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 fourth day of January in the year of Our Lord two thousand and five.

Volume 132, No. 70 Wednesday, June 29, 2005 Seventieth Day

The House of Representatives meets at the State House in Providence, Wednesday, June 29, 2005 and is called to order at 4:30 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

PRESENT - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 5: Representatives Flaherty, Giannini, Palumbo, Scott, Ucci.

INVOCATION

The Honorable Speaker presents Representative Moffitt 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 Tuesday, June 28, 2005 is approved as printed.

REPORTS OF COMMITTEES
COMMITTEE ON CORPORATIONS

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

House Bill No. 6609
BY Pacheco, Winfield, Gorham
ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER (create a separate tax classification for underdeveloped residential zoned property) {LC3516/1}
06/29/2005 Placed on House Calendar

House Bill No. 6538
BY Long, Jackson, Rice
ENTITLED, AN ACT RELATING TO ZONING ORDINANCES -- MIDDLETOWN (consist of five regular members and three alternate members) {LC3402/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 1103
BY Connors, Badeau, Issa
ENTITLED, AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE CONSTRUCTION OF ADDITIONS, RENOVATIONS, IMPROVEMENTS, ALTERATIONS AND REPAIRS TO THE HIGH SCHOOL IN THE TOWN, THE EQUIPPING AND FURNISHING THEREOF AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY INFRASTRUCTURE IN SCHOOLS AND SCHOOL FACILITIES IN THE TOWN
BY THE ISSUANCE OF NOT MORE THAN $30,000,000 BONDS AND/OR NOTES THEREFOR {LC3282/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 1196
BY Connors, Montalbano J
ENTITLED, AN ACT RELATING TO THE LONSDALE FIRE DISTRICT {LC3580/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 1059
BY Levesque C
ENTITLED, AN ACT RELATING TO THE TOWN OF PORTSMOUTH (amendments to the Portsmouth Home Rule Charter) {LC3181/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 733 SUB A
BY Sosnowski, Perry
ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES (penalties for tobacco distributors) {LC2041/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 6633
BY Singleton, Moran, Menard
ENTITLED, AN ACT RELATING TO TAXATION -- COLLECTION OF TAXES GENERALLY {LC3552/1}
06/29/2005 Placed on House Calendar

House Bill No. 6569 as amended
BY Singleton
ENTITLED, AN ACT RELATING TO INSURANCE -- DUNCAN'S LAW (extend health insurance coverage for fanconi anemia) {LC3429/1}
06/29/2005 Placed on House Calendar

COMMITTEE ON FINANCE

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

House Bill No. 5135 SUB A (Lieutenant Governor)
BY Gallison, Carter, Sullivan, Brien T, Landroche
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD (eligible for five courses per semester at any Rhode Island state college or university) {LC663/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 5835 SUB A
BY Williams, Almeida
ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (adoption credit) {LC2552/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 6647
BY Costantino
ENTITLED, AN ACT RELATING TO CONVENTION CENTER AUTHORITY ACT {LC3617/1}
06/29/2005 Placed on House Calendar

House Bill No. 6616
BY Gallison
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ACQUISITION OF LAND (mandate that no acquiring authority relinquish riparian rights of Colt State Park or Poppasquash Road, Bristol to any entity for private use.) {LC3191/1}
06/29/2005 Placed on House Calendar

House Resolution No. 6041 SUB A
BY Diaz, Slater, Almeida, Williamson, Costantino
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY HEALTH CARE FACILITIES AND EMPLOYMENT TRAINING (require that health care facilities provide training and/or funding for training of employees seeking education in the field of nursing) {LC2021/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 6642
BY Coderre E, Kilmartin
ENTITLED, AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD {LC3592/1}
06/29/2005 Placed on House Calendar

House Bill No. 5098 SUB A
BY Gallison, Carter, Anguilla, Landroche, Malik
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS - VETERANS' HOME (laundry services) {LC104/2/A}
06/29/2005 Placed on House Calendar

House Bill No. 6212 SUB A
BY O`Neill, Lewiss, Landroche, Palumbo, Church
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY ("Rhode Island Autism Spectrum Disorder Evaluation and Treatment Act.") {LC2755/1/A}
06/29/2005 Placed on House Calendar

Senate Bill No. 1114
BY DaPonte
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (expand the authorized methods of obtaining bids form state vendors to include electronic reverse auctions) {LC3372/1}
06/29/2005 Placed on House Calendar

Senate Resolution No. 1191 SUB A
BY DaPonte
ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS {LC3519/1/A}
06/29/2005 Placed on House Calendar

Senate Bill No. 656 SUB A
BY Perry, Sosnowski, Goodwin, McBurney, Roberts
ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (amend the credits against tax to include an adoption credit) {LC2048/1/A}
06/29/2005 Placed on House Calendar

Senate Bill No. 399 SUB A as amended (Lieutenant Governor)
BY Goodwin
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD (eligible for 5 courses per semester) {LC1412/1/A}
06/29/2005 Placed on House Calendar

Senate Bill No. 887 SUB A
BY Sosnowski
ENTITLED, AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD (collection of seasonal rental of taxes by board) {LC2690/1/A}
06/29/2005 Placed on House Calendar

Senate Bill No. 721
BY Felag, Paiva-Weed
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (delivery sales of cigarettes/penalties for sales to minors) {LC1618/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 833 SUB A
BY Paiva-Weed, Fogarty P, Gibbs
ENTITLED, AN ACT RELATING TO TAXATION (amend laws for tax exempt artistic communities to include parts of Newport and Tiverton) {LC2113/1/A}
06/29/2005 Placed on House Calendar

Senate Bill No. 1201
BY Montalbano J
ENTITLED, AN ACT AUTHORIZING THE TOWN OF LINCOLN TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED THREE MILLION DOLLARS FOR THE PURPOSE OF ACQUIRING AND PRESERVING OPEN SPACE AND ACQUIRING, PRESERVING, CONSTRUCTING OR IMPROVING RECREATIONAL FACILITIES IN THE TOWN {LC3611/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 514
BY Gallo
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY (annual post audits of financial records and operations of the lottery for the preceding year) {LC1920/1}
06/29/2005 Placed on House Calendar

Senate Resolution No. 1190 SUB A
BY Alves, Goodwin
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE TAX EXEMPT STATUS OF INSTITUTIONS OF HIGHER LEARNING IN THE STATE OF RHODE ISLAND {LC3581/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 5477 SUB A as amended
BY Fox, Anguilla, Kilmartin, Jackson, Sullivan
ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY LOB
BY ING (financial reporting) {LC1985/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 5214 SUB A (by request)
BY Loughlin, McManus, Savage, Ucci, Davey
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (Little Compton to adopt a tax classification) {LC910/2/A}
06/29/2005 Placed on House Calendar

House Bill No. 6199 SUB A
BY San Bento, Williamson
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ACTIONS AGAINST THE STATE ON HIGHWAY AND PUBLIC WORKS CONTRACTS (prejudgment interest) {LC2747/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 5292
BY San Bento, Gemma, Flaherty, Anguilla, Malik
ENTITLED, AN ACT RELATING TO TAXATION -- TAX SALES (amend certain provisions relative to tax sales) {LC1065/1}
06/29/2005 Placed on House Calendar

House Bill No. 5914 SUB A (Governor)
BY Long, Ehrhardt, Moffitt, Amaral
ENTITLED, AN ACT RELATING TO EMPLOYMENT SECURITY -- GENERAL PROVISIONS (SUTA Dumping Prevention Act of 2004) {LC1663/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 5791 SUB A (Attorney General)
BY Malik, Shanley, O`Neill, Picard, Schadone
ENTITLED, AN ACT RELATING TO THE OFFICE OF ATTORNEY GENERAL -- ELDER JUSTICE PROSECUTION UNIT (establish the office of elder justice advocate in the department of attorney general) {LC1416/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 6260 SUB A
BY Costantino
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (create a special WaterFire license plate) {LC2846/1/A}
06/29/2005 Placed on House Calendar

Senate Bill No. 697 SUB A (Governor)
BY Breene
ENTITLED, AN ACT RELATING TO EMPLOYMENT SECURITY -- GENERAL PROVISIONS (department of labor and training/SUTA Dumping Prevention Act of 2004) {LC1562/1/A}
06/29/2005 Placed on House Calendar

Senate Resolution No. 1192 SUB A
BY Alves
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ENTIRE SALARY STRUCTURE AT THE COMMUNITY COLLEGE OF RHODE ISLAND (CCRI) {LC3494/1/A}
06/29/2005 Placed on House Calendar

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

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

House Bill No. 269 SUB B
BY Breene, Blais, Gibbs
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- EQUIPMENT AND ACCESSORIES GENERALLY (school buses be equipped with an epinephrine pen/staff be trained) {LC902/1/B}
06/29/2005 Placed on House Calendar

Senate Bill No. 820 SUB A
BY Gallo, Tassoni, Walaska
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT (no consent for release/transfer of confidential health care info be required by a third-party adm, HMO, nonprofit hospital and medical service corp or service provider if permitted by HIPAA.) {LC1958/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 6603 SUB A
BY Sullivan, Landroche, Ginaitt, Gallison, Gemma
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- EQUIPMENT AND ACCESSORIES GENERALLY (add school bus dr ivers and monitors to the list of people who are immune from liability when administering epinephrine for allergic reactions) {LC3498/1/A}
06/29/2005 Placed on House Calendar

COMMITTEE ON JUDICIARY

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

Senate Bill No. 296
BY Levesque C, Perry
ENTITLED, AN ACT RELATING TO ANIMALS (misdemeanor to release a domesticated, diseased animal in a park, circus, etc.) {LC1257/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 1181
BY Connors
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3562/1}
06/29/2005 Placed on House Calendar

House Bill No. 6518
BY Gemma, Kilmartin, Moran, Singleton, Davey
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLES REPARATIONS ACT (law enforcement agencies who issue tickets for lack of evidence of financial responsibility to withhold submission of the traffic citation to the traffic tribunal for 24 hours in order to allow the motorist to submit evidence of financial responsibility) {LC3374/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 109
BY Raptakis, Sheehan, Polisena
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (increase the penalty for the use of tobacco by minors)
06/29/2005 Placed on House Calendar

COMMITTEE ON LABOR

Representative Faria, for the Committee on Labor, reports back the following measures, with recommendation of passage:

House Bill No. 6650
BY Handy, Faria
ENTITLED, AN ACT RELATING TO LABOR ARBITRATION {LC3600/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 360 (Department of Labor and Training)
BY Breene
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY -- GENERAL PROVISIONS (department of labor and training to share quarterly wage information with the US Census Bureau) {LC1519/1}
06/29/2005 Placed on House Calendar

Senate Bill **No. 683** as amended (Governor)
BY Breene
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS (partial temporary disability insurance payment) {LC1559/1}
06/29/2005 Placed on House Calendar

Senate Bill **No. 640**
BY Ruggerio, Doyle, Lanzi, Ciccone, Tassoni
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS (clarify the applicability of the electrician rules and regulations to electrical work being performed in the state and municipalities) {LC1166/1}
06/29/2005 Placed on House Calendar

Senate Bill **No. 641**
BY Ruggerio, DaPonte, Tassoni, Doyle, Goodwin
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS (class M license) {LC364/1}
06/29/2005 Placed on House Calendar

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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

House Bill **No. 6192** SUB A
BY Jacquard
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL (beneficial reuse material) {LC2708/1/A}
06/29/2005 Placed on House Calendar

Senate Bill **No. 771** SUB A
BY Polisena, Damiani
ENTITLED, AN ACT RELATING TO PARKS AND RECREATIONAL {LC2221/1/A}
06/29/2005 Placed on House Calendar

Senate Bill **No. 866** SUB A
BY Gallo
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL (amend the Rhode Island Refuse Disposal Act) {LC2569/1/A}
06/29/2005 Placed on House Calendar

House Bill No. 6641
BY Trillo, Singleton, Scott, Davey, Ehrhardt
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION (authority to the pump-out station operator/boat operator to issue a certificate to be attached to the compliance record card/remote sewage removal) {LC3597/1}
06/29/2005 Placed on House Calendar

COMMITTEE ON SEPARATION OF POWERS

Representative Coderre, for the Committee on Separation of Powers, reports back the following measure, with recommendation of passage:

Senate Bill No. 1173 as amended
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from certain boards and commissions) {LC3532/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 1175
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators & legislative appointees from the board of directors of the Rhode Island Clean Water Finance Agency) {LC3544/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 1176 as amended
BY Lenihan
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION (make extensive technical changes to the laws relating to the Rhode Island resource recovery corporation) {LC3542/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 1177 as amended
BY Lenihan
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT (reconfigure the members of the review board) {LC3541/1}
06/29/2005 Placed on House Calendar

Senate Bill No. 1178
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators & legislative appointees from the RI Economic Development Corporation) {LC3539/1}
06/29/2005 Placed on House Calendar

NEW BUSINESS

House Bill No. 6655
BY Loughlin
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC3627/1}

Representative Loughlin requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Loughlin seconded by Representative Ehrhardt 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, Anguilla, Brien, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Story, Sullivan, Williams, Winfield.

NAYS - 0.

House Resolution No. 6656
BY Pacheco, Sullivan, Story, Lewiss, Gemma
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY CURRENT LAWS, RULES AND REGULATIONS PERTAINING TO THE CARE OF RHODE ISLAND ARCHIVES, RECORDS AND HISTORICAL DOCUMENTS {LC3621/1}

Representative Pacheco requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6657
BY Dennigan, Costantino, Carter, Naughton, Crowley
ENTITLED, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF ADMINISTRATION TO CONDUCT A COMPREHENSIVE STUDY ON THE STATE'S TAX SYSTEM {LC3640/1}

Representative Dennigan requests unanimous consent for immediate consideration.

There is no objection.

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

COMMUNICATION FROM THE SENATE

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

House Bill No. 6164 SUB B as amended
BY Coderre E, Crowley, Almeida, Gemma, Kilmartin
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from certain boards and commissions in accord with the recent amendments to the state constitution) {LC2689/1/B}
06/29/2005 Placed on House Calendar

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, JUNE 29, 2005:

1 2005-H 6430 SUB A
BY Malik
ENTITLED, AN ACT RELATING TO VETERANS' AFFAIRS

Committee on Veterans` Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 30, 2005.

2 2005-H 6315
BY McCauley
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Finance recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar after item 11, as item 11A.

3 2005-H 5815
BY Landroche
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Finance recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 30, 2005.

4 2005-H 6170 SUB A as amended
BY Coderre E
ENTITLED, AN ACT SEPARATION OF POWERS

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

Read, and by unanimous consent, ordered to be placed on the Calendar after item 10, as item 10A.

5 2005-H 6519 SUB A
BY Corvese
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

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

Representative Corvese moves passage of the act, seconded by Representative Malik.

Representative Corvese, seconded by Representatives Crowley and Ginaitt offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6519 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

Mr. Speaker:

I hereby move to amend 2005 -- H 6519 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL", as follows:

(1) By removing from the act all language beginning on page 1, line 1 through page 3, line 11.

(2) On page 3, line 12, by deleting the number "2" after the word "Section" and inserting in place thereof the number "1".

(3) On page 8, line 17, by deleting the number "3" after the word "Section" and inserting in place thereof the number "2".

Respectfully submitted,

_____
REPRESENTATIVE CORVESE

The motion to amend prevails on a roll call vote 50 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Lewiss, Long, Loughlin, Malik, McCauley, McHugh, Melo, Menard, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Williams, Winfield.

NAYS - 8: Representatives Davey, Gorham, McManus, Moffitt, Moura, Mumford, Smith, Watson.

Representatives Corvese, Mumford, Davey, Caprio, Menard, Dennigan, Rice, Ginaitt, Watson, Ehrhardt, McManus, Gorham and Gemma discuss the act, as amended.

Representative Faria moves the question seconded by Representative Moura.

The motion fails on a roll call vote, 27 members voting in the affirmative and 33 members voting in the negative as follows:

YEAS - 27: Representatives Anguilla, Carter, Church, Coderre, Corvese, Costantino, Crowley, Faria, Fox, Gallison, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Malik, McCauley, McNamara, Moura, O'Neill, Picard, Rice, Rose, San Bento, Schadone, Shanley.

NAYS - 33: Representatives Ajello, Amaral, Brien, Caprio, Davey, Dennigan, Ehrhardt, Gemma, Ginaitt, Gorham, Handy, Jackson, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, Pacheco, Petrarca, Savage, Singleton, Smith, Story, Sullivan, Trillo, Wasylyk, Watson, Winfield.

Representatives Amaral, Savage, and Smith discuss the act, as amended.

Read, and by unanimous consent, ordered to be placed on the Calendar after item 8, as item 8A.

FROM THE DESK IS TAKEN

Representative Moura moves to reconsider (05-H 6442) seconded by Representative McCauley.

The motion to reconsider prevails on a roll call vote, 47 members voting in the affirmative and 1 member voting in the negative as follows

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Corvese, Costantino, Crowley, Davey, DeSimone, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Loughlin, McCauley, McHugh, Melo, Menard, Moffitt, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan.

NAYS - 1: Representative Winfield.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Paul Moura, State Representative, District 2, 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: 05-H 6442

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

3. (Complete and (A.) or (B.) and cross out whichever does not apply
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.

Paul Moura
Representative, District 2

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 29th day of June AD, 2005

David W. Dumas
Notary Public

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

WILLIAM J. MURPHY
Speaker of the House of Representatives

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Anastasia Williams, State Representative, District 9, 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: 05-H 6442

2. (Nature of the potential conflict) I have the following interest in the matter:
I'm currently a municipal employee & a member of local 1033.

3. (Complete and (A.) or (B.) and cross out whichever does not apply
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.

Anastasia Williams
Representative, District 9

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 29th day of June AD, 2005

David W. Dumas
Notary Public

Representative Williams 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

House Bill No. 6442 as amended
BY Moura, McCauley, Smith, Petrarca, Williamson
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS (invalidate provisions of any municipal ordinance or home rule charter that imposes residency requirements upon police officers or fire fighters) {LC2883/1}

Representative McCauley, seconded by Representatives Brien, Landroche, and Smith offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6442

AN ACT RELATING TO TOWNS AND CITIES -- POLICE OFFICERS AND FIRE FIGHTERS

Mr. Speaker:

I hereby move to amend 2005 -- H 6442, entitled "AN ACT RELATING TO TOWNS AND CITIES -- POLICE OFFICERS AND FIRE FIGHTERS", as follows:

1. On page 1, by deleting the words "Police and Fire Fighters" in the title of the Act and inserting in place there of the words "General Powers".

2. On page 2, after line 1, by inserting the following:

"SECTION 3. Chapter 45-2 of the General Laws entitled "General Powers" is hereby amended by adding thereto the following section:

45-2-15.2. Municipal employees. – Residency within municipality not required. -- Notwithstanding any prior ratification and validation by the general assembly of any home rule charter provision requiring that municipal employees reside within the employing city or town, no home rule charter provision shall require that a municipal employee reside within the city or town as a condition of appointment or continued employment. Any prior ratification and validation by the general assembly of a home rule charter provision requiring residency within a city or town as a condition for employment of a municipal employee is hereby expressly repealed by the general assembly; provided, further, no city or town council shall make or ordain any ordinance requiring a municipal employee to reside within the employing city or town as a condition of appointment of continued employment. Any existing ordinance requiring a municipal employee to reside within the employing city or town as a condition of appointment or continued employment is hereby considered contrary to the laws of this state and is thus void as being in violation of state law. Nothing in this chapter shall preclude any city or town from offering employment incentives to its employees."

3. On page 2, line 2, by deleting the section number "3" and replacing it with the number "4".

Respectfully submitted,

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REPRESENTATIVE MCCAULEY

Representatives Ajello, Slater, Williams, Gemma, Ehrhardt, Moura, and Smith discuss the amendment.

The motion to amend prevails on a roll call vote 56 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Amaral, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Williamson, Winfield.

NAYS - 5: Representatives Ajello, Almeida, Diaz, Rice, Slater.

REQUESTS

Representatives Caprio and Lima requests the journal to reflect that if they had voted on the last amendment, they would have voted in the affirmative.

Read and passed, as amended, on a roll call vote, 55 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Davey, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Williamson, Winfield.

NAYS - 2: Representatives Ajello, Rice.

REQUESTS

Representative Costantino and Lima requests the journal to reflect that if they had voted on (05-H 6442aa), they would have voted in the affirmative.

6 2005-H 6160
BY Faria
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY AUTO BODY AND SALVAGE SHOPS

Committee on Labor recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday July 5, 2005.

7 2005-H 6167
BY Kilmartin
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- CERTIFICATES OF TITLE AND SECURITY INTERESTS

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Gemma, Amaral, Long, Corvese, and Lima.

Read and passed, 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 Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Picard.

8 2005-H 5717
BY Malik
ENTITLED, AN ACT RELATING TO LABOR RELATIONS ACT

Committee on Labor recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday July 5, 2005.

8A 2005-H 6519 SUB A
BY Corvese
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

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

The act has been moved and seconded supra.

Representatives Voccola and Savage discuss the act, as amended.

The bill marked Substitute “A” is read and fails, as amended, and the original bill indefinitely postponed, on a roll call vote, 33 members voting in the affirmative and 35 members voting in the negative as follows:

YEAS - 33: The Honorable Speaker Murphy and Representatives Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Fox, Gallison, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, O'Neill, Pacheco, Petrarca, Picard, San Bento, Schadone, Shanley, Slater, Sullivan, Williamson.

NAYS - 35: Representatives Amaral, Caprio, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Gemma, Gorham, Handy, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Rice, Rose, Savage, Singleton, Smith, Story, Trillo, Voccola, Wasylyk, Watson, Williams, Winfield.

9 2005-S 1035 as amended
BY Montalbano J
ENTITLED, AN ACT RELATING TO THE CLEARY SCHOOL

Committee on Corporations recommends passage as amended in concurrence.

Representative Kennedy moves passage of the act, seconded by Representative Gemma.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 30, 2005.

10 2005-S 508 SUB A
BY Alves
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 30, 2005.

10A 2005-H 6170 SUB A as amended
BY Coderre E
ENTITLED, AN ACT SEPARATION OF POWERS

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

Representative Coderre moves passage of the act, seconded by Representative Rose.

Representative Coderre, seconded by Representative Rose offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6170 SUBSTITUTE A, AS AMENDED

AN ACT SEPARATION OF POWERS

Mr. Speaker:

I hereby move to amend 2005 -- H 6170 SUBSTITUTE A, AS AMENDED, entitled "AN ACT SEPARATION OF POWERS", as follows:

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

"SECTION 1. Section 42-113-4 of the General Laws in Chapter 42-113 entitled "Rhode Island Housing and Conservation Trust Fund Act" is hereby amended to read as follows:

42-113-4. Creation of the Rhode Island housing and conservation board. -- (a) There is hereby authorized, created and established a body politic and corporate to be known as the "Rhode Island housing and conservation board" to carry out the provisions of this chapter. The board is constituted a public instrumentality exercising public and essential governmental functions, and the exercise by the board of the powers conferred by this chapter are deemed and held to be the performance of an essential governmental function of the state.

(b) The board shall consist of ~~eleven (11)~~ nine (9) members.

(1) The four (4) non-voting ex-officio members shall include the director of the department of environmental management, or a designee ~~who is determined upon the advice of the natural heritage commission~~, the director of the office of intergovernmental affairs/housing, or designee, the executive director of the Rhode Island housing and mortgage finance corporation, or designee, and the director of the office of statewide planning, or designee.

(2) ~~The public members shall consist of one member of the house of representatives appointed by the speaker, one member of the senate appointed by the president of the senate, the chairperson of the Rhode Island community reinvestment association, or designee, the president of the environmental council of Rhode Island, or designee, the president of the Rhode Island association of land trusts, or designee, a representative of a tenant advocacy group appointed by the speaker of the house, and a family farmer who operates a farm pursuant to the provisions of chapter 23 of title 2 appointed by the president of the senate.~~ The governor, with the advice and consent of the senate, shall appoint five (5) members of the general public. In making these appointments, the governor shall give due consideration to recommendations made by the Rhode Island Community Reinvestment Association, Environment Council of Rhode Island, Rhode Island Association of Land Trusts, and representatives of tenancy advocacy and family farm associations.

(3) Any designee of the four (4) governmental members serving ex-officio as stipulated in subsection 42-113-4(b)(1) or of the three (3) members who is a chair or president of a non-governmental organization as stipulated in subsection 42-113-4(b)(2) shall be a subordinate of the designator within his or her respective department, office, or nongovernmental organization. These designees shall represent him or her at all meetings of the board.

(4) No one shall be eligible for public appointment unless he or she is a resident of this state.

(5) Newly appointed and qualified public members and designees of ex-officio members shall, within six (6) months of their qualification or designation, attend a training course that is developed with board approval and conducted by the chair or his or her designee and shall include instruction in the subject area of chapter 42-113 and chapters 42-46, 36-14, and 38-2 of Rhode Island general laws; and the board's rules and regulations.

(c) Those members of the board as of the effective date of this act who were appointed to the board by members of the general assembly shall cease to be members of the commission on the effective date of this act. Public members of the board appointed by the ~~speaker or the president of the senate~~ governor will be appointed for three (3) year terms and cannot serve more than two (2) consecutive terms. ~~Initial appointments of the seven (7) public members to the board shall consist of two (2) appointments of one year terms, two (2) appointments of two (2) year terms, and three (3) appointments of three (3) year terms.~~

(d) Annually, the board shall elect from among its public members a chairperson and vice-chairperson. The board may elect from among its members any other officers it ~~determines~~ deems necessary. Meetings shall be held at the call of the chairperson or at the request of three

(3) members. A majority of the sitting members shall constitute a quorum and action taken by the board under the provisions of this chapter may be authorized by a majority of the members present and voting at any regular or special meeting.

(e) Three (3) or more voting members of the board shall constitute a quorum for the transaction of business. A majority vote of those present shall be required for action. No vacancy in the membership of the board shall impair the right of a quorum to exercise all of the rights and perform all of the duties of the board.

(f) Any vacancy which may occur in the board shall be filled accordingly in the same manner as prescribed above.

~~(e)~~ (g) The board shall appoint and employ an executive director, and it shall be his or her duty to:

(1) Supervise and administer allocations made through the trust fund in accordance with this chapter and with the rules and regulations of the board;

(2) Act as the chief administrative officer having general charge of the office and records and to employ temporarily, subject to the approval of the board, necessary personnel to serve at his or her pleasure and who shall be in the unclassified service and whose salaries shall be set by the board;

(3) Act as executive secretary of the board; and

(4) Perform other duties as determined by the board which are in accordance with this chapter and with the rules and regulations of the board.

~~(f)~~ (h) The board shall use the office of the attorney general for legal services.

(i) Within ninety (90) days after the end of each fiscal year, the board shall approve and submit an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state of its activities during that fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, meeting minutes if requested, subjects addressed, decisions rendered, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the authority of the board; a summary of any training courses held pursuant to subsection 42-113-4(b)(6); a briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations for improvements. The report shall be posted electronically on the general assembly and the secretary of state's websites as prescribed in section 42-20-8.2 of the Rhode Island general laws.

SECTION 2. Section 45-9-3 of the General Laws in Chapter 45-9 entitled "Budget Commissions" is hereby amended to read as follows:

45-9-3. Budget and Review Commission. -- (a)(1) Notwithstanding the provisions of sections 45-9-1 and 45-9-2 or any other general or special laws of the state or charter provisions, the general assembly vests in the director of the state department of administration (hereinafter "director") the power to ~~appoint~~ authorize, create, and establish a budget and review commission in any town or city where the director ~~of the state department of administration~~ finds that the town or city's bond rating has been assigned by one or more recognized rating agencies to a rating which is below investment grade and there is an imminent threat of default on any or all of its debt obligations. ~~The~~

(2) Whereupon the director shall authorize said budget and review commission, to convene specifically to deal with the aforementioned town or city, that shall consist of the chief executive officer of the town or city~~,~~; the president of the town or city council~~,~~; three (3) public members from the affected municipality, at least one of whom shall be qualified by training or experience in the fields of finance or accounting, to be appointed by the governor ~~from a list of eight (8) recommendations submitted by the general assembly (four (4) to be submitted by the president of the senate and four (4) to be submitted by the speaker of the house of representatives; at least one public member shall be selected from each list submitted)~~, with the advice and consent of the senate~~,~~; two (2) ex-officio state officials who shall be the director, ~~of the state department of administration,~~ or his or her designee from the department of administration ~~the state auditor general,~~; and one member of the public finance management board to be appointed by the governor who, in making his or her appointment, shall give due consideration to the recommendation of the chair of the public finance management board, with the advice and consent of the senate. ~~the chair of the house committee on finance, or his or her designee and the chair of the senate committee on finance, or his or her designee.~~

(3) No one shall be eligible for appointment unless he or she is a resident of this state.

(4) Where there is no chief executive officer of the town or city, the vice president of the town council or city council shall serve on the commission. The director of the state department of administration shall serve as chair of the commission.

(5) The commission may elect from among its members such other officers as they deem necessary.

(6) Four (4) or more members of the commission shall constitute a quorum and the vote of a majority of said quorum at any meeting shall be required for action. No vacancy in the membership of the commission shall impair the right of a quorum to exercise all of the rights and perform all of the duties of the commission.

(7) Newly appointed and qualified commission members of the municipality shall, within six (6) weeks of their qualification or designation, attend a training course that is developed with commission approval and conducted by the chair or his or her designee and shall include instruction in the subject area of chapter 45-9 and chapters 42-46, 36-14, and 38-2 of Rhode Island general laws; and the commission's rules and regulations.

(8) Public members of the commission shall be removable by the governor pursuant to section 36-1-7 of the Rhode Island general laws for cause only, and removal solely for partisan or personal reasons unrelated to capacity or fitness for the office shall be unlawful.

(9) The powers of the budget and review commission shall be to impose taxes and to make appropriations for the expenditure of moneys, for the purpose of adopting a budget and, for the purpose of maintaining a balanced budget, the budget and review commission shall make reductions or suspensions in the appropriations to any or all departments, offices or other agencies of town or city government as will prevent a deficit for the fiscal year. The budget and review commission shall be subject to the open meetings and open records law. The budget and review commission shall remain in office until ~~the earlier of (i)~~ that time as the chief executive officer of the town or city and the town or city council petitions the director of the state department of administration to disband the budget and review commission ~~and the director approves the petition, or (ii) the end of the fiscal year~~.

(b)(1) The budget and review commission shall commence its work by examining the financial and operating condition of the city or town and shall also advise the chief executive officer, city or town council and the fiscal officials of the city or town on the formulation of

adequate budget and budgetary controls.

(2) Reporting Requirements. – Within ninety (90) days of its being disbanded as provided for in subsection 45-9-3(a)(10), the ~~The~~ budget and review commission shall approve and issue a report detailing its findings and recommendations. This report shall be submitted to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state of its activities during that fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, subjects addressed, decisions rendered, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the course of its existence, including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the authority of the board; a summary of any training courses held pursuant to subsection 45-9-3(a)(7); a briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations for improvements. The report shall be posted electronically on the general assembly and the secretary of state's websites as prescribed in section 42-20-8.2 of the Rhode Island general laws.

(3) The examination and report shall be completed and published no sooner than three (3) weeks after the formation of the budget and review commission. The commission shall exercise any of the powers set forth in this section only after the examination and publication of the commission's report.

SECTION 3. Section 44-34-11 of the General Laws in Chapter 44-34 entitled "Excise on Motor Vehicles and Trailers [Repealed effective July 1, 2005.]" is hereby amended to read as follows:

44-34-11. Rhode Island vehicle value commission. [Repealed effective July 1, 2005.] -- (a) There is hereby authorized, created, and established the "Rhode Island vehicle value commission" whose function it is to establish presumptive values of vehicles and trailers subject to the excise tax.

(b) The commission shall consist of the following ~~nine (9)~~ seven (7) members as follows: ~~one~~

(1) the director of the department of transportation or his/her designee ~~of the director of~~ from the department of transportation, who shall serve as chair;

(2) five (5) local tax officials named by the governor, at least one of whom shall be from a city or town under ten thousand (10,000) population and at least one of whom is from a city or town over fifty thousand (50,000) population in making these appointments the governor shall give due consideration to the recommendations ~~from a list of nominees~~ submitted by the ~~p~~President of the Rhode Island ~~l~~League of ~~c~~Cities and ~~t~~Towns and each appointment shall be subject to the advice and consent of the senate; ~~and two (2) designees who are private citizen car owners, one of whom shall be named by the speaker of the house and one of whom shall be named by the president of the senate;~~

(3) and one motor vehicle dealer appointed by the governor upon giving due consideration to the recommendation of ~~designated by~~ the director of administration and subject to the advice and consent of the senate.~~;~~

(4) ~~all~~ All ~~departmental designees shall serve at the pleasure of the designating agency, but, for a term of no less than one year, and all other designees~~ members shall serve for a term of

three (3) years.

(5) Current legislative appointees shall cease to be members of the commission upon the effective date of this act. Non-legislative appointees to the commission may serve out their terms whereupon their successors shall be appointed in accordance with this act. No one shall be eligible for appointment to the commission unless he or she is a resident of this state.

(6) Public members of the commission shall be removable by the governor pursuant to section 36-1-7 of the Rhode Island general laws for cause only, and removal solely for partisan or personal reasons unrelated to capacity or fitness for the office shall be unlawful.

(c) The commission shall annually determine the presumptive values of vehicles and trailers subject to the excise tax in the following manner:

(1) Not earlier than September 30 and not later than December 31 of each year, the commission shall by rule adopt a methodology for determining the presumptive value of vehicles and trailers subject to the excise tax which shall give consideration to the following factors:

(i) The average retail price of similar vehicles of the same make, model, type, and year of manufacture as reported by motor vehicle dealers or by official used car guides, such as that of the National Automobile Dealers Association for New England. Where regional guides are not available, the commission shall use other publications deemed appropriate; and

(ii) Other information concerning the average retail prices for make, model, type, and year of manufacture of motor vehicles as the director and the Rhode Island vehicle value commission may deem appropriate to determine fair values.

(2) On or before February 1 of each year, it shall adopt a list of values for vehicles and trailers of the same make, model, type, and year of manufacture as of the preceding December 31 in accordance with the methodology adopted between September 30 and December 31; the list shall be subject to a public hearing at least five (5) business days prior to the date of its adoption.

(3) Nothing in this section shall be deemed to require the commission to determine the presumptive value of vehicles and trailers which are unique, to which special equipment has been added or to which special modifications have been made, or for which adequate information is not available from the sources referenced in subdivision (1) of this subsection; provided, that the commission may consider those factors in its lists or regulations.

(4) The commission shall annually provide the list of presumptive values of vehicles and trailers to each tax assessor on or before February 15 of each year.

(d) The commission shall adopt rules governing its organization and the conduct of its business; prior to the adoption of the rules, the chair ~~designee of the department of administration shall serve as chairperson of the commission and~~ shall have the power to call meetings, and a simple majority of the members of the commission, as provided for in subsection (b) of this section, is necessary for a quorum, which quorum by majority vote shall have the power to conduct business in the name of the commission. The commission may adopt rules and elect from among its members such other officers as it deems necessary.

(e) The commission shall have the power to contract for professional services that it deems necessary for the development of the methodology for determining presumptive values, for calculating presumptive values according to the methodology, and for preparing the list of presumptive values in a form and format that is generally usable by cities and towns in their preparation of tax bills. The commission shall also have the power to incur reasonable expenses in the conduct of its business as required by this chapter and to authorize payments for the expenses.

(f) ~~Compensation for members for attendance at meetings shall initially be at a rate of~~

~~fifty dollars ($50.00) per meeting unless otherwise determined by the unclassified pay board.~~ Commission members shall receive no compensation for the performance of their duties but may be reimbursed for their reasonable expenses incurred in carrying out such duties.

(g) The commission shall respond to petitions of appeal by local boards of review in accordance with the provisions of section 44-34-9.

(h) The commission shall establish, by rule, procedures for adopting an annual budget and for administering its finances. One-half (1/2) of the cost of the commission's operations shall be borne by the state and one-half (1/2) shall be borne by cities and towns within the state, with the city and town share distributed among cities and towns on a per capita basis.

(i) Within ninety (90) days after the end of each fiscal year, the commission shall approve and submit an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state of its activities during that fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, meeting minutes if requested, subjects addressed, decisions rendered, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the authority of the commission; a summary of any training courses held pursuant to subsection 44-34-11(i), a briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations for improvements. The report shall be posted electronically on the general assembly and the secretary of state's websites as prescribed in section 42-20-8.2 of the Rhode Island general laws. The director of the department of administration shall be responsible for the enforcement of this provision.

SECTION 4. Sections 29-8-3, 29-8-4, 29-8-6, 29-8-8, 29-8-9, 29-8-10 and 29-8-12 of the General Laws in Chapter 29-8 entitled "The Rhode Island Information Resources Management Board" are hereby amended to read as follows:

29-8-3. Board established. -- There is hereby authorized, created, and established in the executive department the Rhode Island information resources management board, hereafter called the board. It shall be the responsibility of the board to coordinate and guide the application of information technologies and resources in the executive branch of state government.

29-8-4. Appointment of members of the board. – (a) The board consists of:

(1) Three (3) department directors from the executive branch appointed by the governor;

(2) The state budget director or his or her designee from within the budget office;

(3) The secretary of state or his or her designee from within the secretary of state's office;

(4) The chief information officer or his or her designee from within the office of the chief information officer;

(5) One representative from the public universities to be appointed by the governor who shall give due consideration to the recommendation of ~~from a list of three (3) persons submitted by~~ the commissioner of higher education;

(6) Two (2) citizen members from the private sector with information resources management knowledge and experience to be appointed by the governor;

(7) One citizen who is a consumer of government information to be appointed by the

governor;

(8) One representative of local government appointed by the governor;

(9) The Governor shall give due consideration to a recommendation from the president of the Rhode Island league of cities and towns or his or her designee;

(10) The Governor shall give due consideration to a recommendation from the chair of the library board of Rhode Island or his or her designee;

(11) The Governor shall give due consideration to a recommendation from the commissioner of higher education or his or her designee;

(12) The Governor shall give due consideration to a recommendation from the commissioner for elementary and secondary education or his or her designee; and

(13) [Deleted by P.L. 2000, ch. 270, section 1];

(14) The executive director of the Rhode Island public telecommunications authority or his or her designee~~; and~~.

(15) ~~The chair or the senate finance committee or his or her designee and the chair of the house finance committee or his or her designee shall also serve on the board~~ Those members of the board as of the effective date of this act who are members or designees of the general assembly shall cease to be members of the board on the effective date of this act.

(b) Designees of members serving ex-officio shall represent him or her at all meetings of the board. No one shall be eligible for appointment unless he or she is a resident of this state.

(c) All gubernatorial appointments made under this section after the effective date of this act, with the exception of those appointments made pursuant to subsections 29-8-4(a)(1), (2), (3), and (4), shall be subject to the advice and consent of the senate.

29-8-6. Term of office. -- (a) The term of office of the members specified in section 29-8-4(a)~~(b)~~(2), ~~(c)~~(3), ~~(d)~~(4), ~~(e)~~(5), ~~(j)~~(10), ~~(k)~~(11), ~~(l)~~(12), ~~(m),~~ and ~~(o)~~(14) shall be the same as the term of office by virtue of which they serve upon the board.

(b) The terms of the department directors appointed pursuant to section 29-8-4~~(a)~~(1) shall be established in the board's operating policies or bylaws to be not less than ~~two (2)~~ three (3) years.

(c) All other members of the board appointed pursuant to section 29-8-4 shall serve for a term of four (4) years. Vacancies in the membership of the board shall be filled in the same manner as the original appointments. If a nominating organization changes its name, the subsequent organization having the same responsibilities and purposes shall be the nominating organization. The members of the board shall be eligible to succeed themselves.

(d) Removal for cause. -- Public members of the board shall be removable by the governor pursuant to the provisions of section 36-1-7 of the Rhode Island general laws, for cause only, and removal solely for partisan or personal reasons unrelated to capacity or fitness for the office shall be unlawful.

29-8-8. Quorum. -- A majority of the members shall constitute a quorum for the transaction of business. Members' designees shall have voting privileges at board meetings. A majority vote of those present shall be required for action. No vacancy in the membership of the board shall impair the right of a quorum to exercise all of the rights and perform all of the duties of the board.

29-8-9. ~~Meetings -- Reports~~ Meetings. – (a) The board shall meet at least four (4) times each year. ~~and report its findings no less than semiannually to the governor and the general assembly. All reports of the board shall be made available to the general public.~~

(b) In addition, the board, upon the call of the officers, may hold meetings at any time it

deems necessary. The board may establish committees or work groups composed of board and non-board members as necessary to advise the board in carrying out its responsibilities, duties and powers. Persons connected with the automated information and communications resources industries may participate on boards or work groups, but shall not have a vote. The board may adopt bylaws and operating policies necessary for its efficient and effective operation.

29-8-10. The board's roles and duties. -- (a) Providing overall leadership, policy direction, strategic planning and coordination of information resources management for the executive branch of state government and public universities, including public access to appropriate state government information resources.

(b) Formulation of a five (5) year statewide information resources management plan, to be updated every two (2) years, from long-range information resources management plans submitted by agencies of the executive branch, including the public universities, as the board may require;

(c) Defining, maintaining, and publishing a timely information resources management architecture relating to the management of information resources by executive branch state agencies, and implementing processes and procedures to ensure compliance with the information resources management architecture;

(d) Coordinating, through policy and interagency agreements and monitoring, an appropriate program of training and education for executive branch state and local agencies regarding strategic information systems planning, and the selection and use of information technologies to facilitate effective information resources management, appropriate employee skill building, and career development;

(e) Promoting executive level awareness, support, and involvement with information resources management throughout the executive branch of government;

(f) Reviewing executive branch agency five (5) year strategic information resources plans, and forwarding those plans with findings and recommendations to the agency head, the governor's policy office, the budget office and the general assembly for use during the preparation and enactment of the annual budget;

(g) Identifying and assessing opportunities for multi-agency development and use of information resources, or the development of executive branch agency projects which would improve the quality and availability of information;

(h) Establishing and maintaining relationships with other planning organizations as necessary to ensure coordination and implementation of comprehensive statewide strategies involved with, or affected by, information technology;

(i) Establishing and maintaining information dissemination service or clearinghouse for:

(1) Current practices of state agencies regarding information resources management;

(2) Emerging and advancing information resources technologies;

(3) Information resources vendor performance in the public sector;

(4) Technical resources in the state; and

(5) Elements of the information resources management architecture;

(j) Establishing and maintaining research and development capacity for beneficial applications of information resources technology for the state's public sector, which includes:

(1) Conducting research on current and emerging information resources technologies and their potential to enhance governmental services;

(2) Sponsoring and evaluating pilot projects to assist with the successful adoption by other state agencies;

(k) Fostering and encouraging the interest and cooperation of the state information resources technology community for improvement and enhancement of public services delivery;

(l) Serving as catalyst for information technology advancements in the public sector;

(m) Recommending procedures and legislation to improve the accessibility of machine readable public records by state agencies, citizens, and businesses; ~~and~~

(n) Recommending procedures and legislation to ensure the privacy of individuals, with particular emphasis on the potential for invasion of individual privacy~~.~~;

(o) Newly appointed and qualified public members and designees of ex-officio members shall, within six (6) months of their qualification or designation, attend a training course that shall be developed with board approval and conducted by the chair of the board and shall include instruction in the subject area of this chapter and chapters 42-46, 36-14, and 38-2; and the board's rules and regulations. The director of the department of administration shall within ninety (90) days of the effective date of this act, prepare and disseminate training materials relating to the provisions of chapters 42-46, 36-14 and 38-2.

29-8-12. ~~Information resources management plan~~ Information resources management plan and reports. -- The five (5) year statewide information resources management plan shall:

(1) Take into account projected information resource requirements of the executive branch of state government, including its departments, officers, agencies, and subdivisions; public universities; and local government. Particular emphasis shall be placed on coordination of strategic planning for computerized information resources systems and state and local government information transfers.

(2) Establish long range policy guidelines and strategies at the state level to be used by executive branch agencies in the development and implementation of their own information technology and resources management plans;

(3) Identify major issues related to improved information resources management, including the identification of procurement policy initiatives to encourage sharing of resources and fair competitive resources acquisition;

(4) Identify priorities for the implementation of information technologies based on identification of feasible and measurable performance criteria; ~~and~~

(5) Emphasize connectively and provide for the electronic transfer of data, voice, radio, and video among executive branch agencies~~.~~; and

(6) Furthermore, within ninety (90) days after the end of each fiscal year, the board shall approve and submit an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state of its activities during that fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, meeting minutes if requested, subjects addressed, decisions rendered, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the authority of the commission; a summary of any training courses held pursuant to subsection 29-8-10(o) a briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations for improvements. The report shall be posted electronically on the general assembly and the secretary of state's websites as prescribed in section 42-20-8.2 of the Rhode Island general laws.

The director of the department of administration shall be responsible for the enforcement of this provision.

SECTION 5. Sections 42-133-6 and 42-133-16 of the General Laws in Chapter 42-133 entitled "Tobacco Settlement Financing Corporation Act" are hereby amended to read as follows:

42-133-6. Board and officers. -- (a)(1) The powers of the corporation shall be vested in a board consisting of five (5) members, which shall constitute the governing body of the corporation, and which shall be comprised as follows: two (2) members of the state investment commission to be appointed by the governor who shall give due consideration to the recommendation of the chair of the investment commission, and three (3) members of the general public appointed by the governor with the advice and consent of the senate~~, one member appointed by the speaker of the house of representatives, and one member appointed by the majority leader of the senate (effective until January 7, 2003) and one member appointed by the president of the senate (effective January 7, 2003)~~. Each member shall serve for a term of two (2) years, except that any member appointed to fill a vacancy shall serve only until the expiration of the unexpired term of such member's predecessor in office. Each member shall continue to hold office until a successor has been appointed. Members shall be eligible for reappointment. No person shall be eligible for appointment unless such person is a resident of the state. Each member, before entering upon the duties of the office of member shall swear or solemnly affirm to administer the duties of office faithfully and impartially, and such oath or affirmation shall be filed in the office of the secretary of state.

(2) Those members of the board as of the effective date of this act who were appointed to the board by members of the general assembly shall cease to be members of the board on the effective date of this act, and the governor shall thereupon seek recommendations from the chair of the state investment commission for him or her duly to consider for the appointment of two (2) members thereof. Those members of the board as of the effective date of this act who were appointed to the board by the governor shall continue to serve the balance of their current terms.

(3) Newly appointed and qualified public members shall, within six (6) months of their qualification or designation, attend a training course that shall be developed with board approval and conducted by the chair of the board and shall include instruction in the subject area of chapters 42-46, 42-133, 36-14, and 38-2; and the board's rules and regulations. The director of the department of administration shall, within ninety (90) days of the effective date of this act, prepare and disseminate training materials relating to the provisions of chapters 42-46, 36-14 and 38-2.

(b) Members shall receive no compensation for the performance of their duties.

(c) The board shall elect one of its members to serve as chairperson. Three (3) members shall constitute a quorum and any action to be taken by the corporation under the provisions of this chapter may be authorized by resolution approved by a majority of the members present and voting at any regular or special meeting at which a quorum is present.

(d) In addition to electing a chairperson, the board shall appoint a secretary and such additional officers as they shall deem appropriate.

(e) Any action taken by the corporation under the provisions of this chapter may be authorized by vote at any regular or special meeting, and the vote shall take effect immediately.

(f) Any action required by this chapter to be taken at a meeting of the Board shall comply with chapter 46 of title 42, entitled "Open Meetings."

(g) To the extent that administrative assistance is needed for the functions and operations of the board, the corporation may by contract or agreement obtain this assistance from the

director of administration, the attorney general, and any successor officer at such cost to the corporation as shall be established by such contract or agreement. The board, however, shall remain responsible for, and provide oversight of, proper implementation of this chapter.

(h) Members of the board and persons acting on the corporation's behalf, while acting within the scope of their employment or agency, are not subject to personal liability resulting from carrying out the powers and duties conferred on them under this chapter.

(i) The state shall indemnify and hold harmless every past, present, or future board member, officer or employee of the corporation who is made a party to or is required to testify in any action, investigation, or other proceeding in connection with or arising out of the performance or alleged lack of performance of that person's duties on behalf of the corporation. These persons shall be indemnified and held harmless, whether they are sued individually or in their capacities as board members, officers or employees of the corporation, for all expenses, legal fees and/or costs incurred by them during or resulting from the proceedings, and for any award or judgment arising out of their service to the corporation that is not paid by the corporation and is sought to be enforced against a person individually, as expenses, legal fees, costs, awards or judgments occur; provided, that neither the state nor the corporation shall indemnify any member, officer, or employee:

(1) For acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law;

(2) For any transaction from which the member derived an improper personal benefit; or

(3) For any malicious act.

(j) Public members of the board shall be removable by the governor, pursuant to the provisions of section 36-1-7 of the Rhode Island general laws, for cause only, and removal solely for partisan or personal reasons unrelated to capacity or fitness for the office shall be unlawful.

42-133-16. Annual report and audit. -- ~~The corporation shall submit to the speaker of the house, the majority leader of the senate until January 7, 2003 and the president of the senate thereafter, the director of administration and the attorney general within four (4) months after the close of its fiscal year, a report of its activities for the preceding fiscal year. The report shall set forth a complete operating and financial statement covering the corporation's operations during the preceding fiscal year.~~ Within four (4) months after the end of each fiscal year, the board shall approve and submit an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state of its activities during that fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, subjects addressed, decisions rendered, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the authority of the commission; a summary of any training courses held pursuant to subsection 42-133-6(a)(3); a briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations for improvements. The report shall be posted electronically on the general assembly and the secretary of state's websites as prescribed in section 42-20-8.2 of the Rhode Island general laws. The director of the department of administration shall be responsible for the enforcement of this provision. The corporation shall cause an independent audit of its books and accounts to be made at least once each fiscal year.

The fiscal year of the corporation shall commence on each July 1.

SECTION 6. Sections 42-63.4-1 and 42-63.4-7 of the General Laws in Chapter 42-63.4 entitled "New Shoreham Tourism Council, Inc." are hereby amended to read as follows:

42-63.4-1. New Shoreham tourism council bureau -- Creation. -- (a) There is authorized, created and established a public corporation of the ~~state~~ town of New Shoreham having a distinct legal existence from the state and not constituting a department of state government, which is a governmental agency and public instrumentality of the ~~state~~ town of New Shoreham, to be known as the "New Shoreham tourism council, inc." with the powers set forth in this chapter.

(b) The exercise by the corporation of the powers conferred by this chapter shall be deemed and held to be the performance of an essential governmental function of the ~~state~~ town of New Shoreham for public purposes. It is the intent of the general assembly by enactment of this chapter to vest in the corporation all powers, authority, rights, privileges, and titles which may be necessary to enable it to accomplish the purposes herein set forth, and this chapter and the powers granted hereby shall be liberally construed in conformity with those purposes.

(c) (1) The corporation and its corporate existence shall continue until terminated by law or until the corporation shall cease entirely and continuously to conduct or be involved in any business whatsoever in furtherance of its purposes.

(2) Upon termination of the existence of the corporation, all its rights and properties shall pass to and be vested in the state. At no time shall the assets or other property of the corporation inure to the benefit of any person or other corporation or entity.

42-63.4-7. ~~Audits.~~ Audits and reporting requirements. – The books of the New Shoreham tourism council, inc., as they pertain to the revenues derived from the hotel tax, shall be audited by an independent certified public accountant annually who shall make a report to the speaker of the house of representatives, the president of the senate, the governor, and the New Shoreham town council.

SECTION 7. Section 42-63.4-2 of the General Laws in Chapter 42-63.4 entitled "New Shoreham Tourism Council, Inc." is hereby repealed.

~~42-63.4-2. Board of directors. -- The board of directors of the New Shoreham tourism council, inc. shall be comprised of seven (7) members who are residents of New Shoreham as follows: one member of the town council of New Shoreham to be appointed by the governor; one member of the house to be appointed by the speaker; one member of the senate to be appointed by the president of the senate; two (2) members of the New Shoreham chamber of commerce and two (2) members of the general public to be appointed by the majority of the members appointed by the governor, the speaker and the president of the senate.~~

SECTION 8. Sections 16-62-7 and 16-62-18 of the General Laws in Chapter 16-62 entitled "The Rhode Island Student Loan Authority" are hereby amended to read as follows:

16-62-7. Directors, officers, and employees. -- (a) The powers of the authority shall be vested in a board of directors consisting of seven (7) members as follows: ~~five (5)~~ six (6) members appointed by the governor to the Rhode Island higher education assistance authority as provided in section 16-57-7, all appointments subject to the advice and consent of the senate; ~~the chairperson of the finance committee of the house of representatives or his or her designee; and the chairperson of the finance committee of the senate or his or her designee.~~ and the general treasurer, ex-officio. The general treasurer may designate a subordinate within his or her department or agency to represent him or her at all meetings of the board.

(b) The directors shall receive no compensation for the performance of their duties under this chapter, but each director shall be reimbursed for his or her reasonable expenses incurred in

carrying out those duties. A director may engage in private employment, or in a profession or business.

(c) The board of directors shall elect one of its members to serve as chairperson. Four (4) directors shall constitute a quorum and any action to be taken by the authority under the provisions of this chapter may be authorized by resolution approved by a majority of the directors present and voting at any regular or special meeting at which a quorum is present. A vacancy in the membership of the board of directors shall not impair the right of a quorum to exercise all the rights and perform all the duties of the authority.

(d) In addition to electing a chairperson, the board of directors shall appoint a secretary and any additional officers and staff members as they shall deem appropriate and shall determine the amount of compensation, if any, each shall receive. The board of directors may appoint a chief executive officer and vest in that person or his or her subordinates the authority to appoint additional staff members and to determine the amount of compensation each individual shall receive.

(e) No fulltime employee shall during the period of his or her employment by the authority engage in any other private employment, profession, or business, including, but not limited to, consulting.

(f) Notwithstanding any other law to the contrary, it shall not be or constitute a conflict of interest for a director, officer, or employee of any financial institution, investment banking firm, brokerage firm, commercial bank, trust company, savings and loan association, credit union, insurance company, educational institution, or any other firm, person, or corporation to serve as a director of the authority nor shall any contract or transaction between the authority and any financial institution, investment banking firm, brokerage firm, commercial bank, trust company, savings and loan association, credit union, insurance company, educational institution, or any other firm, person, or corporation be void or voidable by reason of any service as director of the authority. If any director, officer, or employee of the authority shall be interested either directly or indirectly, or shall be a director, officer, or employee of or have an ownership interest (other than as the owner of less than one percent (1%) of the shares of a publicly held corporation) in any firm or corporation interested directly or indirectly in any contract with the authority, that interest shall be disclosed to the authority and set forth in the minutes of the authority, and the director, officer, or employee having that interest in it shall not participate on behalf of the authority in the authorization of this contract. Interested directors may be counted in determining the presence of a quorum at a meeting of the board of directors of the authority which authorizes the contract or transaction.

(g) Any action taken by the authority under the provisions of this chapter may be authorized by vote at any regular or special meeting, and each vote shall take effect immediately.

(h) The board of directors may designate from among its members an executive committee and one or more other committees each of which, to the extent authorized by the board of directors, shall have and may exercise all the authority of the board of directors, but no committee shall have the authority of the board of directors in reference to the disposition of all or substantially all the property and assets of the authority, or amending the bylaws of the authority.

(i) Any action required by this chapter to be taken at a meeting of the board of directors, or any action which may be taken at a meeting of the board of directors, or committee of it, may be taken without a meeting if a consent in writing, setting forth the action to be taken, shall be signed before or after that action by all of the directors, or all of the members of the committee.

(j) The board shall conduct a training course for newly appointed and qualified members and new designees of ex-officio members within six (6) months of their qualification or designation. The course shall be developed by the chair of the board, approved by the board, and conducted by the chair of the board. The board may approve the use of any board or staff members or other individuals to assist with training. The training course shall include instruction in the subject area of this chapter and chapters 42-46, 36-14, and 38-2; and the board's rules and regulations. The director of the department of administration shall, within ninety (90) days of the effective date of this act, disseminate training materials relating to the provisions of chapters 42-46, 36-14 and 38-2.

16-62-18. Annual report. -- ~~The authority shall submit to the governor within~~ Within six (6) months after the close of its fiscal year the board shall approve and submit an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state of its activities during that fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, meeting minutes if requested, subjects addressed, decisions rendered, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions, or other legal matters related to the authority; a summary of any training courses held pursuant to this chapter; a briefing on anticipated activities in the upcoming fiscal year; and findings and recommendations for improvements. The report shall be posted electronically on the general assembly and the secretary of state's websites as prescribed in section 42-20-8.2. The director of the department of administration shall be responsible for the enforcement of this provision. ~~a report of its activities for the preceding fiscal year, and the report shall set forth a complete operating and financial statement covering the authority's operations during the preceding fiscal year.~~ The authority shall cause an audit of its books and accounts to be made at least once each fiscal year by certified public accountants selected by it and the its cost shall be paid by the authority from funds available to it pursuant to this chapter.

SECTION 9. Chapter 37-18 of the General Laws entitled "Narragansett Indian Land Management Corporation" is hereby repealed in its entirety.

~~CHAPTER 37-18~~

~~Narragansett Indian Land Management Corporation~~

~~37-18-1. Short title. -- This chapter shall be known as the "Narragansett Indian Land Management Corporation Act".~~

~~37-18-2. Definitions. -- (a) "Corporation" means the Narragansett Indian land management corporation established by section 37-18-3.~~

~~(b) "Federal recognition" means the formal acknowledgement of the existence of an American Indian tribe pursuant to 25 U.S.C. section 1707 and 25 Code of Federal Regulations, Part 83.~~

~~(c) "Improvement" means land preparation and provision of public improvements such as streets, sewers, and water lines needed for commercial and residential development.~~

~~(d) "Indian" means those descendants of the individuals named on the list established pursuant to the Acts of 1880, ch. 800, section 4.~~

~~(e) "Indian corporation" means the Rhode Island non-business corporation known as the~~

~~Narragansett Tribe of Indians.~~

~~(f) "Land use plan" means the plan established by the division of statewide planning and accepted by the town and the corporation.~~

~~(g) "Secretary of the interior" means the secretary of the United States department of the interior.~~

~~(h) "State" means the state of Rhode Island and Providence Plantations.~~

~~(i) "Town" means the town of Charlestown, Rhode Island.~~

~~37-18-3. Corporation established -- Passage to state upon cessation of business. -- (a) Subject to the provisions of section 37-18-12, there is hereby authorized, created, and established a permanent, public corporation of the state having a distinct legal existence from the state and not constituting a department of state government, to be known as the "Narragansett Indian land management corporation" with such powers as are set forth in this chapter for the purposes of acquiring, managing, and purchasing real property as provided in section 37-18-6(d).~~

~~(b) It is the intent of the general assembly by the passage of this chapter to vest in the corporation all powers, authority, rights, privileges, and titles which may be necessary to enable it to accomplish the purposes herein set forth.~~

~~(c) If, for any reason, the corporation shall cease entirely and continuously to conduct or be involved in any business whatsoever in furtherance of its purposes, all its duties, purposes, rights, and properties shall pass to and be vested in the state and the lands shall be held in trust for the Indians, as defined in this chapter, subject to the provisions of sections 37-18-12 and 37-18-13.~~

~~37-18-4. Purposes. -- The corporation is authorized, created and established for the following purposes:~~

~~To manage and hold the real property acquired pursuant to the provisions of sections 37-18-6(d) and 37-18-7 for the benefit of the descendants of those individuals of Indian ancestry set forth in the list established pursuant to P.L. 1880, ch. 800, section 4.~~

~~37-18-5. Board of directors -- Annual report -- Oath -- Officers -- Quorum and required vote -- Meetings and records. -- (a) All the powers of the corporation shall be vested in the board of directors of the corporation. An annual report shall be compiled in accordance with chapter 36 of title 42 and shall also be submitted to the general assembly not later than February 15.~~

~~(b) The corporation shall consist of nine (9) directors, five (5) of whom shall be appointed by the Indian corporation, two (2) of whom shall be appointed by the governor (one of whom shall be the director of the department of environmental management or its successor agency or department and who shall serve as nonvoting director and who shall not serve as chairperson), one of whom shall be appointed jointly by the speaker of the house of representatives, and by the president of the senate, and one of whom shall be appointed by the town council. Two (2) of the directors appointed by the Indian corporation and the director appointed by the town council shall be appointed initially to four (4) year terms. Two (2) of the directors appointed by the Indian corporation and the director appointed jointly by the speaker of the house of representatives and the president of the senate shall be appointed initially to five (5) year terms. One of the directors appointed by the Indian corporation and the two (2) directors appointed by the governor shall be appointed initially to six (6) year terms. After the initial appointment terms have expired, successor terms for directors shall be for a period of three (3) years, the intention being that one-third (1/3) of the board of directors shall be appointed annually. Any member chosen to fill a vacancy occurring otherwise than by expiration of a term shall be appointed only for the remainder of that unexpired term. All members of the board shall~~

~~be eligible for reappointment.~~

~~(c) Each member of the board of directors, before entering upon his or her duties, shall take an oath to administer the duties of his or her office faithfully and impartially, and the oath shall be filed in the office of the secretary of state. No member of the board shall benefit directly or indirectly from any project undertaken by the corporation, other than in his or her capacity as a descendant of an individual listed in P.L. 1880, ch. 800, section 4. The oath shall state:~~

~~"I, (naming the person), so solemnly affirm that I will faithfully and impartially discharge my duties as a member of the board of directors of the Narragansett Indian land management corporation according to the best of my abilities, and that I will support the Constitution and laws of this state, and the Constitution of the United States, and I do solemnly promise that I will observe and strictly obey the bylaws, rules, and regulations set down by this commission and do further declare that I entertain no ill will toward any member of this commission. This affirmation I make and give upon the peril of the penalty of perjury."~~

~~(d) The board of directors may elect such officers as may be required to conduct the corporation's business.~~

~~(e) Five (5) members of the board of directors of the corporation shall constitute a quorum, and a vote of five (5) members of the board of directors shall be necessary for any action taken by the corporation. No vacancy in the membership of the board of directors shall impair the right of a quorum to exercise all the powers and perform the duties of the corporation.~~

~~(f) Any action taken by the corporation under the provisions of this chapter may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately. All meetings shall be open to the public, and all records shall be a matter of public record except that if a majority of the board by public vote determines that it would be in the best interest of the corporation to hold an executive session in private, then the board is authorized to transact only the following business at the closed meeting, and the records of the meeting shall not become public record until the transaction discussed has, in the opinion of the directors, been completed:~~

~~(1) Any discussions of the job performance, character, physical or mental health of a person or persons, provided that the person or persons affected may require that the discussion be held at an open meeting;~~

~~(2) Any discussions or consideration related to the acquisition of real property wherein public information would be detrimental to the interest of the corporation.~~

~~37-18-6. Powers and duties. -- The corporation shall have the following powers, together with all powers incidental thereto or necessary for the performance of those hereinafter stated:~~

~~(a) To have perpetual succession as a body corporate and to adopt bylaws for the regulation of its affairs and the conduct of its business;~~

~~(b) To sue and be sued, complain, and defend, in its corporate name; provided, however, the corporation shall have no standing in any zoning or other administrative or judicial proceeding involving land presently owned by castle realty company in the town;~~

~~(c) To have a seal which may be altered at pleasure and to use the seal by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced;~~

~~(d) To purchase, take, receive, lease, or otherwise acquire from any person, firm, corporation, municipality, the federal government, or state, by grant, purchase, lease, or gift, or to obtain options for the acquisition of any personal property and the real property situated in the town and defined as the "settlement lands" in that "joint memorandum of understanding concerning settlement of the Rhode Island Indian land claims" dated February 28, 1978, and~~

~~related to the lawsuits entitled Narragansett Tribe of Indians v. Rhode Island Director of Environmental Management, and Narragansett Tribe of Indians v. Southern Rhode Island Land Development Co., et al., C. A. Nos. 75-0005, 75-0006 (U.S. D. R.I.), improved or unimproved, and interests in the land less than the fee thereof; and to own, hold, clear, improve, develop, and rehabilitate the land subject to the restrictions set forth in sections 37-18-7 and 37-18-10;~~

~~(e) To make and execute agreements of lease, mortgages, construction contracts, operation contracts, and other contracts and instruments necessary or convenient in the exercise of the powers and functions of the corporation granted by this chapter; provided, however, that any liabilities incurred shall be payable solely from the revenues of the corporation;~~

~~(f) To invest and reinvest its funds;~~

~~(g) To conduct its activities, carry on its operations, and have offices and exercise the powers granted by this chapter within the state;~~

~~(h) To elect or appoint officers and agents of the corporation, define their duties, and fix their compensation;~~

~~(i) To secure the cooperation and assistance of the United States and any of its agencies and of agencies of this state in the work of the corporation;~~

~~(j) To accept grants, donations, gifts, loans of funds, and contributions of money, services, materials, or otherwise, from the United States or any of its agencies, from the state or any of its agencies, or from any other source, and to use or expend money, services, materials, or other contributions in carrying out the purpose of this chapter;~~

~~(k) To enter into agreements to pay annual sums in lieu of taxes to the town in respect to real property which is owned by the corporation and is located in the town;~~

~~(l) To employ, in its discretion, attorneys, accountants, architectural and engineering consultants, financial consultants, and such other employees, except an executive director, and agents as it shall deem necessary in its judgment and to fix their compensation;~~

~~(m) (1) To grant or otherwise convey (whether voluntarily or involuntarily, including any eminent domain or condemnation proceedings) easements for public or private purposes;~~

~~(2) The corporation shall have the power to and shall grant to the Providence boys' club or its successors in interest a reasonable right of way over the real property held by the corporation if any real property held by the Providence boys' club or its successors in interest requires such a right of way as a means of access to a public right of way;~~

~~(3) The corporation shall have the power to and shall grant to the state a mutually acceptable right and easement to pass by foot and vehicle over a forty-five foot (45') wide strip of land located within the town and in the Indian Cedar Swamp management area between Kings Factory road and the Pawcatuck River, and to use an area of the end of the strip sufficiently large for the parking of automobiles and the launching of boats;~~

~~(n) To adopt rules and regulations concerning hunting and fishing rights on the corporation's land subject to the provisions of section 37-18-8;~~

~~(o) To bring proceedings to remove clouds on title or such other proceedings as it may, in its discretion, deem proper and necessary;~~

~~(p) To have and exercise all powers necessary or convenient to effect its purposes; provided, however, the corporation shall have no power to sell, grant, convey, transfer, or otherwise alienate land or any interest therein other than as specifically provided in subsection (m) of this section.~~

~~37-18-7. Transfer of property -- Restrictions on use. --~~ ~~(a) Subject to the provisions of sections 37-18-12, 37-18-13, and 37-18-14, upon the adoption of a land use plan accepted by the~~

~~town and the corporation pursuant to section 37-18-10 and the satisfaction of the requirements set forth in section 37-18-8, the governor is authorized, empowered, and directed to transfer, assign, and convey to the corporation in fee simple all the right, title, and interest of the state in and to the following approximately nine hundred (900) acres of real estate located in the town;~~

~~(1) The Indian Cedar Swamp management area;~~

~~(2) Indian Burial Hill; and~~

~~(3) The state land around Deep Pond.~~

~~(b) Provided, however, that the state shall retain control of and public access shall be guaranteed to an adequate fishing area within the state land around Deep Pond, and provided, further, that the governor is only authorized, empowered, and directed to transfer, assign, and convey to the corporation the real estate which is located around Deep Pond upon the governor's making a finding that the required and appropriate federal approval of the transfer has been obtained so that the transfer will not affect, in any adverse manner, any benefits received by the state under the Pittman-Robertson Act, 16 U.S.C. section 669 et seq. and the Dingell-Johnson Act, 16 U.S.C. section 777 et seq.~~

~~(c) Upon the same findings and determinations outlined above, the governor is authorized, empowered, and directed to transfer, assign, and convey to the corporation and its assigns a mutually acceptable exclusive (except as to lateral crossing) right and easement to pass by foot and vehicle over a forty-five foot (45') wide strip of state land located within the town between Kings Factory Road and Watchaug Pond, and to use an area at the end of the strip sufficiently large for the parking of automobiles and the launching of boats.~~

~~(d) The authority herein granted to the governor shall be in addition to any other authority conferred upon him or her by law. The real estate conveyed by the state to the corporation pursuant to the provisions of this section shall be held in perpetuity for conservation purposes and shall not be improved or developed by the corporation.~~

~~37-18-8. Hunting, fishing, and trapping. -- The corporation shall have the right to make rules and regulations regarding fish and game conservation on real estate held by the corporation; provided, however, that the corporation shall not issue those rules and regulations until it has consulted with the director of environmental management, and further provided that the corporation shall impose minimum standards for safety of persons and protection of wildlife and fish stock.~~

~~37-18-9. Exemption from taxation -- Payments in lieu of taxes. -- (a) The corporation shall not be required to pay any taxes or assessments upon or in respect to any property of the corporation levied by the town.~~

~~(b) The corporation shall make payments in lieu of real property taxes and assessments to the town with respect to income producing projects of the corporation located in the town, and for police, fire, sanitation, health protection, and municipal services provided by the town to the real estate held by the corporation in the town. The payments in lieu of taxes shall be in such amounts as shall be agreed upon by the corporation and the town.~~

~~37-18-10. Land use plan. -- (a) All real property owned and held by the corporation shall be subject to a land use plan prepared by the office of state planning within the department of administration. No less than seventy-five percent (75%) of the land owned by the corporation, exclusive of the real property described in section 37-18-7, shall not be improved and developed and shall be held in perpetuity for conservation purposes, and the real property to be held in perpetuity for conservation purposes shall be delineated in the land use plan. The land use plan shall be mutually acceptable to the corporation and the town. Acceptance by the town of the plan~~

~~shall not be unreasonably withheld. Upon acceptance of the plan by the town, the town shall amend its zoning ordinance adopted pursuant to chapter 24 of title 45 so as to conform to the plan. The zoning ordinance as amended shall govern the land use of real property owned by the corporation and the ordinance shall not be further amended in a manner inconsistent with the plan without the consent of the corporation; provided, however, that the ordinance shall not be amended in any manner affecting the land designated in the land use plan for conservation purposes.~~

~~(b) The corporation shall not be entitled to use any portion of the real property to be owned and held by the corporation until such time as the land use plan is adopted by the corporation and accepted by the town.~~

~~37-18-11. Civil and criminal jurisdiction. -- Except as otherwise provided, the corporation and all its authorized activities shall be subject to all the criminal and civil laws of the state and the town.~~

~~37-18-12. Expiration of the corporation. -- Upon presentation of evidence to the Narragansett Indian land management corporation and the Rhode Island secretary of state that the Indian corporation known as the Narragansett Tribe of Indians has applied for and been granted by the United States government pursuant to 25 U.S.C. section 1707 and 25 Code of Federal Regulations, Part 83, federal recognition as an Indian tribe with inherent rights, powers, and responsibilities possessed by Indian tribes in the United States, the Narragansett Indian land management corporation shall expire thirty (30) days after the presentation of the evidence. Prior to its expiration, the corporation shall prepare and submit to the general assembly a final report of its termination activities.~~

~~37-18-13. Transfer of land to Indian tribe. -- Upon the presentation of federal recognition to the Narragansett Indian land management corporation and the secretary of state, the Narragansett Indian land management corporation shall forthwith transfer and convey to the federally recognized Narragansett Tribe of Indians all powers, authority, rights, privileges, titles, and interest it may possess to any and all real property acquired, owned, and held for the benefit of those individuals of Indian ancestry set forth in the list established pursuant to P.L. 1880 ch. 800, section 4, and thereafter, the Narragansett Indian land management corporation shall have no further interest in the real property. All real property transferred by the Narragansett Indian land management corporation to the federally recognized Narragansett Tribe of Indians pursuant to this provision:~~

~~(a) Shall be subject to the same conditions, restrictions, limitations, or responsibilities set forth in sections 37-18-6(m)(2) and (m)(3), 37-18-8, 37-18-9, 37-18-10, and 37-18-11 hereof as are applicable to the corporation and all its authorized activities.~~

~~(b) Shall be subject to the civil and criminal laws of the state of Rhode Island and the town of Charlestown, Rhode Island, except as otherwise provided herein.~~

~~37-18-14. Transfer of state land to the Indian tribes. -- (a) Upon presentation of federal recognition to the Narragansett Indian land management corporation and the secretary of state, the governor is authorized, empowered, and directed to transfer, assign, and convey to the Narragansett Tribe of Indians in fee simple all the right, title, and interest of the state in and to the following approximately nine hundred (900) acres of real estate located in the town;~~

~~(1) The Indian Cedar Swamp management area;~~

~~(2) Indian Burial Hill; and~~

~~(3) The state land around Deep Pond.~~

~~(b) Provided, however, that the state shall retain control of and public access shall be~~

~~guaranteed to an adequate fishing area within the said state land around Deep Pond, and provided, further, that the governor is only authorized, empowered, and directed to transfer, assign, and convey to the Narragansett Tribe of Indians the real estate which is located around Deep Pond upon the governor's making a finding that the required and appropriate federal approval of the transfer has been obtained so that the transfer will not affect, in any adverse manner, any benefits received by the state under the Pittman Robertson Act, 16 U.S.C. section 669 et seq. and the Dingell Johnson Act, 16 U.S.C. section 777 et seq.~~

~~(c) Upon the same findings and determinations outlined above, the governor is authorized, empowered, and directed to transfer, assign, and convey to the Narragansett Tribe of Indians and its assigns a mutually acceptable exclusive (except as to lateral crossing) right and easement to pass by foot and vehicle over a forty-five foot (45') wide strip of state land located within the town between Kings Factory Road and Watchaug Pond, and to use an area at the end of the strip sufficiently large for the parking of automobiles and the launching of boats.~~

~~(d) The authority herein granted to the governor shall be in addition to any other authority conferred upon him or her by law. The real estate conveyed by the state to the Narragansett Tribe of Indians pursuant to the provisions of this section shall be subject to the civil and criminal laws of the state of Rhode Island and the town of Charlestown, Rhode Island, except as otherwise provided herein, and shall be held in perpetuity for conservation purposes and shall not be improved or developed by the Narragansett Tribe of Indians.~~

~~37-18-15. Severability. -- If any clause, sentence, paragraph, section, or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, or part directly involved in the controversy in which the judgment shall have been rendered.~~

SECTION 10. Title 37 of the General Laws entitled "Public Property and Works" is hereby amended by adding thereto the following chapter:

CHAPTER 18.1

NARRAGANSETT INDIAN LAND MANAGEMENT CORPORATION

37-18.1-1. Transfer of land to Indian tribe. – Upon the presentation of federal recognition to the Narragansett Indian land management corporation and the secretary of state, the Narragansett Indian land management corporation shall forthwith transfer and convey to the federally recognized Narragansett Tribe of Indians all powers, authority, rights, privileges, titles, and interest it may possess to any and all real property acquired, owned, and held for the benefit of those individuals of Indian ancestry set forth in the list established pursuant to P.L. 1880 ch. 800, section 4, and thereafter, the Narragansett Indian land management corporation shall have no further interest in the real property. All real property transferred by the Narragansett Indian land management corporation to the federally recognized Narragansett Tribe of Indians pursuant to this provision:

(a) Shall be subject to the civil and criminal laws of the state of Rhode Island and the town of Charlestown, Rhode Island, except as otherwise provided herein.

37-18.1-2. Transfer of state land to the Indian tribes. -- (a) Upon presentation of federal recognition to the Narragansett Indian land management corporation and the secretary of state, the governor is authorized, empowered, and directed to transfer, assign, and convey to the Narragansett Tribe of Indians in fee simple all the right, title, and interest of the state in and to the following approximately nine hundred (900) acres of real estate located in the town;

(1) The Indian Cedar Swamp management area;

(2) Indian Burial Hill; and

(3) The state land around Deep Pond.

(b) Provided, however, that the state shall retain control of and public access shall be guaranteed to an adequate fishing area within the said state land around Deep Pond, and provided, further, that the governor is only authorized, empowered, and directed to transfer, assign, and convey to the Narragansett Tribe of Indians the real estate which is located around Deep Pond upon the governor's making a finding that the required and appropriate federal approval of the transfer has been obtained so that the transfer will not affect, in any adverse manner, any benefits received by the state under the Pittman Robertson Act, 16 U.S.C. section 669 et seq. and the Dingell Johnson Act, 16 U.S.C. section 777 et seq.

(c) Upon the same findings and determinations outlined above, the governor is authorized, empowered, and directed to transfer, assign, and convey to the Narragansett Tribe of Indians and its assigns a mutually acceptable exclusive (except as to lateral crossing) right and easement to pass by foot and vehicle over a forty-five foot (45') wide strip of state land located within the town between Kings Factory Road and Watchaug Pond, and to use an area at the end of the strip sufficiently large for the parking of automobiles and the launching of boats.

(d) The authority herein granted to the governor shall be in addition to any other authority conferred upon him or her by law. The real estate conveyed by the state to the Narragansett Tribe of Indians pursuant to the provisions of this section shall be subject to the civil and criminal laws of the state of Rhode Island and the town of Charlestown, Rhode Island, except as otherwise provided herein, and shall be held in perpetuity for conservation purposes and shall not be improved or developed by the Narragansett Tribe of Indians.

SECTION 11. Section 42-24-1 of the General Laws in Chapter 42-24 entitled "Commission on Uniform State Laws" is hereby amended to read as follows:

42-24-1. Composition of commission -- Expenses. – (a) There shall be a commission on uniform state laws consisting of seven (7) qualified electors, including three (3) members appointed by the speaker of the house of representatives, not more than two (2) from the same political party; three (3) members appointed by the president of the senate, not more than two (2) from the same political party; and ~~three (3) of whom shall be appointed by the governor. The remaining members shall be permanent and shall be~~ the director of legislative council or his or her designee~~,~~. Members of the commission must be attorneys who are members of a state bar, qualified to practice law. ~~the law revision director of the joint committee on legislative affairs or his or her designee, one senator to be appointed by the president of the senate and one representative to be appointed by the speaker of the house of representatives.~~ The general assembly members of the commission shall be ex officio members with full voting powers. The commission shall also consist of any qualified electors who, because of long service in the case of uniformity of state legislation, shall have been elected life members of the national conference of commissioners on uniform state laws. Beginning on ~~July 1, 1980 the governor~~ January 1, 2006 the speaker and the president shall each appoint one member to serve a term of one year, one member to serve a term of two (2) years, one member to serve a term of three (3) years. Terms shall commence with the date of appointment and expire on the 30th day of June thereafter corresponding with the number of years of the term to which appointed. Thereafter appointments shall be made for terms of three (3) years commencing on July 1st in the year of appointment and end on June 30th of the third year thereafter. Any vacancy in the board shall be filled ~~by~~ in the same manner as the original appointment of ~~the governor~~ for the remainder of the unexpired term. Appointed members of the commission shall continue to assume the duties now performed

by this commission in accordance with this chapter and such other duties as may be set forth by the governor or by act of the general assembly. The commission shall serve without compensation, but shall be reimbursed for ~~allowed~~ their travel and necessary expenses in accordance with the rates from time to time established by the legislative department in its rules and regulations and may expend such sums of money as may be appropriated from time to time by the general assembly. Elected life members of the commission may be reimbursed for travel and necessary expenses subject to funding availability and the approval of the joint committee on legislative services.

(b) Terms of current members of the commission appointed by the governor shall expire December 31, 2005.

SECTION 12. Severability. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act, which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 13. This act shall take effect upon passage."

Respectfully submitted,

_____

REPRESENTATIVE CODERRE

The motion to amend 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 Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

The bill marked Substitute “A” is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 61 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Williams, Winfield.

NAYS - 2: Representatives Gorham, Watson.

RECONSIDERATION

Representative Coderre moves to reconsider (05-H 6170 SUB Aaa), seconded by Representative Rose.

The motion prevails 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 Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

House Bill No. 6170 SUB A as amended
BY Coderre E, Crowley, Almeida, Gemma, Kilmartin
ENTITLED, AN ACT SEPARATION OF POWERS (remove legislators and legislative appointees from eight boards and commissions) {LC2684/6/A}

Representative Coderre, seconded by Representatives McHugh, Gemma, and Crowley offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6170 SUBSTITUTE A AS AMENDED

AN ACT SEPARATION OF POWERS

Mr. Speaker:

I hereby move to amend 2005 -- H 6170 SUBSTITUTE A AS AMENDED, entitled "AN ACT SEPARATION OF POWERS" and further amended by Floor Amendment LC 02684/13, as follows:

(1) On page 17, between lines 23 and 24 by inserting the following language:

"(b) The New Shoreham Tourism Council shall consist of seven (7) members who are residents of the town of New Shoreham. The members shall be appointed by the town council of New Shoreham. The members of the New Shoreham Tourism Council shall serve for a term of two (2) years and shall elect from their members a chairperson."

(2) On page 17, line 24, by deleting the punctuation and letter "(b)" and inserting in place thereof the punctuation and letter "(c").

(3) On page 17, line 31, by deleting the punctuation and letter "(c)" and inserting in place thereof the punctuation and letter "(d)".

Respectfully submitted,

_____
REPRESENTATIVE CODERRE

The motion to amend prevails 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 Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representative Gorham, seconded by Representative Ehrhardt offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6170 SUBSTITUTE A, AS AMENDED

AN ACT SEPARATION OF POWERS

Mr. Speaker:

I hereby move to amend 2005 -- H 6170 SUBSTITUTE A, AS AMENDED, entitled "AN ACT SEPARATION OF POWERS", as follows:

1. On page 10, line 18, by deleting the language "recommendations made by the Rhode" and inserting in place thereof the language "experience, qualifications and backgrounds in environmental issues, tenant issues, land trusts, community development and farming."

2. On page 10, by deleting all language appearing on lines 19 through 21 inclusive.

3. On page 20, line 17, by deleting the language "majority vote of the governor, the mayor, and the chairperson of the Providence Foundation." and inserting in place thereof the language "the governor."

4. On page 24, line 28, by deleting all of the language following the word "shall" and inserting in place thereof the language "serve at the pleasure of the governor."

5. On page 24, be deleting all language appearing on lines 29 through 34 inclusive, and inserting in place thereof the following:

"(6) Eight (8) members of the public, to be appointed by the governor, who shall give due consideration to the following qualifications: experience and background; information resources management; use of government information; local government issues; library issues; higher education; and elementary and secondary education."

6. On page 25, line 1, by deleting the designation "(9)" and inserting in place thereof the designation "(7)".

7. On page 25, line 2, by deleting the designation "(10)" and inserting in place thereof the designation "(8)".

8. On page 25, line 3, by deleting the designation "(11)" and inserting in place thereof the designation "(9)".

9. On page 25, line 4, by deleting the designation "(12)" and inserting in place thereof the

designation "(10)".

10. On page 25, line 6, by deleting the designation "(13)" and inserting in place thereof the designation "(11)".

11. On page 25, line 7, by deleting the designation "(14)" and inserting in place thereof the designation "(12)".

12. On page 25, line 9, by deleting the designation "(15)" and inserting in place thereof the designation "(13)".

Respectfully submitted,

_____

REPRESENTATIVE GORHAM

Representatives Gorham, Coderre, and Davey discuss the amendment.

The motion to amend fails on a roll call vote 19 members voting in the affirmative and 37 members voting in the negative as follows:

YEAS - 19: Representatives Amaral, Brien, Caprio, Davey, DeSimone, Ehrhardt, Gemma, Gorham, Laroche, Long, Loughlin, McManus, Menard, Mumford, Savage, Singleton, Story, Trillo, Watson.

NAYS - 37: The Honorable Speaker Murphy and Representatives Almeida, Anguilla, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Faria, Fox, Gallison, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, McCauley, Melo, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Shanley, Slater, Sullivan, Williams.

REQUESTS

Representative Gemma requests the journal to reflect that he had voted incorrectly on the previous amendment, he should have voted in the negative.

Representatives Petrarca and Crowley requests the journal to reflect that they had voted incorrectly on item # 5 (05-H 6519 SUB Aaa), they should have voted in the negative.

Representative Crowley discusses the act, as amended.

The bill marked Substitute “A” is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 63 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca,

Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Davey, McManus, Watson**.**

REQUEST

Representative Gorham requests the journal to reflect that if he had voted on (05-H 6170 SUB Aaa), he would have voted in the negative.

11 2005-S 961 SUB B
BY Bates
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION

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

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

Representative Gallison discusses the act.

The bill marked Substitute "B" is read and passed, and the original bill and the bill marked Substitute "A", indefinitely postponed, on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Smith, Story, Sullivan, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Voccola requests the journal to reflect that if he had voted on (05-S 961 SUB B), he would have voted in the affirmative.

11A 2005-H 6315
BY McCauley
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Finance recommends passage.

Representative McCauley moves passage of the act, seconded by Representative Schadone.

Representative Winfield, seconded by Representative Gemma offers a written motion to amend.

Representatives Winfield, McCauley, Gemma, Williams and Shanley discuss the amendment.

Representative Winfield withdraws his amendment.

Representative Ajello seconded by Representative Handy offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6315

AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Mr. Speaker:

I hereby move to amend 2005 -- H 6315, entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES", as follows:

By deleting all language following the enactment clause and substituting therefore the following:

"SECTION 1. Title 31 of the General Laws entitled "Motor and Other Vehicles" is hereby amended by adding thereto the following chapter:

CHAPTER 41.2

AUTOMATED TRAFFIC VIOLATION MONITORING SYSTEMS

31-41.2-1. Short title. – This act shall be cited as the "Rhode Island Automated Traffic Violation Monitoring System Act of 2005."

31-41.2-2. Legislative findings. – It is hereby found and declared that the effective and efficient enforcement of traffic laws, rules and regulations will assist in insuring safe travel on the streets and highways of this state. It is hereby declared to be the policy of the state of Rhode Island to authorize and utilize the best available technology for the monitoring and prosecution of civil traffic violations, including automated traffic violation detection systems.

31-41.2-3. Automated traffic violation monitoring systems. – (a) The state department of transportation and the municipalities of this state are hereby authorized to install and operate automated traffic violation detection systems. Such systems shall be limited to systems which monitor and detect violations of traffic control signals. For purposes of this chapter an automated traffic violation detection system means a system with one or more motor vehicle sensors which produces images of motor vehicles being operated in violation of signal laws.

(b) No automated traffic violation detection system shall be installed pursuant to this section which has not been approved for use by the director of the state department of transportation. The director of the state department of transportation shall promulgate regulations for the approval and operation of said systems pursuant to the administrative procedures act, chapter 35 of title 42. Systems shall be approved if the director is satisfied they meet standards of efficiency and accuracy. All systems installed for use under this chapter must be able to record the image of the vehicle and the license plates of the vehicle.

(c) In the event that the system is to be installed other than by the state department of

transportation on state-maintained streets or roads, the director of the department of transportation must approve such installation.

(d) The state department of transportation and/or the municipalities may enter into an agreement with a private corporation or other entity to provide automated traffic violation detection systems or equipment and to maintain such systems.

Compensation to a private entity that provides traffic signal monitoring devices shall be based on the value of such equipment and related support services, and shall not be based on the revenue generated by such systems.

31-41.2-3.1. Installation and signage. – (a) The implementing jurisdiction(s) shall post a warning sign at each system location where a traffic control signal monitoring system is located.

(b) Such warning signs shall conform to appropriate, federally accepted standards for traffic control signs.

(c) Sign signage shall remain at each system location so long as a traffic control signal monitoring system is in operation.

31-41.2-4. Procedure -- Notice. – (a) Except as expressly provided in this chapter, all prosecutions based on evidence produced by an automated traffic violation detection system shall follow the procedures established in chapter 31-41.1 of this title, chapter 8-18 of these general laws and the rules promulgated by the chief judge of the district court for the hearing of civil traffic violations. Citations may be issued by an officer solely based on evidence obtained by use of an automated traffic violation detection system. All citations issued based on evidence obtained from an automated traffic violation detection system shall be issued within fourteen (14) days of the violation.

(b) It shall be sufficient to commence a prosecution based on evidence obtained from an automated traffic violation detection system that a copy of the citation and supporting documentation be mailed to the address of the registered owner kept on file by the registry of motor vehicles pursuant to section 31-3-34 of these general laws. For purposes of this section, the date of issuance shall be the date of mailing.

(c) The officer issuing the citation shall certify under penalties of perjury that the evidence obtained from the automated traffic violation detection system was sufficient to demonstrate a violation of the motor vehicle code. Such certification shall be sufficient in all prosecutions pursuant to this chapter to justify the entry of a default judgment upon sufficient proof of actual notice in all cases where the citation is not answered within the time period permitted.

(d) The citation shall contain all the information provided for on the uniform summons as referred to in section 31-41.1-1 of the general laws and the rules of procedure promulgated by the chief judge of the district court for the traffic tribunal.

(e) In addition to the information in the uniform summons, the following information shall be attached to the citation:

(i) Copies of two (2) or more photographs, or microphotographs, or other recorded images taken as proof of the violation; and

(ii) A signed statement by a trained law enforcement officer that, based on inspection of recorded images, the motor vehicle was being operated in violation of section 31-13-4 of this subtitle; and

(iii) A statement that recorded images are evidence of a violation of this chapter; and

(iv) A statement that the person who receives a summons under this chapter may either pay the civil penalty in accordance with the provisions of section 31-41.1-3, or elect to stand trial

for the alleged violation.

31-41.2-5. Hearings. – Evidence from an automated traffic violation detection system shall be considered substantive evidence in the prosecution of all civil traffic violations. Evidence from an automated traffic violation detection system approved by the director of transportation shall be admitted without further authentication and such evidence may be deemed sufficient to sustain a civil traffic violation. In addition to any other defenses as set forth herein, any and all defenses cognizable at law shall be available to the individual who receives the citation commencing a prosecution under this chapter.

31-41.2-6. Driver/registered owner liability. – (a) The registered owner of the motor vehicle shall be primarily responsible in all prosecutions brought pursuant to the provisions of this chapter except as otherwise provided in this section.

(b) In all prosecutions of civil traffic violations based on evidence obtained from an automated traffic violation detection system, the registered owner of a vehicle which has been operated in violation of a civil traffic violation, may be liable for such violation. The registered owner of the vehicle may assume liability for the violation by paying the fine; or by defending the violation pursuant to the procedures in section 31-41.2-4.

(c) The lessee of a leased vehicle shall be considered the owner of a motor vehicle for purposes of this section.

31-41.2-7. Use of evidence in criminal and civil cases. – Nothing in this chapter shall prohibit the use of evidence produced by an automated traffic violation detection system in a criminal or private civil proceeding provided that the admissibility of such evidence shall follow the applicable laws and rules of procedure and rules of evidence which apply in criminal and civil cases.

31-41.2-7. 1 Nature of violations. – Notwithstanding any other provision of law:

(a) No violation for which a civil penalty is imposed under this chapter shall be considered a moving violation, nor shall be included on the driving record of the person on whom the liability is imposed, nor shall it be used for insurance rating purposes in providing motor vehicle insurance coverage until there is a final adjudication of the violation.

(b) Impositions of a penalty pursuant to this chapter shall not be deemed a criminal conviction of an owner or operator.

31-41.2-8. Security of records. – (a) The recorded images produced by an automated traffic violation detection system shall not be deemed "public records" subject to disclosure pursuant to subsection 38-2-2(4)(i).

(b) All recorded images that do not identify a violation shall be destroyed within ninety (90) days of the date the image was recorded, unless ordered by a court of competent jurisdiction.

(c) All recorded images that identify a violation shall be destroyed within one year after the citation is resolved by administrative payment, trial or other final disposition of the citation, unless ordered by a court of competent jurisdiction.

(d) The privacy of records produced pursuant to this chapter shall be maintained; provided, that aggregate data not containing personal identifying information may be released.

31-41.2-9. Reports. -- (a) The agency or municipality authorizing the installation of automated traffic signal detection systems shall prepare an annual report containing data on:

1. the number of citations issued at each particular intersection;
2. the number of those violations paid by mail;
3. the number of those violations found after trial or hearing;

4. the number of violations dismissed after trail or hearing;
5. the number of accidents at each intersection;
6. a description as to the type of accident;
7. an indication regarding whether there were any injuries involved in any accident reported;
8. the cost to maintain the automated traffic signal detection system; and
9. the amount of revenue obtained from the automated traffic signal detection system.

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

Respectfully submitted,

_____

REPRESENTATIVE AJELLO

Representative Ajello discusses the amendment.

Representative Ajello, seconded by Representatives Fox, Handy, and Kilmartin offers a technical amendment.

The technical amendment prevails on a roll call vote 61 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Shanley, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 1: Representative Gemma.

Representatives Davey, McCauley, Watson, Moura, McHugh, Gemma, Williamson, Trillo, Lima, Diaz, Williams, Almeida, Ginaitt, and Fox discuss the amendment, as amended.

Representative Crowley moves the question, seconded by Representative Kilmartin.

The motion prevails, on a roll call vote 31 members voting in the affirmative and 25 members voting in the negative as follows:

YEAS - 31: The Honorable Speaker Murphy and Representatives Anguilla, Brien, Church, Coderre, Costantino, Crowley, Faria, Fox, Gallison, Ginaitt, Kennedy, Kilmartin, Landroche, Lewiss, Malik, McCauley, McNamara, Moran, Moura, Mumford, O'Neill, Pacheco, Picard, Rose, San Bento, Savage, Schadone, Story, Sullivan, Williamson.

NAYS - 25: Representatives Ajello, Caprio, Davey, Dennigan, Diaz, Gemma, Gorham, Handy, Jackson, Laroche, Lima, Long, McHugh, Melo, Menard, Naughton, Petrarca, Rice, Singleton, Smith, Trillo, Voccola, Watson, Williams, Winfield.

Representatives Williams, Watson, Anguilla, McNamara, Gemma and Ajello continue discussion on the amendment, as amended.

The motion to amend prevails on a roll call vote 48 members voting in the affirmative and 16 members voting in the negative as follows:

YEAS - 48: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Faria, Fox, Gallison, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Malik, McCauley, McHugh, McNamara, Melo, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Smith, Story, Sullivan.

NAYS - 16: Representatives Almeida, Diaz, Ehrhardt, Gemma, Gorham, Laroche, Long, Loughlin, McManus, Menard, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

Representative Winfield, seconded by Representatives McHugh and Menard offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6315

AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Mr. Speaker:

I hereby move to amend 2005 -- H 6315, entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES", as follows:

On page 3, line 31, after the word "passage", and before the period, by inserting the following: " and shall be repealed effective one year subsequent to such date".

Respectfully submitted,

_____
REPRESENTATIVE WINFIELD

Representatives Winfield, McCauley, McNamara, Almeida, Ajello, Ginaitt, Gemma, and Watson discuss the amendment.

Representative Winfield offers an oral motion to amend, seconded by Representatives McHugh, Lima, Anguilla, Laroche, Gemma, and Ginaitt.

The oral motion to amend prevails on a roll call vote 53 members voting in the affirmative and 12 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Crowley, Davey, Dennigan, Faria, Gallison, Gemma, Ginaitt, Handy, Jackson, Kilmartin, Lally, Landroche, Laroche, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moran, Moura, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Williamson, Winfield.

NAYS - 12: Representatives Carter, Costantino, Diaz, Ehrhardt, Fox, Gorham, Kennedy, Lewiss, McManus, Rose, Watson, Williams.

The amendment, as amended, prevails on a roll call vote 41 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 41: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Faria, Ginaitt, Handy, Jackson, Kilmartin, Lally, Landroche, Lewiss, Lima, Long, McCauley, McHugh, Melo, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Winfield.

NAYS - 22: Representatives Almeida, Carter, Crowley, Diaz, Ehrhardt, Fox, Gemma, Gorham, Kennedy, Laroche, Loughlin, Malik, McManus, McNamara, Menard, Rose, San Bento, Trillo, Voccola, Watson, Williams, Williamson.

Read and passed, as amended, on a roll call vote, 36 members voting in the affirmative and 27 members voting in the negative as follows

YEAS - 36: Representatives Ajello, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Davey, Fox, Gallison, Ginaitt, Handy, Jackson, Kilmartin, Lally, Landroche, Long, Malik, McCauley, McHugh, McNamara, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Savage, Schadone, Shanley, Smith, Story, Sullivan.

NAYS - 27: Representatives Almeida, Amaral, Anguilla, Carter, Dennigan, Diaz, Ehrhardt, Faria, Gemma, Gorham, Kennedy, Laroche, Lewiss, Lima, Loughlin, McManus, Melo, Menard, Picard, Rose, San Bento, Singleton, Trillo, Voccola, Watson, Williamson, Winfield.

With the agreement of the Minority, the Calendar for Thursday, June 30, 2005 will be taken up next. There is no objection.

IN ORDER FOR THURSDAY, JUNE 30, 2005:

1 <u>2005-H 6638</u>
BY Naughton
ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS

Committee on Finance recommends passage.

Representative Costantino moves passage of the resolution, seconded by Representative Naughton.

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

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

2 <u>2005-H 5073</u>
BY Lewiss
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - - COUNCIL ON THE ARTS

Committee on Finance recommends passage.

Representative Lewiss moves passage of the act, seconded by Representatives Diaz, Naughton, Loughlin, Moura, and Gemma.

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

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

3 <u>2005-H 5096</u>
BY Gallison
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

Committee on Finance recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 30, 2005.

4 <u>2005-H 5786 SUB A</u>
BY Moura
ENTITLED, AN ACT RELATING TO TAXATION

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

Representative Naughton moves passage of the act, seconded by Representative Moura.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 30, 2005.

5 <u>2005-H 5219</u>
BY Shanley
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ADMINISTRATION AND FUNDING OF PUBLIC HIGHER EDUCATION

Committee on Finance recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 30, 2005.

6 <u>2005-H 6022 SUB A</u>
BY Jackson
ENTITLED, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT

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

Representative Jackson moves passage of the act, seconded by Representatives Rice, Crowley, Lewiss, and Gemma.

Representative Jackson, seconded by Representatives Gemma offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6022 SUBSTITUTE A

AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT

Mr. Speaker:

I hereby move to amend 2005 -- H 6022 SUBSTITUTE A, entitled "AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT", as follows:

(1) On page 1, line 12, by deleting the words "Assessments can only be made on the real property value of the development."

Respectfully submitted,

_____

REPRESENTATIVE JACKSON

The motion to amend 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, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Williams, Williamson, Winfield.

NAYS - 1: Representative Watson.

Representative Jackson, seconded by Representatives Gallison offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- H 6022 SUBSTITUTE A

AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT

Mr. Speaker:

I hereby move to amend 2005 -- H 6022 SUBSTITUTE A, entitled "AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT", as follows:

On page 2, line 23, by inserting the following language after the comma: "and/or notwithstanding any of the provisions of chapter 34-36 ("condominium ownership act"), 34-36.1 ("Rhode Island condominium act"), or 34-41 ("Rhode Island real estate time-share act") to the contrary,".

Respectfully submitted,

_____

REPRESENTATIVE JACKSON

The motion to amend 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, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Davey, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Trillo, Jackson, Lewiss, and Davey discuss the act, as amended.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 55 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Malik, McCauley, McNamara, Melo, Moran, Moura, Mumford, Naughton, O'Neill, Picard, Rice, Rose, San Bento, Savage, Schadone, Singleton, Slater, Smith, Sullivan, Voccola, Williams, Williamson, Winfield.

NAYS - 9: Representatives Davey, Loughlin, McManus, Menard, Petrarca, Shanley, Story, Trillo, Watson.

REQUEST

Representative Pacheco requests the journal to reflect that if he had voted on (05-H 6022 SUB Aaa), he would have voted in the affirmative.

TRANSMITTAL

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

7 <u>2005-H 6635</u>
BY Jacquard
ENTITLED, AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE RATING

Committee on Finance recommends passage.

Representative Jacquard moves passage of the act, seconded by Representatives Moran.

Read and passed, on a roll call vote, 59 members voting in the affirmative and 0 members voting in the negative as follows

YEAS - 59: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, Savage, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

8 <u>2005-H 5400 SUB A</u>
BY Moura
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- EXEMPTING FROM TAXATION PROPERTY OF THE PROVIDENCE, RHODE ISLAND YOUNG MEN'S CHRISTIAN ASSOCIATION

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

Representative Moura moves passage of the act, seconded by Representatives Costantino and Dennigan.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Amaral, Anguilla, Caprio, Church, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 0.

9 <u>2005-H 5670</u>
BY Kilmartin
ENTITLED, AN ACT RELATING TO MILITARY SERVICE AND VETERANS

Committee on Finance recommends passage.

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

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

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson.

NAYS - 0.

10 2005-H 5488
BY Fox
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND

Committee on Finance recommends passage.

Representative Costantino moves passage of the act, seconded by Representatives Anguilla, Gemma, Pacheco, Lewiss, Moura, Mumford, and Kennedy.

Representatives Gemma, Gorham and Costantino discuss the act.

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

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson.

NAYS - 0.

Representative Moura requests to hold item # 9 (05-H 5670) on the desk. There is no objection.

11 2005-H 6493
BY Rice
ENTITLED, AN ACT RELATING TO THE TOWN OF PORTSMOUTH

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Rice and Gemma.

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

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representative Amaral, Rice, and Long discuss the act. There is objection to discussion after passage of the act.

On suggestion of Representative Fox, and by unanimous consent, the remainder of the Calendar for Thursday, June 30, 2005 is continued to tomorrow.

RECONSIDERATION

Representative Fox, seconded by Representative Laroche moves to reconsider (05-S 548).

The motion prevails on a roll call vote, 49 members voting in the affirmative and 1 member voting in the negative as follows

YEAS - 49: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Carter, Church, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Loughlin, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Smith, Story, Voccola, Williams, Winfield.

NAYS - 1: Representative Gorham.

Senate Bill No. 548 SUB A (Business Regulation)
BY Bates, Walaska
ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION AND PRACTICES (notice to all commercial insureds at renewal when premium or coverage changes) {LC1720/2/A}

Representative Fox requests to place (05-S 548) on the Calendar for Thursday, June 30, 2005.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 30, 2005.

FROM THE DESK IS TAKEN

Senate Bill No. 123 SUB A as amended
BY Gibbs
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (Little Compton to adopt a tax classification and tax rate on taxes assessed on or after December 31, 2004) {LC669/1/A}

Representative Costantino moves to reconsider (05-S 123 SUB Aaa), seconded by Representative Loughlin.

The motion to reconsider prevails on a roll call vote, 58 members voting in the affirmative and 0 member voting in the negative as follows

YEAS - 58: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 0.

Representative Costantino, seconded by Representative Loughlin offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2005 -- S 123 SUBSTITUTE A

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

Mr. Speaker:

I hereby move to amend 2005 -- S 123 SUBSTITUTE A, entitled "AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES", as follows:

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

"SECTION 1. Section 44-5-11.8 of the General Laws in Chapter 44-5 entitled "Levy and Assessment of Local Taxes" is hereby amended to read as follows:

44-5-11.8. Tax classification. -- (a) Upon the completion of any comprehensive revaluation or any update, in accordance with section 44-5-11.6, any city or town may adopt a tax classification plan, by ordinance, with the following limitations:

(1) The designated classes of property shall be limited to the four classes as defined in subsection (b) of this section.

(2) The effective tax rate applicable to any class shall not exceed by fifty percent (50%) the rate applicable to any other class, except in the city of Providence; however, in the year following a revaluation or statistical revaluation or update, the city or town council of any municipality may, by ordinance, adopt tax rates for the property class for all ratable tangible personal property no greater than twice the rate applicable to any other class provided that the municipality documents to, and receives written approval from the office of municipal affairs that the rate difference is necessary to ensure that the estimated tax levy on the property class for all ratable tangible personal property is not reduced from the prior year as a result of the revaluation or statistical revaluation.

(3) Any tax rate changes from one year to the next shall be applied such that the same percentage rate change is applicable to all classes, except in the city of Providence.

(4) Notwithstanding subdivisions (2) and (3) of this subsection, the tax rates applicable to wholesale and retail inventory within Class 3 as defined in subsection (b) of this section are governed by section 44-3-29.1.

(5) Notwithstanding subdivisions (2) and (3) of this subsection, the tax rates applicable to motor vehicles within Class 4 as defined in subsection (b) of this section are governed by section 44-34.1-1.

(6) The provisions of chapter 35 of this title relating to property tax and fiscal disclosure applies to the reporting of and compliance with these classification restrictions.

(b) Classes of Property.

(1) (i) Class 1: Residential real estate consisting of no more than five (5) dwelling units, land classified as open space, and dwellings on leased land including mobile homes. In the city of Providence, this class may also include residential properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units. A homestead exemption provision is also authorized within this class, provided however, that the actual effective rate applicable to property qualifying for this exemption shall be construed as the standard rate for this class against which the maximum rate applicable to another class shall be determined, except in the city of Providence.

(2) Class 2: Commercial and industrial real estate, residential properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units. In the city of Providence, properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units may be included in Class 1.

(3) Class 3: All ratable tangible personal property.

(4) Class 4: Motor vehicles and trailers subject to the excise tax created by chapter 34 of this title.

(c) The city council of the city of Providence may by ordinance provide for and adopt a tax rate on various classes as it shall deem appropriate. Providence shall be able to establish homestead exemptions up to fifty percent (50%) of value. The calculation provided in subsection (b)(1)(i) shall not be used in setting the differential tax rates. The tax rate for Class 2 shall not be more than two times the tax rate of Class 1; the tax rate applicable to Class 3 shall not exceed the tax rate of Class 1 by more than two hundred percent (200%).

(d) Notwithstanding the provisions of subsection (a) of this section the town council of the town of Middletown may hereafter, by ordinance, adopt a tax classification plan in accordance with the provisions of subsections (a) and (b) of this section, to be applicable to taxes

assessed on or after the assessment date of December 31, 2002.

(e) Notwithstanding the provisions of subsection (a) of this section, the town council of the town of Little Compton may hereafter, by ordinance, adopt a tax classification plan in accordance with the provisions of subsections (a) and (b) of this section, and the provisions of section 44-5-79 to be applicable to taxes assessed on or after the assessment date of December 31, 2004.

SECTION 2. Chapter 44-5 of the General Laws entitled "Levy and Assessment of Local Taxes" is hereby amended by adding thereto the following section:

44-5-79. Little Compton -- Property tax classification. – (a) The assessor of the town of Little Compton shall make a full and fair cash valuation of all the estate, real and personal, including motor vehicles and trailers, subject to taxation and determine the assessed valuation of each property class as defined in section 44-5-11.8 of the General Laws entitled Tax Classification.

(b) The town council of the town of Little Compton is authorized to apply, by ordinance, a higher rate of taxation to Class 3 property (all ratable tangible property) beginning in tax year 2005 (values as of 12/31/2004); provided, that the tax rate applicable to Class 3 property, notwithstanding the provisions of section 44-5-11.8, shall not exceed the rate applicable to Class 1 by more than two hundred percent (200%); and provided further, that any subsequent tax rate changes thereafter shall be made consistent with the provisions of section 44-5-11.8.

SECTION 3. This act shall take effect upon passage."

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

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

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 0.

With the agreement of the minority, Representative Fox requests to move several bills which were amended in the Senate. There is no objection.

COMMUNICATION FROM THE SENATE

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

House Bill No. 5449 SUB A
BY Malik, Carter, San Bento, Faria, Gallison
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (increase weight registration eligibility for war veteran plates) {LC1748/1/A}

Representative Fox moves passage of the act, seconded by Representative Loughlin.

The bill marked Substitute "A" is read and passed, in concurrence,and the original bill indefinitely postponed, on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Singleton, Story, Sullivan, Trillo, Williams.

NAYS - 0.

REQUEST

Representative Corvese requests the journal to reflect that if he had voted on (05-H 5449 SUB A in concurrence), he would have voted in the affirmative.

House Bill No. 6590 SUB A as amended
BY Kennedy, Lally, Lewiss, Singleton, Petrarca
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOUSING (various technical changes to the Rhode Island housing laws) {LC3472/1/A}

Representative Fox moves passage of the act, seconded by Representatives Carter and Kilmartin.

The bill marked Substitute "A" is read and passed, as amended, in concurrence,and the original bill indefinitely postponed, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Singleton, Slater, Smith, Story, Sullivan, Williams, Winfield.

NAYS - 0.

House Bill No. 6214 SUB A as amended
BY Lewiss
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES (permit golf clubs which have a Class D license to sell alcoholic beverages from mobile wagons or carts) {LC2710/1/A}

Representative Fox moves passage of the act, seconded by Representatives Lewiss, McHugh and Rice.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, 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, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Singleton, Slater, Smith, Story, Sullivan, Williams, Winfield.

NAYS - 0.

TRANSMITTAL

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

GUESTS

At 4:35 o'clock P.M. the Honorable Speaker yields the rostrum to Representatives Lally and Caprio.

By unanimous consent, Representative Lally and Caprio address the members of the House and welcome to the House Michael Millen Jr., RI Middle School Wrestling Champion, along with his father, Michael Millen, and his mother, Virginia, also his brothers Alex and Joseph.

Representatives Lally and Caprio present Michael with a citation from the House of Representatives.

At 4:37 o'clock P.M. the Honorable Speaker returns to the rostrum.

ANNOUNCEMENTS

Representative Coderre announces that the Committee on Separation of Powers will meet today, at the rise of the House, in Room 135 of the State House.

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

Representative Costantino announces that the Committee on Finance will meet today, at the rise of the House, in Room 35 of the State House.

NOW PRESIDING

At 7:40 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

ANNOUNCEMENTS

Representative Amaral congratulates Representative Jack Savage and his Kathy on their 37th Wedding Anniversary.

Representative Corvese wishes his daughter Maria a Happy 19th Birthday.

Representative Faria announces that the Labor will meet today, at the rise of the House, in Room 201 of the State House.

REQUEST

Representative Williams requests the journal to reflect that if she had voted on (05-H 6315), she would have voted in the negative.

ADJOURNMENT

At 7:43 o'clock P.M. on motion of Representatives Kennedy and Lewiss, and as a further mark of respect to the memory of Leon F. Williams, father-in-law of Senator Algiere; on motion of Representatives Rice, Amaral, and Loughlin, and as a further mark of respect to the memory of Frank W. Ottilige, Jr.; on motion of Representatives Carter and Ehrhardt and as a further mark of respect to the memory of 2nd Lt. Matthew S. Coutu; on motion of Representatives Mumford and Winfield, and as a further mark of respect to the memory of Frank Rambone; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE VICTOR G. MOFFITT

Heavenly Father, look with favor on our deliberation and assist us by your grace to do what is just and wise. Amen.

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 41 SUB A
BY Walaska, Bates, Alves
ENTITLED, AN ACT RELATING TO INSURANCE -- CLAIMS ADJUSTERS (permit experienced adjusters not licensed in RI to engage in emergency insurance adjustment work for losses in Rl) {LC518/1/A}

Senate Bill No. 76 SUB A as amended
BY Raptakis, Caprio F, Polisena, DaPonte, Blais
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES (provide for training programs for persons serving alcohol, the act would also create penalties for violation of this chapter by licensees and servers) {LC62/5/A}

Senate Bill No. 170
BY Felag, Sosnowski
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - - COASTAL RESOURCES MANAGEMENT COUNCIL (expand the authority) {LC692/1}

Senate Bill No. 304 as amended
BY Paiva-Weed, McCaffrey, Gibbs
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION {LC1437/1}

Senate Bill No. 394 SUB A (Environmental Management)
BY Breene, Bates, Sosnowski, Fogarty P
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- DAM MANAGEMENT DISTRICTS (cities and towns/adopt ordinances creating management districts for dams) {LC1545/1/A}

Senate Bill No. 454 SUB A
BY Ciccone, Badeau, Lanzi, Perry, Connors
ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- HAWKERS AND PEDDLERS (prohibit from selling any single items having a retail value in excess of $300) {LC1996/1/A}

Senate Bill No. 490 SUB A
BY Alves, Badeau
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PUBLIC ACCOUNTANCY (appoint certified public accountant members to the RI board of accountancy) {LC1930/1/A}

Senate Bill No. 491 (General Treasurer)
BY DaPonte, Connors
ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -- UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY (gift certificates) {LC1805/1}

Senate Resolution No. 497
BY Paiva-Weed, Levesque C, Felag, Algiere, Gibbs
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION ON DEFENSE ECONOMY PLANNING {LC1627/1}

Senate Bill No. 540 SUB A
BY Roberts, Bates, Sosnowski
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- ENERGY AND CONSUMER SAVINGS ACT OF 2005 (certain products sold in the state) {LC1789/5/A}

Senate Bill No. 680 SUB A
BY Goodwin, Montalbano J, Paiva-Weed
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --OFFICE OF THE STATE MEDICAL EXAMINERS (complete reports relative to pending autopsies within 90 days) {LC617/1/A}

Senate Bill No. 981 as amended
BY Ciccone, Badeau, Lanzi
ENTITLED, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS (amend policy for use of road salt within the Scituate reservoir water shed) {LC2853/1}
06/29/2005 Transmitted to Governor

Senate Bill No. 1040
BY McBurney, Doyle, Issa
ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS {LC3034/1}

Senate Bill No. 1069
BY Fogarty P, Gallo, Walaska, Tassoni, Breene
ENTITLED, AN ACT RELATING TO TAXATION -- GLOCESTER (exempt town of Glocester from 50% cap over rate applicable to any other classes of property) {LC3240/1}

Senate Bill No. 1080
BY Sheehan, Raptakis, Roberts, Lenihan, Sosnowski
ENTITLED, AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO ADOPT A TAX CLASSIFICATION PLAN (new tax classification) {LC3203/1}

Senate Bill No. 1125
BY Ruggerio, Goodwin, Badeau, Ciccone, Tassoni
ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS (remove the requirement that boxing contestants carry life insurance) {LC3380/1}

Senate Bill No. 1128
BY Roberts
ENTITLED, AN ACT RELATING TO HEALTH CARE SERVICES -- UTILIZATION REVIEW ACT (amend the certification requirements, application process & review/appeals requirement of the health care utilization review act) {LC3217/1}

Senate Bill No. 1134 SUB A as amended
BY Roberts, Perry, Tassoni, Paiva-Weed, Gibbs
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY QUALITY MONITORING AND EARLY INTERVENTION FOR RESIDENT SAFETY (would clarify the roles and responsibilities of various state entities in monitoring of nursing home quality by providing a system of reporting to provide early detection of deteriorating quality) {LC3359/1/A}

Senate Bill No. 1135 SUB A (Lieutenant Governor)
BY Perry, Goodwin, Fogarty P, Polisena, Tassoni
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY QUALITY IMPROVEMENT (would strengthen state oversight of nursing facilities, improve quality of care of nursing facility residents, prevent future residents from suffering serious harm and prevent trauma faced by residents when a nursing care facility closes) {LC3358/1/A}

Senate Bill No. 1136 SUB A
BY Gibbs, Blais, Roberts, Tassoni, Perry
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY LICENSURE (would establish standards for the licensure of nursing facilities and for the ongoing oversight of nursing facilities) {LC3355/1/A}

Senate Bill No. 1137 SUB A as amended (Attorney General)
BY Tassoni, Paiva-Weed, Perry, McCaffrey, Roberts
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITIES RECEIVERSHIP ACT (define mismanagement in nursing facilities and would provide for the use of experts or consultants to effectuate the purposes of this chapter) {LC3361/3/A}

Senate Resolution No. 1138 SUB A as amended
BY Paiva-Weed, Alves, Roberts, Tassoni, Perry
ENTITLED, JOINT RESOLUTION REQUESTING A COMPREHENSIVE ASSESSMENT OF LONG-TERM CARE SERVICE NEEDS AND FINANCING OPTIONS IN RHODE

ISLAND PURSUANT TO AN ACT RELATING TO HEALTH AND SAFETY -- LONG-TERM CARE REFORM ACT OF 2005 {LC3420/1/A}

Senate Bill No. 1145
BY Lenihan, Raptakis
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH {LC3395/1}

Senate Bill No. 1153
BY Gallo, Fogarty P, Levesque C, Roberts, Felag
ENTITLED, AN ACT RELATING TO EDUCATION - THE EDUCATION EQUITY AND PROPERTY TAX RELIEF ACT (would extend the reporting deadline of the joint legislative committee) {LC3425/1}

Senate Bill No. 1163
BY Paiva-Weed
ENTITLED, AN ACT RELATING TO THE TOWN OF JAMESTOWN (exempt from taxation any real property owned and occupied by resident of the town of Jamestown and who is determined to be totally disabled) {LC3486/1}

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JUNE 30, 2005:

1 2005-H 5786 SUB A
BY Moura
ENTITLED, AN ACT RELATING TO TAXATION

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

2 2005-H 6430 SUB A
BY Malik
ENTITLED, AN ACT RELATING TO VETERANS' AFFAIRS

Committee on Veterans` Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

3 2005-H 5815
BY Landroche
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Finance recommends passage.

4 2005-H 5096
BY Gallison
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

Committee on Finance recommends passage.

5 2005-H 5219
BY Shanley
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ADMINISTRATION AND FUNDING OF PUBLIC HIGHER EDUCATION

Committee on Finance recommends passage.

6 2005-H 6533 SUB A
BY Gemma
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- KENT COUNTY WATER DISTRICT

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

7 **2005-H 5341**
BY Dennigan
ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- FOOD DONATIONS

Committee on Judiciary recommends passage.

8 **2005-H 5546**
BY Rice
ENTITLED, AN ACT RELATING TO ANIMALS

Committee on Judiciary recommends passage.

9 **2005-H 5635**
BY Kilmartin
ENTITLED, AN ACT RELATING TO CRIMINAL LAW

Committee on Judiciary recommends passage.

10 **2005-H 5715**
BY Diaz
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Judiciary recommends passage.

11 **2005-H 5929**
BY Lima
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES

Committee on Judiciary recommends passage.

12 **2005-H 6591**
BY Rice
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

13 **2005-H 6427**
BY Moura
ENTITLED, AN ACT RELATING TO LABOR -- ARBITRATION

Committee on Labor recommends passage.

14 2005-H 6121
BY Moran
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF MASSAGE THERAPY ESTABLISHMENTS

Committee on Health, Education & Welfare recommends passage.

15 2005-H 6377 SUB A as amended
BY Coderre E
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

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

16 2005-H 5979 SUB A
BY Naughton
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE FEASIBILITY OF CREATING AN ACCOUNTABILITY SYSTEM FOR NON-PROFITS THAT IS COMPATIBLE WITH STATE AND FEDERAL LAWS AND REQUIREMENTS

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

17 2005-H 6176 SUB A
BY Gallison
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE -- NATIONAL GUARD

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

18 2005-H 5140 SUB A
BY Sullivan
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- SPECIAL LICENSE PLATES DECAL

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

19 2005-H 5507 SUB A
BY Lewiss
ENTITLED, AN ACT RELATING TO INSURANCE - AUTHORIZING HEALTH CARE PROVIDERS TO NEGOTIATE WITH HEALTH CARE

INSURERS AND PROVIDING FOR THE POWERS AND DUTIES OF THE ATTORNEY GENERAL

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

20 **2005-H 6021**
BY Carter
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- EXEMPTING FROM TAXATION PROPERTY OF THE PIOUS SOCIETY OF THE MISSIONARIES OF ST. CHARLES BOROMEO, INC.

Committee on Finance recommends passage.

21 **2005-H 6597**
BY Costantino
ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - LIABILITY AND COMPUTATION

Committee on Finance recommends passage.

22 **2005-H 5734 SUB A**
BY Naughton
ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS ACT

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

23 **2005-H 5829 SUB A**
BY Slater
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES

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

24 **2005-H 6237 SUB A**
BY McManus
ENTITLED, AN ACT RELATING TO THE LONSDALE FIRE DISTRICT

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

25 <u>2005-H 5949 SUB A</u>
BY Story
ENTITLED, AN ACT RELATING TO EMERGENCY MEDICAL TRANSPORTATION SERVICES

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

26 <u>2005-H 6631</u>
BY McManus
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Judiciary recommends passage.

27 <u>2005-H 6532 SUB A</u>
BY Watson
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

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

28 <u>2005-H 6177 SUB A</u>
BY Long
ENTITLED, AN ACT RELATING TO HIGHWAYS -- RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

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

29 <u>2005-H 5114</u>
BY Moffitt
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE FEASIBILITY OF SELLING ALL OR ANY PORTION OF THE BIG RIVER MANAGEMENT AREA BACK TO THE PRIOR OWNERS OR THEIR HEIRS

Committee on Finance recommends passage.

30 <u>2005-S 1035 as amended</u>
BY Montalbano J
ENTITLED, AN ACT RELATING TO THE CLEARY SCHOOL

Committee on Corporations recommends passage as amended in concurrence.

31 2005-S 508 SUB A
BY Alves
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

32 2005-S 46 as amended
BY Paiva-Weed
ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - CODE OF ETHICS

Ordered on the Calendar

33 2005-S 1
BY Issa
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

Committee on Finance recommends passage in concurrence.

34 2005-S 227 SUB A
BY Perry
ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- EXEMPTING FROM TAXATION PROPERTY OF THE PROVIDENCE, RHODE ISLAND YOUNG MEN'S CHRISTIAN ASSOCIATION

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

35 2005-S 870
BY DaPonte
ENTITLED, AN ACT RELATING TO MILITARY SERVICE AND VETERANS

Committee on Finance recommends passage in concurrence.

36 2005-S 467 as amended
BY Paiva-Weed
ENTITLED, AN ACT RELATING TO HIGHWAYS -- RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

Committee on Finance recommends passage as amended in concurrence.

37 2005-S 868 SUB A
BY Gallo
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- AUDIT OF ACCOUNTS AND INSTALLATION OF SYSTEMS

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

38 2005-S 676
BY Gallo
ENTITLED, AN ACT RELATING TO AUDIT OF ACCOUNTS

Committee on Finance recommends passage in concurrence.

39 2005-S 585 as amended
BY McCaffrey
ENTITLED, AN ACT RELATING TO CHILDREN

Committee on Finance recommends passage as amended in concurrence.

40 2005-S 953 as amended
BY Doyle
ENTITLED, AN ACT RELATING TO GAMBLING AND LOTTERIES

Committee on Finance recommends passage as amended in concurrence.

41 2005-S 838 SUB A
BY Gallo
ENTITLED, AN ACT RELATING TO INSURANCE - AUTHORIZING HEALTH CARE PROVIDERS TO DISCUSS WITH HEALTH CARE INSURERS AND PROVIDING FOR THE POWERS AND DUTIES OF THE HEALTH INSURANCE COMMISSIONER

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

42 2005-S 80
BY Doyle
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - - COUNCIL ON THE ARTS

Committee on Finance recommends passage in concurrence.

43 2005-S 823 SUB A as amended
BY Connors
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

HISTORIAN LAUREATE OF RHODE ISLAND

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

44 2005-S 530 SUB B
BY Gallo
ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS

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

45 2005-S 277 SUB A
BY DaPonte
ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES

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

46 2005-S 630 as amended
BY Ruggerio
ENTITLED, AN ACT RELATING TO LABOR -- ARBITRATION

Committee on Labor recommends passage as amended in concurrence.

47 2005-S 631
BY Ruggerio
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ARBITRATION

Committee on Labor recommends passage in concurrence.

48 2005-S 699 SUB A
BY Badeau
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- BENEFITS

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

49 2005-S 985 SUB B
BY Tassoni
ENTITLED, AN ACT RELATING TO EDUCATION

Committee on Health, Education & Welfare recommends indefinite postponement of the

original bill and the Substitute A and passage of Substitute B.

50 **2005-S 1164**
BY Felag
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS - TOWN OF WARREN

Committee on Corporations recommends passage in concurrence.

51 **2005-S 1039**
BY Fogarty P
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Corporations recommends passage in concurrence.

52 **2005-S 1167 SUB A**
BY Raptakis
ENTITLED, AN ACT CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE KENT COUNTY WATER AUTHORITY

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

53 **2005-S 270 as amended**
BY Revens
ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -- GUARDIANSHIP OF MINORS

Committee on Judiciary recommends passage as amended in concurrence.

54 **2005-S 349**
BY Damiani
ENTITLED, AN ACT RELATING TO CRIMINAL LAW

Committee on Judiciary recommends passage in concurrence.

55 **2005-S 709**
BY Badeau
ENTITLED, AN ACT RELATING TO COURTS -- SUPERIOR COURT

Committee on Judiciary recommends passage in concurrence.

56 **2005-S 725 as amended**
BY Damiani
ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage as amended in concurrence.

57 **2005-S 1054**
BY Connors
ENTITLED, AN ACT RELATING TO LABOR -- EMPLOYMENT SECURITY -- BENEFITS

Committee on Judiciary recommends passage in concurrence.

58 **2005-S 1093 SUB A**
BY Montalbano J
ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- FOOD DONATIONS

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

59 **2005-S 1131**
BY Paiva-Weed
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

60 **2005-S 1182**
BY DaPonte
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

61 **2005-S 801 SUB A**
BY Paiva-Weed
ENTITLED, AN ACT RELATING TO HEALTH CARE FOR ELDERLY AND DISABLED RESIDENTS

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

62 **2005-S 297 SUB B**
BY Levesque C
ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- SPECIAL LICENSE PLATES DECAL

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

63 2005-S 1101 SUB A as amended
BY Gibbs
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

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

64 2005-S 101
BY Bates
ENTITLED, AN ACT RELATING TO NAMING A BUILDING, BRIDGE, EDIFICE AND OTHER STATE CONSTRUCTIONS

Committee on Finance recommends passage in concurrence.

65 2005-S 37 SUB A
BY Bates
ENTITLED, AN ACT RELATING TO TAXATION

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

66 2005-S 418
BY Breene
ENTITLED, AN ACT RELATING TO MILK SANITATION CODE

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

67 2005-S 724 SUB A
BY Blais
ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- CITIZENS' COMMISSION FOR THE SAFETY AND CARE OF THE ELDERLY

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

68 2005-S 562 SUB A
BY Blais
ENTITLED, AN ACT RELATING TO EMERGENCY MEDICAL TRANSPORTATION SERVICES

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

69 **2005-S 1180**
BY Gibbs
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

70 **2005-S 548 SUB A**
BY Bates
ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION AND PRACTICES

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

IN ORDER FOR THURSDAY, JUNE 30, 2005:

1 **2005-S 1086 SUB A as amended**
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

2 **2005-S 1088 SUB A as amended**
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

3 **2005-S 1089 SUB A as amended**
BY Sosnowski
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

4 **2005-S 1092 SUB A as amended**
BY Roberts
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

5 **2005-S 1091 SUB A as amended**
BY Connors
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

6 2005-S 1087 SUB A
BY Gallo
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS -- EDUCATION

Ordered on the Calendar

IN ORDER FOR FRIDAY, JULY 1, 2005:

1 2005-H 5135 SUB A
BY Gallison
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

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

2 2005-H 5835 SUB A
BY Williams
ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX

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

3 2005-H 6647
BY Costantino
ENTITLED, AN ACT RELATING TO CONVENTION CENTER AUTHORITY ACT

Committee on Finance recommends passage.

4 2005-H 6212 SUB A
BY O`Neill
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

5 2005-H 6616
BY Gallison
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ACQUISITION OF LAND

Committee on Finance recommends passage.

6 2005-H 6041 SUB A
BY Diaz
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY HEALTH CARE FACILITIES AND EMPLOYMENT TRAINING

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

7 2005-H 6642
BY Coderre E
ENTITLED, AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD

Committee on Finance recommends passage.

8 2005-H 5098 SUB A
BY Gallison
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS - VETERANS' HOME

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

9 2005-H 6518
BY Gemma
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLES REPARATIONS ACT

Committee on Judiciary recommends passage.

10 2005-H 6603 SUB A
BY Sullivan
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- EQUIPMENT AND ACCESSORIES GENERALLY

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

11 2005-H 6192 SUB A
BY Jacquard
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

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

12 2005-H 6609
BY Pacheco
ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Corporations recommends passage.

13 2005-H 6164 SUB B as amended
BY Coderre E
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

14 2005-H 6650
BY Handy
ENTITLED, AN ACT RELATING TO LABOR ARBITRATION

Committee on Labor recommends passage.

15 2005-H 5214 SUB A
BY Loughlin
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

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

16 2005-H 6199 SUB A
BY San Bento
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ACTIONS AGAINST THE STATE ON HIGHWAY AND PUBLIC WORKS CONTRACTS

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

17 2005-H 5292
BY San Bento
ENTITLED, AN ACT RELATING TO TAXATION -- TAX SALES

Committee on Finance recommends passage.

18 2005-H 5791 SUB A
BY Malik
ENTITLED, AN ACT RELATING TO THE OFFICE OF ATTORNEY GENERAL -- ELDER JUSTICE PROSECUTION UNIT

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

19 2005-H 6260 SUB A
BY Costantino
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES

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

20 2005-H 5477 SUB A as amended
BY Fox
ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY LOBBYING

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

21 2005-H 6538
BY Long
ENTITLED, AN ACT RELATING TO ZONING ORDINANCES -- MIDDLETOWN

Committee on Corporations recommends passage.

22 2005-H 6633
BY Singleton
ENTITLED, AN ACT RELATING TO TAXATION -- COLLECTION OF TAXES GENERALLY

Committee on Corporations recommends passage.

23 2005-H 6569 as amended
BY Singleton
ENTITLED, AN ACT RELATING TO INSURANCE -- DUNCAN'S LAW

Committee on Corporations recommends passage as amended.

24 2005-H 5914 SUB A
BY Long
ENTITLED, AN ACT RELATING TO EMPLOYMENT SECURITY -- GENERAL PROVISIONS

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

25 2005-H 6641
BY Trillo
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION

Committee on Environment and Natural Resources recommends passage.

26 2005-S 1114
BY DaPonte
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Committee on Finance recommends passage in concurrence.

27 2005-S 1191 SUB A
BY DaPonte
ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS

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

28 2005-S 656 SUB A
BY Perry
ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX

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

29 2005-S 399 SUB A as amended
BY Goodwin
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

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

30 2005-S 887 SUB A
BY Sosnowski
ENTITLED, AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD

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

31 2005-S 721
BY Felag
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Committee on Finance recommends passage in concurrence.

32 **2005-S 833 SUB A**
BY Paiva-Weed
ENTITLED, AN ACT RELATING TO TAXATION

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

33 **2005-S 1201**
BY Montalbano J
ENTITLED, AN ACT AUTHORIZING THE TOWN OF LINCOLN TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED THREE MILLION DOLLARS FOR THE PURPOSE OF ACQUIRING AND PRESERVING OPEN SPACE AND ACQUIRING, PRESERVING, CONSTRUCTING OR IMPROVING RECREATIONAL FACILITIES IN THE TOWN

Committee on Finance recommends passage in concurrence.

34 **2005-S 514**
BY Gallo
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY

Committee on Finance recommends passage in concurrence.

35 **2005-S 1190 SUB A**
BY Alves
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE TAX EXEMPT STATUS OF INSTITUTIONS OF HIGHER LEARNING IN THE STATE OF RHODE ISLAND

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

36 **2005-S 296**
BY Levesque C
ENTITLED, AN ACT RELATING TO ANIMALS

Committee on Judiciary recommends passage in concurrence.

37 **2005-S 1181**
BY Connors
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

38 **2005-S 109**
BY Raptakis
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Committee on Judiciary recommends passage in concurrence.

39 **2005-H 269 SUB B**
BY Breene
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- EQUIPMENT AND ACCESSORIES GENERALLY

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

40 **2005-S 820 SUB A**
BY Gallo
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION ACT

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

41 **2005-S 771 SUB A**
BY Polisena
ENTITLED, AN ACT RELATING TO PARKS AND RECREATIONAL

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

42 **2005-S 1103**
BY Connors
ENTITLED, AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE CONSTRUCTION OF ADDITIONS, RENOVATIONS, IMPROVEMENTS, ALTERATIONS AND REPAIRS TO THE HIGH SCHOOL IN THE TOWN, THE EQUIPPING AND FURNISHING THEREOF AND THE PURCHASE AND INSTALLATION OF INFORMATION TECHNOLOGY INFRASTRUCTURE IN SCHOOLS AND SCHOOL FACILITIES IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN $30,000,000 BONDS AND/OR NOTES

THEREFOR

Committee on Corporations recommends passage in concurrence.

43 **2005-S 1196**
BY Connors
ENTITLED, AN ACT RELATING TO THE LONSDALE FIRE DISTRICT

Committee on Corporations recommends passage in concurrence.

44 **2005-S 1059**
BY Levesque C
ENTITLED, AN ACT RELATING TO THE TOWN OF PORTSMOUTH

Committee on Corporations recommends passage in concurrence.

45 **2005-S 733 SUB A**
BY Sosnowski
ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES

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

46 **2005-S 640**
BY Ruggerio
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS

Committee on Labor recommends passage in concurrence.

47 **2005-S 641**
BY Ruggerio
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS

Committee on Labor recommends passage in concurrence.

48 **2005-S 1192 SUB A**
BY Alves
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ENTIRE SALARY STRUCTURE AT THE COMMUNITY COLLEGE OF RHODE ISLAND (CCRI)

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

49 2005-S 1173 as amended
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends passage as amended in concurrence.

50 2005-S 1175
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends passage in concurrence.

51 2005-S 1176 as amended
BY Lenihan
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

Committee on Separation of Powers recommends passage as amended in concurrence.

52 2005-S 1177 as amended
BY Lenihan
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT

Committee on Separation of Powers recommends passage as amended in concurrence.

53 2005-S 1178
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends passage in concurrence.

54 2005-S 866 SUB A
BY Gallo
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

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

55 2005-S 360
BY Breene
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY -- GENERAL PROVISIONS

Committee on Labor recommends passage in concurrence.

56 **2005-S 683 as amended**
BY Breene
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage as amended in concurrence.

57 **2005-S 697 SUB A**
BY Breene
ENTITLED, AN ACT RELATING TO EMPLOYMENT SECURITY -- GENERAL PROVISIONS

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

IN ORDER FOR TUESDAY, JULY 5, 2005:

1 **2005-H 6160**
BY Faria
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY AUTO BODY AND SALVAGE SHOPS

Committee on Labor recommends passage.

2 **2005-H 5717**
BY Malik
ENTITLED, AN ACT RELATING TO LABOR RELATIONS ACT

Committee on Labor recommends passage.

3 **2005-H 5777 SUB A as amended**
BY Gallison
ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES

Ordered on the Calendar

Louis D'Antuono
Clerk of the House

Wednesday, June 29, 2005