedy
ENTITLED, AN ACT RELATING TO HOUSING

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

6 2004-H 7474 as amended
BY Lally
ENTITLED, AN ACT RELATING TO SMALL CLAIMS AND CONSUMER CLAIMS

Committee on Judiciary recommends passage as amended.

7 2004-H 7701
BY Menard
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Judiciary recommends passage.

8 2004-H 7512
BY Gallison
ENTITLED, AN ACT RELATING TO COASTAL RESOURCES MANAGEMENT COUNCIL -- ADMINISTRATIVE PENALTIES

Committee on Judiciary recommends passage.

9 2004-H 7150 SUB A
BY Anguilla
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT-LOBBYING OF STATE EMPLOYEES

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

10 2004-H 8272
BY Giannini
ENTITLED, HOUSE RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO REVISE CERTAIN PROVISIONS OF THE MEDICARE PRESCRIPTION DRUG, IMPROVEMENT AND MODERNIZATION ACT OF 2003 (HR-1)

Committee on Judiciary recommends passage.

11 2004-H 8455
BY Slater
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSING POOLS

Committee on Health, Education & Welfare recommends passage.

12 2004-H 8192 SUB A
BY Naughton
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- STROKE TASK FORCE

Committee on Health, Education & Welfare recommends indefinite postponement of the

original bill and passage of Substitute A.

13 2004-H 8148
BY Moffitt
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DISPOSITION OF BODIES TO BE BURIED WITH PUBLIC FUNDS

Committee on Finance recommends passage.

14 2004-H 8085 SUB A
BY McCauley
ENTITLED, AN ACT RELATING TO TAXATION -- ALTERNATIVE FUELED VEHICLE AND FILLING STATION TAX CREDIT

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

15 2004-H 8393
BY Almeida
ENTITLED, AN ACT AUTHORIZING SUIT AGAINST THE CITY OF PROVIDENCE BY THE FAMILY AND ESTATE OF CAROL WALKER

Committee on Finance recommends passage.

16 2004-H 7973
BY Slater
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SOCIAL WORKERS

Committee on Finance recommends passage.

17 2004-H 7680
BY Rose
ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -- UNCLAIMED PROPERTY

Committee on Finance recommends passage.

18 2004-H 7614 SUB A
BY Slater
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

19 2004-H 8021 as amended
BY Wasylyk
ENTITLED, AN ACT RELATING TO INSURANCE

Ordered on the Calendar

20 2004-S 2110 SUB A as amended
BY Walaska
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - SMALL CLAIMS AND CONSUMER CLAIMS

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

21 2004-S 2113
BY Walaska
ENTITLED, AN ACT RELATING TO COASTAL RESOURCES MANAGEMENT COUNCIL -- ADMINISTRATIVE PENALTIES

Committee on Judiciary recommends passage in concurrence.

22 2004-S 2478 SUB B
BY Paiva-Weed
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT-LOBBYING OF STATE EMPLOYEES

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

23 2004-S 2680 SUB A
BY Alves
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSING POOLS

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

24 2004-S 2367 SUB A
BY Alves
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SOCIAL WORKERS

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

25 2004-S 2542 SUB A
BY Gallo
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

26 2004-S 2649
BY Gibbs
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DISPOSITION OF BODIES TO BE BURIED WITH PUBLIC FUNDS

Committee on Finance recommends passage in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 23, 2004 AT 2:00 PM

1 2004-H 8242
BY Gorham
ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS

Committee on Corporations recommends passage.

2 2004-H 8430
BY Carter
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ECONOMIC DEVELOPMENT CORPORATION

Committee on Finance recommends passage.

3 2004-H 8287 SUB A as amended
BY Gallison
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE TRANSPORTATION OF LIQUEFIED NATURAL GAS

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

4 2004-H 8633
BY Coderre E
ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF CITY HALL IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN $3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006

Committee on Corporations recommends passage.

5 2004-H 8616
BY Long
ENTITLED, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE THE CONSTRUCTION, EXTENSION AND IMPROVEMENT OF AWATER WORKS SYSTEM, TO ISSUE NOT MORE THAN $6,200,000 BONDS AND NOTES THEREFOR AND TO IMPOSE ADDITIONAL WATER RATES UNDER CHAPTER 273 OF THE PUBLIC LAWS OF 1968, AS AMENDED, TO PAY THE PRINCIPAL AND INTEREST ON SUCH BONDS AND NOTES

Committee on Corporations recommends passage.

6 2004-H 8567
BY Enos
ENTITLED, AN ACT AUTHORIZING THE TOWN OF TIVERTON TO FINANCE THE CONSTRUCTION, RENOVATION, ALTERATION, REPAIR, IMPROVEMENT, EQUIPPING AND FURNISHING OF, AND/OR ADDITIONS TO, THREE PUBLIC ELEMENTARY SCHOOLS IN THE TOWN INCLUDING, BUT NOT LIMITED TO, ENGINEERING AND ARCHITECTURAL COSTS AND TO ISSUE NOT MORE THAN $30,700,000 BONDS AND/OR NOTES THEREFOR INCLUDING BUT NOT LIMITED TO, ANY BONDS OR NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Committee on Corporations recommends passage.

7 2004-H 7971 SUB A
BY Carter
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

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

8 2004-H 7458
BY Moura
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- RESIDENCY

Committee on Corporations recommends passage.

9 2004-H 8614 SUB A as amended
BY Picard
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION

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

10 2004-H 8613 SUB A
BY Picard
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE LEAD HAZARD MITIGATION LAW WHICH SHALL TAKE EFFECT JULY 1, 2004

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

11 2004-H 7933 SUB A
BY Brien T
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES

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

12 2004-H 8452 SUB A as amended
BY Williamson
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

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

13 2004-H 8438
BY Fox
ENTITLED, AN ACT RELATING TO INSURANCE - COMMERCIAL SPECIAL RISKS

Committee on Corporations recommends passage.

14 2004-H 8665 SUB A as amended
BY Anguilla
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES

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

15 2004-S 3050 SUB A
BY Sheehan
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ECONOMIC DEVELOPMENT CORPORATION

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

16 2004-S 3113
BY McCaffrey
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- THE RHODE ISLAND BAYS, RIVERS, AND WATERSHEDS COORDINATION TEAM

Committee on Environment and Natural Resources recommends passage in concurrence.

17 2004-S 2926 SUB A as amended
BY DaPonte
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SUNDAY BUSINESS

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

18 2004-S 2332 as amended
BY Badeau
ENTITLED, AN ACT RELATING TO SUNDAY SALE OF ALCOHOLIC BEVERAGES

Committee on Corporations recommends passage as amended.

19 2004-S 2176
BY Tassoni
ENTITLED, AN ACT RELATING TO TAXATION -- MUNICIPAL LIEN CERTIFICATES

Committee on Corporations recommends passage in concurrence.

20 2004-S 2282
BY Parella
ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS

Committee on Corporations recommends passage in concurrence.

21 2004-S 3065
BY Sheehan
ENTITLED, AN ACT NAMING THE LONG TERM CARE PROGRAM, AND ASSOCIATED HOSPITAL WARDS, LOCATED AT THE R.I. INSTITUTE OF MENTAL HEALTH AFTER DR. ANDO SUVARI

Committee on Corporations recommends passage in concurrence.

22 2004-S 3116
BY Tassoni
ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Corporations recommends passage in concurrence.

23 2004-S 2997 SUB A
BY Polisena
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES

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

24 2004-S 2339 SUB A
BY Sosnowski
ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- REGULATION OF VICIOUS DOGS

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

25 2004-S 2162 SUB B as amended
BY Issa
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES

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

Louis D'Antuono
Clerk of the House

Friday, June 18, 2004