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 second day of January in the year of Our Lord two thousand and seven.

Volume 134, No. 61 Friday, June 15, 2007 Sixty-first Day

The House of Representatives meets at the State House in Providence, Friday, June 15, 2007 and is called to order at 2:18 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 75 members present and 0 members absent as follows:

PRESENT - 75: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 0:

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, June 14, 2007 is approved as printed.

REPORTS OF COMMITTEES

COMMITTEE ON CORPORATIONS

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

House Bill No. 6137 SUB A (OHIC)
BY Naughton, Singleton, Corvese, Church
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS (require certain employers with ten (10) or more employees to adopt and maintain a cafeteria plan) {LC1929/1/A}
06/16/2007 Placed on House Calendar

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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

House Bill No. 5037 SUB A
BY Walsh, Ginaitt, Handy, Long, Dennigan
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND CESSPOOL ACT OF 2007 (phase-out use of cesspools that present the highest risks to public health and/or the environment) {LC321/2/A}
06/15/2007 Placed on House Calendar

NEW BUSINESS

House Resolution No. 6537
BY Naughton, Kilmartin
ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS {LC3028/1}
06/15/2007 Introduced, referred to House Finance

House Resolution No. 6538
BY Shanley, Lally, Walsh, Pacheco
ENTITLED, JOINT RESOLUTION RELATING TO RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT JOINT RESOLUTIONS {LC3361/1}
06/15/2007 Introduced, referred to House Finance

House Bill No. 6539
BY Ajello, Savage, Melo, Church, Fox
ENTITLED, AN ACT RELATING TO EDUCATION - THE EDUCATION EQUITY AND PROPERTY TAX RELIEF ACT {LC3366/1}
06/15/2007 Introduced, referred to House Finance

House Bill No. 6540
BY Rice, Gallison, Loughlin, Amaral
ENTITLED, AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED $4,000,000 TO FINANCE THE ACQUISITION AND PRESERVATION OF OPEN SPACE AND ACQUIRING, PRESERVING, RESTORING OR IMPROVING OF RECREATIONAL AREAS IN THE TOWN {LC3354/1}
06/15/2007 Introduced, referred to House Municipal Government

House Bill No. 6541
BY Ginaitt, Walsh, Jackson, Story, Brien
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY CODE {LC3378/1}
06/15/2007 Introduced, referred to House Finance

House Resolution No. 6542
BY Gemma
ENTITLED, HOUSE RESOLUTION CONGRATULATING CHRIS AND HELEN POLSELLION THE OCCASION OF THEIR 5OTH WEDDING ANNIVERSARY {LC3381/1}

Representative Gemma requests unanimous consent for immediate consideration.

There is no objection.

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

TRANSMITTAL

By unanimous consent, (07-H 6542), on the clerk's desk is ordered to be transmitted to the Honorable Secretary of State, forthwith.

RULE 17

The following bills were received pursuant to Rule 17:

Representative Naughton-An Act relating to Appropriation to pay claims

Representative Shanley-An Act relating to RI Public Corporation

Representative Ajello-An Act relating to Education

Representative Rice-4 Million Bond

CALENDAR

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

SPECIAL ORDER OF BUSINESS IN ORDER FOR FRIDAY, JUNE 15, 2006.

1 <u>2007-H 5300 SUB A</u>
BY Watson
ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

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

ARTICLE 1 RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2008

ARTICLE 2 RELATING TO BORROWING IN ANTICIPATION OF RECEIPTS FROM TAXES

ARTICLE 3 RELATING TO GOVERNMENT REORGANIZATION

ARTICLE 4 RELATING TO E-911 EMERGENCY TELEPHONE SYSTEM

ARTICLE 5 RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

ARTICLE 6 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2007

ARTICLE 7 RELATING TO TAXATION

ARTICLE 8 RELATING TO PUBLIC FINANCE – STATE BUDGET

ARTICLE 9 RELATING TO EDUCATION BENEFITS FOR NATIONAL GUARD MEMBERS

ARTICLE 10 RELATING TO RESTRICTED RECEIPT ACCOUNTS

ARTICLE 11 RELATING TO HOSPITAL AND OTHER MEDICAL FACILITIES AND SERVICES

ARTICLE 12 RELATING TO NURSING FACILITIES

ARTICLE 13 RELATING TO HOSPITAL PAYMENTS

ARTICLE 14 RELATING TO MEDICAL ASSISTANCE – LONG-TERM CARE SERVICE AND FINANCE REFORM

ARTICLE 15 RELATING TO CHILD CARE – STATE SUBSIDIES

ARTICLE 16 RELATING TO FINANCIAL INSTITUTIONS – LICENSED ACTIVITIES

ARTICLE 17 RELATING TO HUMAN SERVICES - PHARMACEUTICALS

ARTICLE 18 RELATING TO PROGRAM INTEGRITY

ARTICLE 19 RELATING TO HOSPITAL UNCOMPENSATED CARE

ARTICLE 20 RELATING TO CHILD CARE ELIGIBILITY

ARTICLE 21 RELATING TO EDUCATION AID

ARTICLE 22 RELATING TO DELINQUENT AND DEPENDENT CHILDREN

ARTICLE 23 RELATING TO GENERAL PUBLIC ASSISTANCE -- HARDSHIP

ARTICLE 24 RELATING TO LICENSING OF ADULT DAY PROGRAMS

ARTICLE 25 RELATING TO STATE AID

ARTICLE 26 RELATING TO MOTOR AND OTHER VEHICLES

ARTICLE 27 RELATING TO SALES TAX EXEMPTION

ARTICLE 28 RELATING TO EXCESS INSURER PROFITS AND ADMINISTRATIVE COSTS

ARTICLE 29 RELATING TO MOTOR AND OTHER VEHICLES

ARTICLE 30 RELATING TO BAYS, RIVERS, AND WATERSHED COORDINATION TEAM

ARTICLE 31 RELATING TO MUNICIPAL TIPPING FEES

ARTICLE 32 RELATING TO CONTRACTOR'S REGISTRATION FEES

ARTICLE 33 RELATING TO FIRE SAFETY FEES

ARTICLE 34 RELATING TO MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM

ARTICLE 35 RELATING TO ADJUDICATION OF TRAFFIC OFFENSES

ARTICLE 36 RELATING TO HISTORICAL RECORDS TRUST FEES

ARTICLE 37 RELATING TO UNCLAIMED PROPERTY

ARTICLE 38 RELATING TO PESTICIDE REGISTRATION SURCHARGE FEES

ARTICLE 39 RELATING TO DEPARTMENT OF HEALTH FEES

ARTICLE 40 RELATING TO TOBACCO SETTLEMENT FINANCING CORPORATION

ARTICLE 41 RELATING TO MUTUEL BETTING AND LICENSE FEES

ARTICLE 42 RELATING TO EFFECTIVE DATE

Representative Costantino moves passage of the act, seconded by Representatives Fox, Kilmartin, Carter, Lewiss, Naughton, O'Neill, Slater, Dennigan, Gemma, Williamson, Crowley and many other members of the House.

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

ARTICLE 1

RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2008

By unanimous consent, Representative Costantino seconded by Representatives Malik, Rose, Dennigan, Slater, Scott, Lewiss, Coderre, Jackson, Lally, Shanley, Naughton, Church, Lima, San Bento, Petrarca, Kennedy, Williamson, Fox, Pacheco, Gemma, Almeida, Kilmartin, Carter and many other members of the House offers a written motion to amend.

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A
FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

By deleting Article 1 in its entirety and inserting in placed thereof the following:

"ARTICLE 1
RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2008 SECTION 1.

Subject to the conditions, limitations and restrictions hereinafter contained in this act, the following general revenue amounts are hereby appropriated out of any money in the treasury not otherwise appropriated to be expended during the fiscal year ending June 30, 2008. The amounts identified for federal funds and restricted receipts shall be made available pursuant to section 35-4-22 and Chapter 41 of Title 42 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her orders upon the general treasurer for the payment of such sums or such portions thereof as may be required from time to time upon receipt by him or her of properly authenticated vouchers.

Administration

Central Management

General Revenues	1,549,780
Federal Funds	238,173
Total - Central Management	1,787,953
Legal Services	
General Revenues	1,836,817
Legal Support/DOT	122,057
Total – Legal Services	1,958,874
Accounts and Control General Revenues	3,252,968
Budgeting General Revenues	2,090,800
Purchasing General Revenues	2,398,789
Auditing General Revenues	1,792,239
Human Resources	
General Revenues	10,067,133
Federal Funds	2,065,791
Restricted Receipts	577,637
Other Funds	793,282
Total - Human Resources	13,503,843
Personnel Appeal Board General Revenues	96,793
Facilities Management	
General Revenues	36,055,887
Federal Funds	7,214,065
Restricted Receipts	1,137,677
State Fleet Replacement Restricted Receipts	6,350,000

The State Fleet Replacement restricted receipt account is hereby established, notwithstanding the provisions of Section 34-4-27 of the General Laws, for the purposes of

purchasing vehicles for state agencies. The Department of Administration shall adopt rules and regulations for the use of these funds and submit them to the Assembly no later than November 1, 2007.

Other Funds	555,116
Total – Facilities Management	51,312,745
Capital Projects and Property Management General Revenues	3,748,880
Information Technology	
General Revenues	17,650,147
Federal Funds	7,389,800
Restricted Receipts	1,422,572
Other Funds	1,403,499
Total – Information Technology	27,866,018
Library and Information Services	
General Revenues	1,100,791
Federal Funds	1,084,437
Restricted Receipts	2,000
Total – Library and Information Services	2,187,228
Planning	
General Revenues	3,792,553
Federal Funds	9,330,126
Intermodal Surface Transportation Funds	
Federal Highway - PL Systems Planning	1,689,264
Air Quality Modeling	20,800
Total - Planning	14,832,743
Security Services General Revenues	19,932,620
General	
General Revenues	
Miscellaneous Grants	660,912
Torts – Court	400,000
Convention Center	12,500,000

Provided that the funds shall be provided to the Rhode Island Convention Center Authority at the times and in the amounts determined to be necessary by the State Budget Officer; and provided further, that $500,000 is reserved to fund expenses related to the relocation of the Providence War Memorial to LaSalle Square, or in the alternative, the Dunkin Donuts Center. Any funds remaining from this relocation project may be used to complete the renovation of the Dunkin Donuts Center, if needed.

Teachers Retiree Health Subsidy	1,442,024
Economic Development Corporation Grant	7,694,121
EDC – RI Airport Corporation Impact	1,004,520
Economic Policy Council	300,000
Slater Centers of Excellence	3,000,000
EDC EPScore	1,500,000
Police/Fire Incentive Pay	675,000
Motor Vehicle Excise Tax Payment	135,500,042
Property Valuation	1,100,000
General Revenue Sharing Program	65,111,876

Payment in Lieu of Tax Exempt Properties	27,766,967
Distressed Communities Relief Program	10,384,458
Resource Sharing and State Library Aid	8,773,398
Library Construction Aid	2,813,141
Restricted Receipts	1,295,997
Rhode Island Capital Plan Funds	
Statehouse Renovations	4,000,000
Lead Mitigation Group Homes	300,000
Computer Center	8,975,000
Cranston Street Armory	1,300,000
Cannon Building	200,000
Pastore Center Master Plan	600,000
Zambarano Building Rehabilitation	600,000
Pastore Center Rehabilitation	530,000
Old State House	500,000
State Office Building	950,000
Old Colony House	135,000
William Powers Building	750,000
McCoy Stadium	557,500
Fire Code Compliance State Buildings	500,000
Pastore Center Fire Code Compliance	750,000
Pastore Center Water Tanks	480,000
Ladd Center Water System	50,000
Pastore Center Environmental Management	250,000
Pastore Center Power Plant	2,000,000
Replacement of Fueling Tanks	600,000
Neighborhood Opportunities Program	7,500,000
Environmental Compliance	275,000
Total - General	313,724,956
Debt Service Payments	
General Revenues	126,160,050
Federal Funds	1,177,854
Restricted Receipts	1,542,173
Intermodal Surface Transportation Funds	
RIPTA Debt Service	681,005
Transportation Debt Service	35,442,466
Temporary Disability Insurance Fund	
RIRBA - DLT – Temporary Disability Insurance	45,586
COPS - DLT Building – TDI	358,825
Reed Act Funds	
COPS – DLT Building	26,320
Total - Debt Service Payments	165,434,279
Energy Resources	
General Revenues	2,236,989
Federal Funds	19,688,355
Restricted Receipts	200,000

Total – Energy Resources	22,125,344
Undistributed Personnel Savings	
General Revenues	(9,105,434)
Federal Funds	(2,606,705)
Restricted Receipts	(418,650)
Other Funds	(2,714,920)
Total – Undistributed Personnel Savings	(14,845,709)
Grand Total - Administration	633,201,363
Business Regulation	
Central Management General Revenues	1,283,012
Banking and Securities Regulation General Revenues	3,083,499
Restricted Receipts	145,000
Total Banking and Securities Regulation	3,228,499
Commercial Licensing, Racing and Athletics	
General Revenues	1,362,961
Restricted Receipts	606,836
Total - Commercial Licensing, Racing and Athletics	1,969,797
Insurance Regulation	
General Revenues	5,184,809
Federal Funds	51,742
Restricted Receipts	856,129
Total - Insurance Regulation	6,092,680
Board of Accountancy General Revenues	155,449
Board for Design Professionals General Revenues	406,186
Grand Total - Business Regulation	13,135,623
Labor and Training	
Central Management	
General Revenues	195,297
Restricted Receipts	483,507
Total - Central Management	678,804
Workforce Development Services	
General Revenues	2,500
Federal Funds	13,368,113
Restricted Receipts	14,952,134
Reed Act Funds	
Rapid Job Entry	798,997
Workforce Development	5,200,000

Of the $6.0 million appropriated from Reed Act funds, $798,997 may be used solely for the Rapid Job Entry Program to engage welfare recipients in employment preparation and placement through employment assessment workshop and job club/job search workshop activities; and $5.2 million may be for the administration of this state's employment compensation law and public employment service offices.

Total – Workforce Development Services	34,321,744
Workforce Regulation and Safety General Revenues	2,736,797
Income Support	
General Revenues	3,175,354

Federal Funds	14,756,732
Restricted Receipts	1,760,639
Temporary Disability Insurance Fund	177,634,956
Employment Security Fund	212,759,436
Total - Income Support	410,087,117
Injured Workers Services Restricted Receipts	11,087,418
Labor Relations Board General Revenues	473,214
Grand Total - Labor and Training	459,385,094
Department of Revenue	
Director of Revenue Office General Revenues	751,500
Office of Revenue Analysis General Revenues	750,003
Lottery Division Lottery Funds	214,697,422
Property Valuation General Revenues	849,819
Taxation	
General Revenues	17,820,994
Federal Funds	1,235,454
Restricted Receipts	830,406
Temporary Disability Insurance	910,131
Total - Taxation	20,796,985
Registry of Motor Vehicles	
General Revenues	18,403,641
Federal Funds	99,691
Restricted Receipts	15,100
Total – Registry of Motor Vehicles	18,518,432
Grand Total – Revenue	256,364,161
Legislature	
General Revenues	34,440,361
Restricted Receipts	1,523,721
Grand Total - Legislature	35,964,082
Lieutenant Governor General Revenues	925,112
Secretary of State	
Administration General Revenues	1,685,414
Corporations General Revenues	1,798,880
State Archives	
General Revenues	88,909
Federal Funds	40,121
Restricted Receipts	443,476
Total - State Archives	572,506
Elections	
General Revenues	583,210
Federal Funds	546,623
Total - Elections	1,129,833
State Library General Revenues	689,592
Office of Civics and Public Information General Revenues	190,131
Grand Total - State	6,066,356
General Treasurer	

Treasury	
General Revenues	2,589,641
Federal Funds	291,066
Restricted Receipts	10,000
Temporary Disability Insurance Fund	293,140
Total – Treasury	3,183,847
State Retirement System	
Restricted Receipts	
Administrative Expenses - State Retirement System	6,131,739
Retirement - Treasury Investment Operations	877,497
Total - State Retirement System	7,009,236
Unclaimed Property Restricted Receipts	23,095,200
RI Refunding Bond Authority General Revenues	40,349
Crime Victim Compensation Program	
General Revenues	278,560
Federal Funds	1,625,080
Restricted Receipts	1,657,851
Total - Crime Victim Compensation Program	3,561,491
Grand Total - General Treasurer	36,890,123
Board of Elections	
General Revenues	1,437,214
Federal Funds	586,894
Grand Total - Board of Elections	2,024,108
Rhode Island Ethics Commission General Revenues	1,410,451
Office of Governor General Revenues	4,921,696

From the appropriation for contingency shall be paid such sums as may be required at the discretion of the Governor to fund expenses for which appropriations may not exist. Such contingency funds may also be used for expenditures in departments and agencies where appropriations are insufficient, or where such requirements are due to unforeseen conditions or are non-recurring items of an unusual nature. Said appropriations may also be used for the payment of bills incurred due to emergencies or to any offense against public peace and property, in accordance with the provisions of Titles 11 and 45 of the General Laws of 1956, as amended. All expenditures and transfers from this account shall be approved by the Governor.

Public Utilities Commission	
General Revenues	661,246
Federal Funds	100,124
Restricted Receipts	6,334,717
Grand Total - Public Utilities Commission	7,096,087
Rhode Island Commission on Women General Revenues	108,203
Commission for Human Rights	
General Revenues	984,197
Federal Funds	404,743
Grand Total - Commission for Human Rights	1,388,940
Office of Health and Human Services	
General Revenues	307,152
Federal Funds	5,826,265

Restricted Receipts	445,548
Total – Health and Human Services	6,578,965
Children, Youth, and Families	
Central Management	
General Revenues	5,903,045
Federal Funds	3,359,730
Total - Central Management	9,262,775
Children's Behavioral Health Services	
General Revenues	18,805,572
Federal Funds	13,268,634
Total - Children's Behavioral Health Services	32,074,206
Juvenile Correctional Services	
General Revenues	29,680,225
Federal Funds	610,837
Restricted Receipts	6,000
Rhode Island Capital Plan Funds - Girls Facility – Training School	700,000
Total - Juvenile Correctional Services	30,997,062
Child Welfare	
General Revenues	88,661,014
Federal Funds	58,426,893
18 to 21 Year Olds	
General Revenues	6,000,000
Federal Funds	4,545,000

The General Assembly shall appropriate quarterly allotments to the Department of Children, Youth, and Families for child welfare for FY 2008. The state controller shall not allow the department to spend any more than $23.7 million from general revenues and $15.7 million from federal funds by September 30, 2007, no more than $47.4 million from general revenues and $31.4 million from federal funds by December 31, 2007, and no more than $71.1 million from general revenues and $47.1 million from federal funds by March 31, 2008.

Restricted Receipts	1,747,941
Rhode Island Capital Plan Funds	
Camp E-Hun-Tee	85,000
Fire Code Upgrades	750,000
Total - Child Welfare	160,215,848
Higher Education Incentive Grants General Revenues	200,000
Grand Total - Children, Youth, and Families	232,749,891
Elderly Affairs	
General Revenues	
General Revenues	16,521,951
RIPAE	2,081,654
Safety and Care of the Elderly	600
Federal Funds	13,056,931
Restricted Receipts	690,000
Intermodal Surface Transportation Funds	4,685,000
Grand Total - Elderly Affairs	37,036,136
Health	

Central Management	
General Revenues	4,901,329
Federal Funds	4,856,361
Restricted Receipts	3,716,866
Total - Central Management	13,474,556
State Medical Examiner	
General Revenues	2,156,986
Federal Funds	141,556
Total - State Medical Examiner	2,298,542
Family Health	
General Revenues	2,588,535
Federal Funds	29,851,256
Restricted Receipts	18,186,461
Total - Family Health	50,626,252
Health Services Regulation	
General Revenues	6,522,612
Federal Funds	4,913,651
Restricted Receipts	436,904
Total - Health Services Regulation	11,873,167
Environmental Health	
General Revenues	3,999,516
Federal Funds	6,124,861
Restricted Receipts	3,062,911
Total - Environmental Health	13,187,288
Health Laboratories	
General Revenues	8,170,513
Federal Funds	2,063,939
Total - Health Laboratories	10,234,452
Disease Prevention and Control	
General Revenues	6,147,635
Federal Funds	17,353,763
National Highway Traffic Safety Funds Walkable Communities Initiative	28,676
Total - Disease Prevention and Control	23,530,074
Grand Total - Health	125,224,331
Human Services	
Central Management	
General Revenues	9,113,855
Federal Funds	4,251,568
Restricted Receipts	1,746,265
Total - Central Management	15,111,688
Child Support Enforcement	
General Revenues	3,830,853
Federal Funds	7,569,577
Restricted Receipts	50,000
Total – Child Support Enforcement	11,450,430
Individual and Family Support	

General Revenues	24,754,511
Federal Funds	52,883,675
Restricted Receipts	134,150
Rhode Island Capital Plan Funds	
Blind Vending Facilities	100,000
Forand Building Exterior	1,200,000
Total - Individual and Family Support	79,072,336
Veterans' Affairs	
General Revenues	17,109,472
Federal Funds	6,384,850
Restricted Receipts	1,516,550
Total - Veterans' Affairs	25,010,872
Health Care Quality, Financing and Purchasing	
General Revenues	23,023,393
Federal Funds	43,746,840
Restricted Receipts	186,714
Total - Health Care Quality, Financing & Purchasing	66,956,947
Medical Benefits	
General Revenues	
Hospitals	127,761,587
Long Term Care	171,867,087

Provided that $154,280,987 is for long term care for nursing homes and hospice care and $17,586,100 is for long term care for home and community based services.

Managed Care	259,157,517
Pharmacy	63,239,985
Other	55,380,738
Federal Funds	
Hospitals	115,822,763
Long Term Care	189,938,417

Provided that $170,524,517 is for long term care for nursing homes and hospice care and $19,413,900 is for long term care for home and community based services.

Managed Care	293,562,936
Special Education	20,733,240
Pharmacy	23,999,516
Other	60,550,556
Restricted Receipts	5,590,042
Total - Medical Benefits	1,387,604,384
Supplemental Security Income Program General Revenues	28,455,740
Family Independence Program	
General Revenues	
Child Care	7,442,414
TANF/Family Independence Program	15,957,990
Federal Funds	84,438,119
Total - Family Independence Program	107,838,523
State Funded Programs	
General Revenues General Public Assistance	4,090,076

Federal Funds	85,553,476
Total - State Funded Programs	89,643,552
Grand Total - Human Services	1,811,144,472
Mental Health, Retardation, and Hospitals	
Central Management	
General Revenues	740,606
Federal Funds	67,080
Total - Central Management	807,686
Hospital and Community System Support	
General Revenues	4,238,069
Federal Funds	373,404
Rhode Island Capital Plan Funds	
Medical Center Rehabilitation	290,000
Community Facilities Fire Code	1,250,000
DD Private Waiver Community Facility/Fire Code	337,500
Total - Hospital and Community System Support	6,488,973
Services for the Developmentally Disabled	
General Revenues	120,497,502
Federal Funds	136,746,550
Rhode Island Capital Plan Funds	
Regional Center Repair/Rehabilitation	300,000
MR Community Facilities/Access to Independence	500,000
Developmental Disability Group Homes	2,050,000
Total - Services for the Developmentally Disabled	260,094,052
Integrated Mental Health Services	
General Revenues	43,958,899
Federal Funds	38,244,839
Rhode Island Capital Plan Funds	
MH Community Facilities Repairs	250,000
MH Housing Development-Thresholds	400,000
Total - Integrated Mental Health Services	82,853,738
Hospital and Community Rehabilitation Services	
General Revenues	57,019,642
Federal Funds	56,699,247
Restricted Receipts	2,950,000
Rhode Island Capital Plan Funds	
Zambarano Buildings and Utilities	590,000
Hospital Consolidation	2,250,000
Total - Hospital and Community Rehabilitation Services	119,508,889
Substance Abuse	
General Revenues	17,004,511
Federal Funds	11,839,894
Restricted Receipts	90,000
Rhode Island Capital Plan Funds	
Asset Protection	200,000
Total - Substance Abuse	29,134,405

Grand Total - Mental Health, Retardation, and Hospitals	498,887,743
Office of the Child Advocate	
General Revenues	520,757
Federal Funds	40,000
Grand Total – Office of the Child Advocate	560,757
Commission on the Deaf and Hard of Hearing	
General Revenues	370,154
Federal Funds	17,500
Grand Total - Commission on the Deaf and Hard of Hearing	387,654
RI Developmental Disabilities Council Federal Funds	461,111
Governor's Commission on Disabilities	
General Revenues	535,775
Federal Funds	181,692
Restricted Receipts	50,612
Rhode Island Capital Plan Funds	
Facility Renovation – Handicapped Accessibility	200,000
Grand Total - Governor's Commission on Disabilities	968,079
Mental Health Advocate General Revenues	424,343
Elementary and Secondary Education	
Administration of the Comprehensive Education Strategy	
General Revenues	21,316,614
Statewide – Uniform Chart of Accounts	1,100,000
Federal Funds	175,671,609
HRIC Adult Education Grants	4,500,000
Restricted Receipts	1,189,897
Rhode Island Capital Plan Funds	
Shepard Building Air Quality	286,500
Total – Administration of the Comprehensive Education Strategy	204,064,620
Davies Career and Technical School	
General Revenues	14,571,572
Federal Funds	1,237,336
Rhode Island Capital Plan Funds	
Davies HVAC	364,985
Davies Asset Protection	82,400
Davies Roof Repair	507,000
Total - Davies Career and Technical School	16,763,293
RI School for the Deaf	
General Revenues	6,807,792
Federal Funds	367,923
Total - RI School for the Deaf	7,175,715
Metropolitan Career and Technical School General Revenues	11,487,734
Education Aid	
General Revenues	679,417,316
Federal Funds	1,119,042
Restricted Receipt	1,459,996

Total – Education Aid	681,996,354
Central Falls School District General Revenues	43,795,411
Housing Aid General Revenues	52,861,510
Teachers' Retirement General Revenues	78,071,710
Grand Total - Elementary and Secondary Education	1,096,216,347
Public Higher Education	
Board of Governors/Office of Higher Education	
General Revenues	8,135,640
Federal Fund	3,526,446
Restricted Receipts	200,000
Total – Board of Governors/Off. of Higher Education	11,862,086
University of Rhode Island	
General Revenues	
General Revenues	77,035,968
Debt Service	11,203,337
University and College Funds	
University and College Funds	401,968,441
Debt - Dining Services	1,115,771
Debt - Educational and General	2,556,727
Debt - Health Services	130,758
Debt - Housing Loan Funds	5,550,920
Debt - Memorial Union	101,165
Debt - Ryan Center	388,558
Debt - Alton Jones Services	148,728
Debt - Boss Arena	71,913
Debt - Parking Authority	757,871
Debt – Sponsored Research	101,425
Rhode Island Capital Plan Funds	
Asset Protection	4,189,500
Superfund	954,000
Lippitt Hall	4,605,000
Total – University of Rhode Island	510,880,082

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or unencumbered balances as of June 30, 2008 relating to the University of Rhode Island are hereby reappropriated to fiscal year 2009.

Rhode Island College	
General Revenues	
General Revenues	45,750,547
Debt Service	2,944,957
RIRBA – Rhode Island College	336,386
University and College Funds	
University and College Funds	82,943,953
Debt - Education and General	295,152
Debt - Housing	494,417
Debt - Student Center and Dining	172,061
Debt - Student Union	172,194

Rhode Island Capital Plan Funds	
Asset Protection	1,819,125
Total – Rhode Island College	134,928,792

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or unencumbered balances as of June 30, 2008 relating to the Rhode Island College are hereby reappropriated to fiscal year 2009.

Community College of Rhode Island	
General Revenues	
General Revenues	49,254,318
Debt Service	1,406,894
Restricted Receipts	693,520
University and College Funds	
University and College Funds	58,716,203
Debt – Bookstore	176,504
Rhode Island Capital Plan Funds	
Knight Campus Nursing Program	60,000
Fire Code and HVAC	1,700,000
Asset Protection	1,157,625
Total – Community College of Rhode Island	113,165,064

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or unencumbered balances as of June 30, 2008 relating to the Community College of Rhode Island are hereby reappropriated to fiscal year 2009.

Grand Total – Public Higher Education	770,836,024
RI State Council on the Arts	
General Revenues	
Operating Support	757,476
Grants	2,020,168
Federal Funds	706,453
Arts for Public Facilities	3,000,000
Grand Total - RI State Council on the Arts	6,484,097
RI Atomic Energy Commission	
General Revenues	819,869
Federal Funds	420,940
University and College Funds URI Sponsored Research	190,654
Rhode Island Capital Plan Funds	
Asset Protection	50,000
Grand Total - RI Atomic Energy Commission	1,481,463
RI Higher Education Assistance Authority	
General Revenues	
Needs Based Grants and Work Opportunities	10,000,000
Authority Operations and Other Grants	1,019,684
Federal Funds	12,612,204
Tuition Savings Program - Administration	5,718,516
Grand Total – RI Higher Education Assistance Authority	29,350,404
RI Historical Preservation and Heritage Commission	
General Revenues	1,577,792

Federal Funds	529,078
Restricted Receipts	496,294
Grand Total - RI Historical Pres. and Heritage Comm.	2,603,164
RI Public Telecommunications Authority	
General Revenues	1,363,654
Corporation for Public Broadcasting	799,656
Grand Total – RI Public Telecommunications Authority	2,163,310
Attorney General	
Criminal	
General Revenues	12,988,267
Federal Funds	1,322,964
Restricted Receipts	339,183
Total - Criminal	14,650,414
Civil	
General Revenues	4,897,204
Restricted Receipts	634,364
Total - Civil	5,531,568
Bureau of Criminal Identification	
General Revenues	1,017,634
Federal Funds	56,500
Total Bureau of Criminal Identification	1,074,134
General	
General Revenues	2,432,200
Rhode Island Capital Plan Funds	
Building Renovations and Repairs	215,000
Total - General	2,647,200
Grand Total - Attorney General	23,903,316
Corrections	
Central Management	
General Revenues	10,466,116
Federal Funds	359,452
Total - Central Management	10,825,568
Parole Board	
General Revenues	1,259,056
Federal Funds	33,002
Total - Parole Board	1,292,058
Institutional Corrections	
General Revenues	160,571,643
Federal Funds	2,034,829
Rhode Island Capital Plan Funds	
Reintegration Center State Match	1,195,123
General Renovations – Maximum	400,000
General Renovations - Women	1,000,000
Women's Bathroom Renovations	856,000
Work Release Roof	497,000
Asset Protection	2,500,000

Total - Institutional Corrections	169,054,595
Community Corrections	
General Revenues	15,657,717
Federal Funds	380,217
Total – Community Corrections	16,037,934
Grand Total - Corrections	197,210,155
Judiciary	
Supreme Court	
General Revenues	
General Revenues	25,903,138
Defense of Indigents	3,065,689
Judicial Tenure and Discipline	119,705
Federal Funds	121,590
Restricted Receipts	1,131,337
Rhode Island Capital Plan Funds	
Judicial HVAC	400,000
Garrahy Lighting and Ceiling	600,000
Asset Protection	450,000
Total - Supreme Court	31,791,459
Superior Court	
General Revenues	20,417,996
Federal Funds	535,427
Total - Superior Court	20,953,423
Family Court	
General Revenues	17,793,670
Federal Funds	1,407,102
Total – Family Court	19,200,772
District Court General Revenues	10,505,649
Traffic Tribunal General Revenues	7,159,070
Workers' Compensation Court Restricted Receipts	7,387,455
Grand Total - Judiciary	96,997,828
Military Staff	
National Guard	
General Revenues	1,761,132
Federal Funds	9,288,875
Restricted Funds	145,000
Rhode Island Capital Plan Funds	
Federal Armories Fire Code Comp.	118,750
AMC Roof Replacement	644,000
State Armories Fire Code Comp.	250,000
Asset Protection	210,000
Logistics/Maint. Facilities Fire Code Comp.	100,000
Woonsocket Building Demolition	71,250
Total - National Guard	12,589,007
Emergency Management	
General Revenues	802,732

Federal Funds	11,305,824
Restricted Receipts	262,532
Total - Emergency Management	12,371,088
Grand Total - Military Staff	24,960,095
E-911 Emergency Telephone System	
General Revenues	4,733,109
Restricted Receipts	1,296,943
Grand Total – E-911 Emergency Telephone System	6,030,052
Fire Safety Code Board of Appeal and Review General Revenues	303,435
State Fire Marshal	
General Revenues	2,671,285
Federal Funds	227,972
Grand Total - State Fire Marshal	2,899,257
Rhode Island Justice Commission	
General Revenues	160,815
Federal Funds	4,151,511
Restricted Receipts	30,000
Grand Total - Rhode Island Justice Commission	4,342,326
Municipal Police Training Academy	
General Revenues	429,252
Federal Funds	50,000
Grand Total - Municipal Police Training Academy	479,252
State Police	
General Revenues	52,058,385
Federal Funds	1,091,916
Restricted Receipts	312,100
Traffic Enforcement - Municipal Training	378,924
Rhode Island Capital Plan Funds	
Barracks and Training	150,000
State Police Training Academy	5,000,000
Lottery Commission Assistance	142,099
Airport Corporation	143,923
Road Construction Reimbursement	2,366,598
Grand Total - State Police	61,643,945
Office of Public Defender	
General Revenues	9,324,951
Federal Funds	421,833
Grand Total - Office of Public Defender	9,746,784
Environmental Management	
Office of the Director	
General Revenues	6,043,464
Federal Funds	556,097
Restricted Receipts	2,504,573
Total – Office of the Director	9,104,134
Natural Resources	

General Revenues	18,318,004
Federal Funds	17,159,404
Restricted Receipts	3,829,816
DOT Recreational Projects	117,996
Blackstone Bikepath Design	787,890
Rhode Island Capital Plan Funds	
Dam Repair	300,000
Recreational Facilities Improvements	1,000,000
Fort Adams Rehabilitation	250,000
Jamestown Fishing Pier	100,000
Galilee Piers Upgrade	400,000
Newport Piers	950,000
Total - Natural Resources	43,213,110
Environmental Protection	
General Revenues	12,051,532
Federal Funds	10,438,032
Restricted Receipts	10,611,052
Total - Environmental Protection	33,100,616
Grand Total - Environmental Management	85,417,860
Coastal Resources Management Council	
General Revenues	1,879,559
Federal Funds	1,607,000
Restricted Receipts	1,022,100
Grand Total - Coastal Resources Management Council	4,508,659
State Water Resources Board	
General Revenues	1,893,081
Restricted Receipts	400,000
Rhode Island Capital Plan Funds	
Big River Management Area	92,000
Grand Total - State Water Resources Board	2,385,081
Transportation	
Central Management	
Federal Funds	17,166,840
Gas Tax	3,711,727
Total - Central Management	20,878,567
Management and Budget Gasoline Tax	3,010,397
Infrastructure – Engineering – Garvee/Motor Fuel Tax Bonds	
Federal Funds	257,540,116
Restricted Receipts	661,834
Gasoline Tax	46,094,158
Land Sale Revenue	2,000,000
Rhode Island Capital Plan Funds	
Cherry Hill/Lincoln Facility	625,000
Land and Buildings	2,305,486
Pawtucket/Central Falls Train Station	40,000
State Infrastructure Bank	1,000,000

Total - Infrastructure – Engineering – Garvee/Motor Fuel Tax Bonds	310,266,594
Infrastructure Maintenance	
Gasoline Tax	39,478,984
Non-land Surplus Property	287,523
Outdoor Advertising	18,809
Rhode Island Capital Plan Funds	
Maintenance Facilities	200,000
Total - Infrastructure Maintenance	39,985,316
Grand Total - Transportation	374,140,874
Statewide Totals	
General Revenues	3,403,638,116
Federal Funds	2,010,642,340
Restricted Receipts	162,635,736
Other Funds	1,400,492,417
Statewide Grand Total	6,977,408,609

SECTION 2. Each line appearing in Section 1 of this Article shall constitute an appropriation.

SECTION 3. Upon the transfer of any function of a department or agency to another department or agency, the Governor is hereby authorized by means of executive order to transfer or reallocate, in whole or in part, the appropriations and the full-time equivalent limits affected thereby.

SECTION 4. Notwithstanding any provisions of Rhode Island General Laws, the Quonset Development Corporation shall transfer the sum of three million four hundred eighty-six thousand eight hundred seventy four dollars ($3,486,874) to the State Controller by June 30, 2008.

SECTION 5. The general assembly authorizes the state controller to establish the internal service accounts shown below, and no other, to finance and account for the operations of state agencies that provide services to other agencies, institutions and other governmental units on a cost reimbursed basis. The purpose of these accounts is to ensure that certain activities are managed in a businesslike manner, promote efficient use of services by making agencies pay the full costs associated with providing the services, and allocate the costs of central administrative services across all fund types, so that federal and other non-general fund programs share in the costs of general government support. The controller is authorized to reimburse these accounts for the cost of work or services performed for any other department or agency subject to the following expenditure limitations:

Account	Expenditure Limit
State Assessed Fringe Benefit Internal Service Fund	29,966,436
Administration Central Utilities Internal Service Fund	19,490,769
State Central Mail Internal Service Fund	5,683,450
State Telecommunications Internal Service Fund	3,020,022
State Automotive Fleet Internal Service Fund	14,649,606
State Surplus Property Internal Service Fund	15,715
Capital Police Internal Service Fund	580,935
Health Insurance Internal Service Fund	258,553,614
MHRH Central Pharmacy Internal Service Fund	10,274,366

MHRH Laundry Services Internal Service Fund	1,266,493
Corrections General Services & Warehouse Internal Service Fund	6,054,815
Correctional Industries Internal Service Fund	7,455,680
Secretary of State Record Center Internal Service Fund	1,177,788

SECTION 6. The General Assembly may provide a written "statement of legislative intent" signed by the chairperson of the House Finance Committee and by the chairperson of the Senate Finance Committee to show the intended purpose of the appropriations contained in Section 1 of this Article. The statement of legislative intent shall be kept on file in the House Finance Committee and in the Senate Finance Committee.

At least twenty (20) days prior to the issuance of a grant or the release of funds, which grant or funds are listed on the legislative letter of intent, all department, agency and corporation directors, shall notify in writing the chairperson of the House Finance Committee and the chairperson of the Senate Finance Committee of the approximate date when the funds are to be released or granted.

SECTION 7. Appropriation of Temporary Disability Insurance Funds -- There is hereby appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2008.

SECTION 8. Appropriation of Employment Security Funds -- There is hereby appropriated pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2008.

SECTION 9. Department of Health Regulatory and Licensing Activities Restricted Receipt Account. There is created within the general fund a restricted receipt account to be known as "regulatory and licensing activities restricted receipt account". All money in the account shall be utilized by the department of health to effectuate provisions of chapter 23-1.3 that relate to radiation control; provisions of chapter 23-16.3 that relate to clinical laboratory specialists, provisions of chapter 21-23 that relate to nonalcoholic bottled beverages, drinks and juices, provisions of chapter 23-22 that relate to licensing of swimming pools; provisions of chapter 5-60 that relate to athletic trainers, provisions of chapter 5-32 that relate to electrolysis, provisions of chapter 5-49 that relate to hearing aid dealers and fitters and provisions of chapter 23-68 that relate to the tanning facilities safety standard act. All money received pursuant to sections 5-60-1, 5-32-6, 5-49-6, 21-23-2, 23-1.3-5, 23-16.3, 23-22-6, 23-68-6 of the Rhode Island General Laws shall be deposited into the regulatory and licensing restricted receipt account.

SECTION 10. Appropriation of Lottery Division Funds – There is hereby appropriated to the Lottery Division any funds required to be disbursed by the Lottery Division for the purposes of paying commissions or transfers to the prize fund for the fiscal year ending June 30, 2008.

SECTION 11. Departments and agencies listed below may not exceed the number of full-time equivalent (FTE) positions shown below plus the number of contract employees as of June 8, 2007 as certified by the Budget Officer in any pay period. Full-time equivalent positions do not include seasonal or intermittent positions whose scheduled period of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one year period. Nor do they include individuals engaged in training, the completion of which is a prerequisite of employment.

Contract positions are those where the contracted employees or employee services where the contracted employees would work under state employee supervisors. The Budget Officer shall certify the total number to the Governor, Speaker of the House and President of the Senate, with copies to the chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor and the Senate Fiscal Advisor within ten days of passage of the budget act.

No agency or department may employ contracted employees or employee services where the contracted employees would work under state employee supervisors after October 1, 2007 without determination of need by the Director of Administration acting upon the positive recommendations of the Budget Officer and the Personnel Administrator and 15 days after a public hearing.

Nor may any agency or department contract for services replacing work done by state employees at that time without determination of need by the Director of Administration acting upon the positive recommendations of the Budget Officer and the Personnel Administrator and 30 days after a public hearing.

State employees whose funding is from non-state general revenue funds that are time limited shall receive limited term appointment with the term limited to the availability of the non-state general revenue funding source.

The Governor or designee, Speaker of the House of Representatives or designee, and the President of the Senate or designee may authorize an adjustment to the overall limitation. Prior to the authorization, the State Budget Officer shall make a detailed written recommendation to the Governor, the Speaker of the House, and the President of the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor and the Senate Fiscal Advisor.

FTE POSITION AUTHORIZATION

Departments and Agencies	Full-Time Equivalent
Administration	1,032.9
Business Regulation	105.0
Labor and Training	454.9
Revenue	475.0
Legislature	298.2
Office of the Lieutenant Governor	9.5
Office of the Secretary of State	58.0
Office of the General Treasurer	88.0
Board of Elections	14.0
Rhode Island Ethics Commission	12.0
Office of the Governor	44.0
Public Utilities Commission	45.7
Rhode Island Commission on Women	1.0
Health and Human Services	5.0
Children, Youth, and Families	805.0
Elderly Affairs	46.0
Health	459.0
Human Services	1,109.0
Mental Health, Retardation, and Hospitals	1,761.0
Office of the Child Advocate	5.8

Commission on the Deaf and Hard of Hearing	3.0
RI Developmental Disabilities Council	2.0
Governor's Commission on Disabilities	5.6
Commission for Human Rights	14.5
Office of the Mental Health Advocate	3.7
Elementary and Secondary Education	134.2
Davies	133.0
School for the Deaf	68.0
Office of Higher Education	22.0

Provided that 1.0 of the total authorization would be available only for a position that is supported by third- party funds.

University of Rhode Island 2,532.1

Provided that 602.0 of the total authorization would be available only for positions that are supported by third-party funds.

Rhode Island College 932.5

Provided that 82.0 of the total authorization would be available only for positions that are supported by third-party funds.

Community College of Rhode Island 848.2

Provided that 100.0 of the total authorization would be available only for positions that are supported by third-party funds.

Rhode Island State Council on the Arts	8.6
RI Atomic Energy Commission	8.6
Higher Education Assistance Authority	46.0
Historical Preservation and Heritage Commission	17.6
Public Telecommunications Authority	20.0
Office of the Attorney General	234.8
Corrections	1,508.6
Judiciary	732.5
Military Staff	110.0
E-911 Emergency Telephone System	53.6
Fire Safety Code Bd. of Appeal and Review	3.0
RI State Fire Marshal	35.0
Rhode Island Justice Commission	7.6
Municipal Police Training Academy	4.0
State Police	272.0
Office of the Public Defender	93.5
Environmental Management	491.4
Coastal Resources Management Council	30.0
State Water Resources Board	9.0
Transportation	773.7
Total	15,770.0

SECTION 12. The amounts reflected in this Article include the appropriation of Rhode Island Capital Plan funds for fiscal year 2008 and supersede appropriations provided for FY 2008 within Section 8 of Article 1 of Chapter 246 of the P.L. of 2006.

The following amounts are hereby appropriated out of any money in the State's Rhode Island Capital Plan Fund not otherwise appropriated to be expended during the fiscal years

ending June 30, 2009, June 30, 2010, and June 30, 2011. These amounts supersede appropriations provided within Section 8 of Article 1 of Chapter 246 of the P.L. of 2006. For the purposes and functions hereinafter mentioned, the State Controller is hereby authorized and directed to draw his or her orders upon the General Treasurer for the payment of such sums and such portions thereof as may be required by him or her upon receipt of properly authenticated vouchers.

Project	Fiscal Year Ending June 30, 2009	Fiscal Year Ending June 30, 2010	Fiscal Year Ending June 30, 2011
RICAP – DOA – McCoy Stadium Repairs	432,500	152,500	372,500
RICAP – DOA – Pastore Utilities Upgrade	3,000,000	3,500,000	4,000,000
RICAP – DOA – Statehouse Renovations	2,000,000	2,000,000	6,000,000
RICAP – DCYF –Fire Code Upgrades Group Homes	1,000,000	1,210,000	1,210,000
RICAP – Higher Ed-URI Chemistry Bldg.	300,000	-	-
RICAP – Higher Ed-URI Nursing Program Building	-	500,000	-
RICAP – Higher Ed-CCRI Fire Code and HVAC	1,700,000	-	-
RICAP – Mil. Staff-AMC Roof/HVAC	1,100,000	950,000	-
RICAP – State Police Headquarters	10,000,000	-	-

SECTION 13. Reappropriation of Funding for Rhode Island Capital Plan Fund Projects. - Any unexpended and unencumbered funds from Rhode Island Capital Plan Fund project appropriations shall be reappropriated in the ensuing fiscal year and made available for the same purpose. Any unexpended funds of less than five hundred dollars ($500) shall be reappropriated at the discretion of the State Budget Officer.

SECTION 14. This article shall take effect as of July 1, 2007."

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02531/11
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The motion to amend prevails on a roll call vote 66 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Story.

By unanimous consent, Representative Loughlin, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 1, page 6, line 31, be deleting the number "34,440,361" and inserting the number "32,140,361" in place thereof.

(2) In Article 1, page 6, line 33, be deleting the number "35,964,082" and inserting the number "33,664,082" in place thereof.

(3) In Article 1, page 14, line 29, be deleting the number "21,316,614" and inserting the number "23,616,614" in place thereof.

(4) In Article 1, page 15, line 23, be deleting the number "1,093,247,186" and inserting the number "1,095,547,186" in place thereof.

(5) In Article 21, page 4, lines 6 and 7 by inserting the following language: "In addition to the above appropriations, two million three hundred thousand dollars ($2,300,000) is to be distributed to the thirty-nine (39) cities and towns in a proportion equal to the percentage of each city or town appropriation in relation to the total appropriation for all cities and towns for FY 2008 as listed in this section."

Respectfully submitted,

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REPRESENTATIVE LOUGHLIN

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LC02551/8
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Representative Loughlin and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 19 members voting in the affirmative and 48 members voting in the negative as follows:

YEAS - 19: Representatives Amaral, Caprio, Ehrhardt, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Picard, Rice, Singleton, Smith, Story, Trillo, Wasylyk, Watson, Winfield.

NAYS - 48: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rose, San Bento, Schadone, Serpa, Shanley, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson.

By unanimous consent, Representative Ehrhardt, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 1, page 19, line 31 by deleting the number "25,903,138" and inserting in place thereof the number "22,416,264".

(2) In Article 1, page 20, line 18 by deleting the number "96,997,828" and inserting in place thereof the number "93,510,954".

(3) In Article 1, page 24, by deleting all language on lines 11, 12, 13 and 14, and by renumbering all subsequent sections in this article accordingly.

Respectfully submitted,

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REPRESENTATIVE EHRHARDT

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LC02531/5
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Representatives Ehrhardt and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 11 members voting in the affirmative and 57 members voting in the negative as follows:

YEAS - 11: Representatives Amaral, Carter, Ehrhardt, Gorham, Long, Loughlin, McManus, Menard, Singleton, Story, Watson.

NAYS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Silva, Slater, Smith, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

REQUEST

Representative Mumford requests the journal to reflect that if she had voted on LC 02531/5, she would have voted in the affirmative.

By unanimous consent, Representative McManus, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 1, on page 27, beginning on line 6, by striking the number "298.2" and by inserting in place thereof the number "275.2".

Respectfully submitted,

_____
REPRESENTATIVE MCMANUS

=======
LC02531/4
=======

Representative McManus and Fox discuss the amendment.

The motion to amend fails on a roll call vote 13 members voting in the affirmative and 57 members voting in the negative as follows:

YEAS - 13: Representatives Amaral, Ehrhardt, Gorham, Jackson, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Singleton, Trillo, Watson.

NAYS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

REQUEST

Representative Story requests the journal to reflect that if he had voted on LC 02531/4, she would have voted in the affirmative.

The article, as amended, is read and prevails, on a roll call vote, 59 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 14: Representatives Amaral, Ehrhardt, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Savage, Singleton, Smith, Story, Watson.

ARTICLE 2

RELATING TO BORROWING IN ANTICIPATION OF RECEIPTS FROM TAXES

Representative Costantino moves passage of the article, seconded by Representatives Lewiss.

Representatives Costantino, Trillo, Gorham and Fox discuss the article.

The article is read and prevails, 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, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kilmartin, Lewiss, Lima, Loughlin, Mattiello, McManus, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUESTS

Representatives Kennedy, Caprio, Amaral and Long request the journal to reflect that if they had voted on Article 2, they would have voted in the affirmative.

ARTICLE 3

RELATING TO GOVERNMENT REORGANIZATION

Representative Costantino moves passage of the article, seconded by Representatives Williams and Lewiss.

By unanimous consent, Representative Costantino, seconded by Representatives Fox, Kilmartin and Williamson offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

By deleting Article 3 in its entirety and inserting in place thereof the following language:

"ARTICLE 3
RELATING TO GOVERNMENT REORGANIZATION

SECTION 1. Sections 42-7.2-2, 42-7.2-4, 42-7.2-5 and 42-7.2-6 of the General Laws in Chapter 42-7.2 entitled "Office of Health and Human Services" are hereby amended to read as follows:

42-7.2-2. Executive office of health and human services. -- There is hereby established within the executive branch of state government an executive office of health and human services~~.~~ to serve as the principal agency of the executive branch of state government for managing the departments of children, youth and families, elderly affairs, health, human services, and mental health, retardation and hospitals. In this capacity, ~~This~~ the office shall: ~~lead~~

a) Lead the state's five health and human services departments in order to:

~~(a)~~ (1) Improve the economy, efficiency, coordination, and quality of health and human services policy and planning, budgeting and financing.

~~(b)~~ (2) Design strategies and implement best practices that foster service access, consumer safety and positive outcomes.

~~(c)~~ (3) Maximize and leverage funds from all available public and private sources, including federal financial participation, grants and awards.

~~(d)~~ (4) Increase public confidence by conducting independent reviews of health and human services issues in order to promote accountability and coordination across departments.

~~(e)~~ (5) Ensure that state health and human services policies and programs are responsive to changing consumer needs and to the network of community providers that deliver assistive services and supports on their behalf.

(b) Supervise the administrations of federal and state medical assistance programs by

acting as the single state agency authorized under title XIX of the U.S. Social Security act, 42 U.S.C. Section 1396a et seq., notwithstanding any general or public law or regulation to the contrary, and exercising such single state agency authority for such other federal and state programs as may be designated by the governor. Nothing in this chapter shall be construed as transferring to the secretary: (1) The powers, duties or functions conferred upon the departments by Rhode Island general laws for the administration of the foregoing federal and state programs; or (2) The administrative responsibility for the preparation and submission of any state plans, state plan amendments, or federal waiver applications, as may be approved from time to time by the secretary with respect to the foregoing federal and state programs.

42-7.2-4. Responsibilities of the secretary. -- (a) The secretary shall be responsible to the governor for supervising the executive office of health and human services and for managing and providing strategic leadership and direction to the five departments.

(b) Notwithstanding the provisions set forth in this chapter, the governor shall appoint the directors of the departments within the executive office of health and human services. Directors appointed to those departments shall continue to be subject to the advice and consent of the senate and shall continue to hold office as set forth in sections 42-6-1 et seq. and 42-72-1(c).

42-7.2-5. Duties of the secretary. -- The secretary shall be subject to the direction and supervision of the governor for the oversight, coordination and cohesive direction of state administered health and human services and in ensuring the laws are faithfully executed, not withstanding any law to the contrary. In this capacity, the Secretary of Health and Human Services shall be authorized to:

(a) Coordinate the administration and financing of health care benefits, human services and programs including those authorized by the Medicaid State Plan under Title XIX of the US Social Security Act. However, nothing in this section shall be construed as transferring to the secretary the powers, duties or functions conferred upon the departments by Rhode Island public and general laws for the administration of federal/state programs financed in whole or in part with Medicaid funds or the administrative responsibility for the preparation and submission of any state plans, state plan amendments, or authorized federal waiver applications.

(b) Serve as the governor's chief advisor and liaison to federal policymakers on Medicaid reform issues as well as the principal point of contact in the state on any such related matters.

(c) Review and ensure the coordination of any new departmental waiver requests and renewals as well as any initiatives and proposals requiring amendments to the Medicaid state plan with the potential to affect the scope, amount or duration of publicly-funded health care services, provider payments or reimbursements, or access to or the availability of benefits and services as provided by Rhode Island general and public laws. The secretary shall consider whether any such waivers or amendments are legally and fiscally sound and consistent with the state's policy and budget priorities. The secretary shall also assess whether a proposed waiver or amendment is capable of obtaining the necessary approvals from federal officials and achieving the expected positive consumer outcomes. Department directors shall, within the timelines specified, provide any information and resources the secretary deems necessary in order to perform the reviews authorized in this section;

(d) Beginning in 2006, prepare and submit to the governor, the chairpersons of the house and senate finance committees, the caseload estimating conference, and to the joint legislative committee for health care oversight, by no later than ~~December~~ February 1 of each year, a comprehensive overview of all Medicaid expenditures ~~included in the annual budgets developed~~

~~by the departments.~~. outcomes, and utilization rates. The overview shall include, but not be limited to, the following information:

(1)Expenditures under titles xix and xxi of the social security act, as amended;

(2) Expenditures, outcomes and utilization rates by population and sub-population served (e.g. families with children, children with disabilities, children in foster care, children receiving adoption assistance, adults with disabilities, and the elderly);

(3) Expenditures, outcomes and utilization rates by each state department or other municipal or public entity receiving federal reimbursement under titles xix and xxi of the social security act, as amended; and

(4) Expenditures, outcomes and utilization rates by type of service and/or service provider.

The directors of the departments, as well as local governments and school departments, shall assist and cooperate with the secretary in fulfilling this responsibility by providing whatever resources, information and support shall be necessary.

(e) Resolve administrative, jurisdictional, operational, program, or policy conflicts among departments and their executive staffs and make necessary recommendations to the governor.

(f) Assure continued progress toward improving the quality, the economy, the accountability and the efficiency of state-administered health and human services. In this capacity, the secretary shall:

(1) ~~Oversee~~ Direct implementation of reforms in the human resources practices of the departments that streamline and upgrade services, achieve greater economies of scale and establish the coordinated system of the staff education, cross- training, and career development services necessary to recruit and retain a highly-skilled, responsive, and engaged health and human services workforce;

(2) Encourage the departments to utilize consumer-centered approaches to service design and delivery that expand their capacity to respond efficiently and responsibly to the diverse and changing needs of the people and communities they serve;

(3) Develop all opportunities to maximize resources by leveraging the state's purchasing power, centralizing fiscal service functions related to budget, finance, and procurement, centralizing communication, policy analysis and planning, and information systems and data management ~~and standardizing contractual services~~, pursuing alternative funding sources through grants, awards and partnerships and securing all available federal financial participation for programs and services provided through the departments; and

(4) Improve the coordination and efficiency of health and human services legal functions by centralizing adjudicative and legal services and overseeing their timely and judicious administration.

(g) ~~Ensure preparation of a coordinated~~ Prepare and integrate comprehensive budgets for the health and human services departments~~;~~ and any other functions and duties assigned to the office. The budgets shall be submitted to the state budget office by the secretary, for consideration by the governor, on behalf of the state's health and human services in accordance with the provisions set forth in section 35-3-4 of the Rhode Island general laws.

(h) ~~Improve the ability of departments to utilize~~ Utilize objective data to evaluate health and human services policy goals, resource use and outcome evaluation and to perform short and long-term policy planning and development.

(i) ~~Foster the establishment~~ Establishment of an integrated approach to interdepartmental

information and data management that will facilitate the transition to consumer-centered system of state administered health and human services.

(j) At the direction of the governor or the general assembly, conduct independent reviews of state-administered health and human services programs, policies and related agency actions and activities and assist the department directors in identifying strategies to address any issues or areas of concern that may emerge thereof. The department directors shall provide any information and assistance deemed necessary by the secretary when undertaking such independent reviews.

(k) Provide regular and timely reports to the governor and make recommendations with respect to the state's health and human services agenda.

(l) Employ such personnel and contract for such consulting services as may be required to perform the powers and duties lawfully conferred upon the secretary.

(m) Implement the provisions of any general or public law or regulation related to the disclosure, confidentiality and privacy of any information or records, in the possession or under the control of the executive office or the departments assigned to the executive office, that may be developed or acquired for purposes directly connected with the secretary's duties set forth herein.

(n) Hold the director of each health and human services department accountable for their administrative, fiscal and program actions in the conduct of the respective powers and duties of their agencies.

42-7.2-6. Departments assigned to the executive office -- Powers and duties. -- (a) The departments assigned to the secretary shall:

(1) Exercise their respective powers and duties in accordance with their statutory authority and the general policy established by the governor or by the secretary acting on behalf of the governor or in accordance with the powers and authorities conferred upon the secretary by this chapter;

(2) Provide such assistance or resources as may be requested or required by the governor and/or the secretary; and

(3) Provide such records and information as may be requested or required by the governor and/or the secretary to the extent allowed under the provisions of any applicable general or public law, regulation, or agreement relating to the confidentiality, privacy or disclosure of such records or information.

(4) Forward to the secretary copies of all reports to the governor.

(b) Except as provided herein, no provision of this chapter or application thereof shall be construed to limit or otherwise restrict the department of children, youth and families, the department of elderly affairs, the department of health, the department of human services, and the department of mental health, retardation and hospitals from fulfilling any statutory requirement or complying with any valid rule or regulation.

SECTION 2. Chapter 42-7.2 of the General Laws entitled "Office of Health and Human Services" is hereby amended by adding thereto the following section:

42-7.2-6.1. Transfer of powers and functions.. – (a) There are hereby transferred to the executive office of health and human services the powers and functions of the departments with respect to the following:

(1) By July 1, 2007, fiscal services including budget preparation and review, financial management, purchasing and accounting and any related functions and duties deemed necessary by the secretary;

(2) By July 1, 2007, legal services including applying and interpreting the law, oversight to the rule-making process, and administrative adjudication duties and any related functions and duties deemed necessary by the secretary;

(3) By September 1, 2007, communications including those functions and services related to government relations, public education and outreach and media relations and any related functions and duties deemed necessary by the secretary;

(4) By March 1, 2008, policy analysis and planning including those functions and services related to the policy development, planning and evaluation and any related functions and duties deemed necessary by the secretary; and

(5) By June 30, 2008, information systems and data management including the financing, development and maintenance of all data-bases and information systems and platforms as well as any related operations deemed necessary by the secretary;

(b) The secretary shall determine in collaboration with the department directors whether the officers, employees, agencies, advisory councils, committees, commissions, and task forces of the departments who were performing such functions shall be transferred to the office. Duties that are incidental to the performance of the functions transferred to the office in subpart (a) shall remain with the departments providing that the employees responsible thereof are performing functions that have not been transferred.

(c) In the transference of such functions, the secretary shall be responsible for ensuring:

(1) Minimal disruption of services to consumers;

(2) Elimination of duplication of functions and operations;

(3) Services are coordinated and functions are consolidated where appropriate;

(4) Clear lines of authority are delineated and followed;

(5) Cost-savings are achieved whenever feasible;

(6) Program application and eligibility determination processes are coordinated and, where feasible, integrated; and

(7) State and federal funds available to the office and the entities therein are alllocated and utilized for service delivery to the fullest extent possible.

Except as provided herein, no provision of this chapter or application thereof shall be construed to limit or otherwise restrict the departments of children, youth and families, human services, elderly affairs, health, and mental health, retardation, and hospitals from fulfilling any statutory requirement or complying with any regulation deemed otherwise valid.

SECTION 3. Section 42-12-27 of the General Laws in Chapter 42-12 entitled "Department of Human Services" is hereby ~~amended to read as follows~~ repealed in its entirety:

~~42-12-27. Annual report of statewide Medicaid expenditures -- Health and social outcomes. -- (a) The governor and the general assembly hereby find and declare that statewide Medicaid program expenditures were approximately $1.037 billion dollars during state fiscal year 1998, and accounted for nearly twenty-eight percent (28%) of state's total annual expenditures of $3.725 billion in fiscal year 1998, and are projected to continue to be a significant percentage of the total annual state budget; that those expenditures have a significant impact on the health, educational and social fabric of the state; that although the department of human services has been designated as the single state agency responsible to the federal government and the state for the effective and efficient administration and supervision of the state's Medicaid program, as well as to provide assurances of statewide accessibility to a comprehensive system of high-quality health care services, only two-thirds (2/3) of total Medicaid expenditures is appropriated to and directly administered by the department of human~~

~~services, while the remaining one-third (1/3) is appropriated to other departments within state government. The governor and the general assembly further recognize that policy makers may not have the benefit of a comprehensive and consolidated depiction of the total impact of the Medicaid program on Rhode Island children and families, adults with disabilities and the elderly; and, that policy makers should require a higher level of assurance that the funds are used to enhance health service accessibility, delivery and outcomes, as well as to improve the fiscal integrity and accountability for Medicaid expenditures.~~

~~(b) The governor and the general assembly further find and declare that a well-coordinated comprehensive financing and service delivery system that specifically addresses the interfaces between other health, social, and educational programs, including those administered at the municipal and community level, is essential.~~

~~(c) Wherefore, the governor and general assembly direct the director of the department of human services, as the administrator of the single state agency for the Medicaid program in Rhode Island, to issue a report to the governor, to the general assembly and to the caseload estimating conference established under section 15-17-1, no later than March 31, 2000, and by March 31st of each year thereafter, of expenditures and outcomes over time for the Medicaid program as a whole, including but not limited to the following information:~~

~~(1) expenditures under Titles XIX and XXI of the Social Security Act, as amended;~~

~~(2) expenditures and outcomes by population and sub-population served (e.g. families with children, children with disabilities, children in foster care, children receiving adoption assistance, adults with disabilities, and the elderly);~~

~~(3) expenditures and outcomes by each state department or other municipal or public entity receiving federal reimbursement under Titles XIX and XXI, and~~

~~(4) expenditures and outcomes by type of service and/or service provider.~~

SECTION 4. It is the intent of the general assembly to reform and make uniform the process of the selection of magistrates and the terms and conditions under which they shall serve. The provisions in this act which establish a ten (10) year term, shall apply to any vacancy which occurs after the date of passage and shall also apply to any magistrate position which completes its statutory term after the date of passage of this act. Any magistrate in service as of the effective date of this act who was appointed to his or her position with life tenure or for a term of years shall continue to serve in accordance with the terms of that appointment. It is the intent of the general assembly that this act shall determine the rights and duties of court magistrates superseding any act or rule in conflict with the provisions of this act.

SECTION 5. Section 8-2-11.1 of the General Laws in Chapter 8-2 entitled "Superior Court" is hereby amended to read as follows:

<u>8-2-11.1. Administrator/magistrate. --</u> (a) Any person holding the position of administrative clerk in the superior court who is a member of the bar of Rhode Island may be appointed administrator/magistrate <u>for a term of ten (10) years and until a successor is appointed and qualified,</u> by the presiding justice<u>, with the advice and consent of the senate,</u> in his or her capacity as administrative judge. <u>Nothing herein shall be construed to prohibit the assignment of an administrator/magistrate to more than one such term, subject to the advice and consent of the senate.</u>

(b) (1) The administrator/magistrate shall have the power to hear and determine such matters as may be assigned to the administrator/magistrate by the presiding justice all to the same effect as if done by a justice of the superior court.

(2) Without limiting the generality of the foregoing powers and authority, the

administrator/magistrate is authorized and empowered to hear and determine motions in civil and criminal proceedings, formal and special causes, to conduct arraignments, to grant or deny bail, to accept pleas of not guilty, guilty, or nolo contendere, and to impose sentence on a plea of guilty or nolo contendere, all to the same effect as if done by a justice of the superior court.

(c) The administrator/magistrate may be authorized:

(1) To regulate all proceedings before him or her;

(2) To do all acts and take all measures necessary or proper for the efficient performance of his or her duties;

(3) To require the production before him or her of books, papers, vouchers, documents, and writings;

(4) To rule upon the admissibility of evidence;

(5) To issue subpoenas for the appearance of witnesses, to put witnesses on oath, to examine them, and to call parties to the proceeding and examine them upon oath;

(6) To adjudicate a person in contempt and to order him or her imprisoned for not more than seventy-two (72) hours, pending review by a justice of the court, for failure to appear in response to a summons or for refusal to answer questions or produce evidence or for behavior disrupting a proceeding;

(7) To adjudicate a party in contempt and to order him or her imprisoned for not more than seventy-two (72) hours, pending review by a justice of the court, for failure to comply with a pending order to provide payment or to perform any other act; and

(8) To issue a capias and/or body attachment upon the failure of a party or witness to appear after having been properly served and, should the court not be in session, the person apprehended may be detained at the adult correctional institution, if an adult, or at the Rhode Island training school for youth, if a child, until the next session of the court.

(d) A party aggrieved by an order entered by the administrator/magistrate shall be entitled to a review of the order by a justice of the superior court. Unless otherwise provided in the rules of procedure of the court, the review shall be on the record and appellate in nature. The court shall, by rules of procedure, establish procedures for review of orders entered by the administrator/magistrate, and for enforcement of contempt adjudications of the administrator/magistrate.

(e) Final orders of the superior court entered in a proceeding to review an order of the administrator/magistrate may be appealed to the supreme court.

(f) The administrator/magistrate shall be:

(1) Governed by the commission on judicial tenure and discipline, chapter 16, of this title, in the same manner as justices and judges;

(2) Subject to all provisions of the canons of judicial ethics;

(3) Subject to all criminal laws relative to judges by virtue of sections 11-7-1 and 11-7-2.

SECTION 6. Sections 8-2-39, 8-2-39.1 and 8-2-39.2 of the General Laws in Chapter 8-2 entitled "Superior Court" are hereby amended to read as follows:

<u>8-2-39. General magistrate -- Appointment, duties and powers. --</u> (a) There is hereby created within the superior court the position of general magistrate who shall be appointed by the ~~chief~~ <u>presiding</u> justice of the ~~supreme~~ <u>superior</u> court<u>, with the advice and consent of the senate, for a term of ten (10) years and until a successor is appointed and qualified. Nothing herein shall be construed to prohibit the assignment of the general magistrate to more than one such term, subject to the advice and consent of the senate.</u> The person appointed to serve as general magistrate shall be a member of the bar of Rhode Island. The powers and duties of the general

magistrate shall be prescribed in the order appointing him or her.

(b) (1) The general magistrate shall assist the court in:

(i) The determination of, monitoring, collection, and payment of restitution and court ordered fines, fees, and costs or the ordering of community service in lieu of or in addition to the payment of restitution, fines, fees, and costs, consistent with other provisions of the general laws;

(ii) The determination and payment of claims under the violent crimes indemnity fund for the Criminal Injuries Compensation Act of 1972, chapter 25 of title 12;

(iii) The determination and payment of claims from the Criminal Royalties Distribution Act of 1983, chapter 25.1 of title 12; and

(iv) Such other matters as the ~~chief~~ presiding justice of the ~~supreme~~ superior court ~~in consultation with the presiding justice and, if applicable, the chief justice of the receiving court~~ determines are necessary.

(2) The chief justice of the supreme court, with the consent of the presiding justice and, if applicable, the chief judge of a particular court, may assign the general magistrate to serve as a magistrate in any court of the unified system. When the general magistrate is so assigned he or she shall be vested, authorized, and empowered with all the powers belonging to the ~~justices or judges~~ magistrate position to which he or she is specially assigned.

(c) The general magistrate will be empowered to hear all motions, pretrial conferences, arraignments, probable cause hearings, bail hearings, bail and probation revocation hearings, and to review all such matters including, but not limited to the above, and to modify the terms and conditions of probation and other court-ordered monetary payments including, but not limited to, the extension of time for probation and court-ordered monetary payments as provided by law. The general magistrate shall have the power to take testimony in connection with all matters set forth herein.

(d) The general magistrate may be authorized:

(1) To regulate all proceedings before him or her;

(2) To do all acts and take all measures necessary or proper for the efficient performance of his or her duties;

(3) To require the production before him or her of books, papers, vouchers, documents, and writings;

(4) To rule upon the admissibility of evidence;

(5) To issue subpoenas for the appearance of witnesses, to put witnesses on oath, to examine them, and to call parties to the proceeding and examine them upon oath;

(6) To adjudicate a person in contempt and to order him or her imprisoned for not more than seventy-two (72) hours, pending review by a justice of the relevant court, for failure to appear in response to a summons or for refusal to answer questions or produce evidence or for behavior disrupting a proceeding;

(7) To adjudicate a party in contempt and to order him or her imprisoned for not more than seventy-two (72) hours, pending review by a justice of the relevant court, for failure to comply with a pending order to provide payment or to perform any other act; and

(8) To issue a capias and/or body attachment upon the failure of a party or witness to appear after having been properly served and, should the court not be in session, the person apprehended may be detained at the adult correctional institutions, if an adult, or at the Rhode Island training school for youth, if a child, until the next session of the court.

(e) A party aggrieved by an order entered by the general magistrate shall be entitled to a review of the order by a justice of the relevant court. Unless otherwise provided in the rules of

procedure of the court, such review shall be on the record and appellate in nature. The court shall, by rules of procedure, establish procedures for review of orders entered by a general magistrate, and for enforcement of contempt adjudications of a general magistrate.

(f) Final orders of the superior or family court entered in a proceeding to review an order of a general magistrate may be appealed to the supreme court. Final orders of the district court entered in a proceeding to review an order of the general magistrate may be appealed to the superior court.

(g) The general magistrate shall:

(1) Receive all credits and retirement allowances as afforded justices under chapter 3 of this title and any other applicable law, including without limitation, section 8-3-16;

(2) Receive a salary equivalent to that of a district court judge ~~and be subject to the unclassified pay plan board~~;

~~(3) Hold office for life during good behavior;~~ (Repealed)

(4) Be governed by the commission on judicial tenure and discipline, chapter 16, of this title, in the same manner as justices and judges;

(5) Be subject to all provisions of the canons of judicial ethics or code of judicial conduct;

(6) Be subject to all criminal laws relative to judges by virtue of sections 11-7-1 and 11-7-2.

(h) The provisions of this section shall be afforded liberal construction.

(i) The ~~chief~~ presiding justice of the ~~supreme~~ superior court shall initially appoint such support staff as may be necessary, relating to preparation, investigation, and implementation of the general magistrate's functions. Effective November 15, 1993, the support staff shall be placed under the supervision and management of the superior court, and new appointments or personnel changes in the support staff shall be subject to the directions and approval of the superior court, consistent with any applicable collective bargaining agreements. The general magistrate shall have the power and authority to issue subpoenas and to compel the attendance of witnesses at any place within the state, to administer oaths and to require testimony under oath. The general magistrate, or his or her designee, may serve his or her process or notices in a manner provided for the service of process and notice in civil or criminal actions in accordance with the rules of court.

8-2-39.1. Special magistrate. -- There is hereby created within the superior court the position of special magistrate, who shall be appointed by the presiding justice of the superior court, with the advice and consent of the senate, for a period of ten (10) years, and until a successor is appointed and qualified. Nothing contained herein shall be construed to prohibit the reappointment of a special magistrate for one or more additional ten (10) year terms, subject to the advice and consent of the senate. The person appointed to serve as special magistrate shall be a member of the bar of the state of Rhode Island. The special magistrate shall have the duties, responsibilities, powers and benefits as authorized in section8-2-39.

8-2-39.2. Drug court magistrate -- Appointment, duties and powers. -- (a) There is hereby created within the superior court the position of Drug Court Magistrate who shall be appointed by the presiding justice of the superior court~~,~~ with the advice and consent of the senate. The ~~person~~ persons appointed to serve as Drug Court ~~Magistrate~~ Magistrates shall be ~~a member~~ members of the bar of Rhode Island. The powers and duties of the Drug Court Magistrate shall be prescribed in the order appointing him or her in addition to those described herein.

The Drug Court Magistrate's term shall be ten (10) ~~not exceed three (3)~~ years and until a

successor is appointed and qualified. ~~His or her salary shall be paid not out of state funds, but rather from those funds made available from the federal government. If federal funds become available after the expiration of three (3) years, nothing~~ Nothing in this article shall prohibit ~~the~~ a Drug Court Magistrate from being reappointed for additional ~~three (3)~~ ten (10) year terms by the presiding justice of the superior court with the advice and consent of the senate. He or she shall receive a salary equivalent to that received by the special magistrate assigned to the superior court.

(b) The Drug Court Magistrate shall be empowered to hear and decide as a superior court justice all matters relating to those adult offenders who come before the jurisdiction of the superior court on any offense relating to the offender's participation in the Adult Drug Court. In addition, the Drug Court Magistrate shall have the power to impose a period of incarceration upon a plea of guilty or nolo contendere, and also have the power to confine any person who has been found to be in violation of any conditions previously imposed by the superior court.

(c) The Drug Court Magistrate shall be empowered to hear and decide as a superior court justice all matters that may come before the superior court pursuant to chapter 37.1 of title 11 "Sexual Offender Registration and Community Notification."

(d) The Drug Court Magistrate and/or the presiding justice of the superior court may fix the venue of any person who is before the superior court as a participant in the Adult Drug Court or who is alleged to be a sexual predator, and who has filed an objection to community notification.

(e) The Drug Court Magistrate shall be governed by the commission on judicial tenure and discipline, chapter 16 of title 8 in the same manner as justices and judges; shall be subject to all provisions of the canons of judicial ethics or code of judicial conduct; and shall be subject to all criminal laws relative to judges by virtue of sections 11-7-1 and 11-7-2.

(f) A party aggrieved by an order entered by the Drug Court Magistrate shall be entitled to a review of the order by a justice of the Superior Court. Unless otherwise provided in the rules of procedure of the court, such review shall be on the record and appellate in nature. The Superior Court shall, by rules of procedure, establish procedures for reviews of orders entered by a Drug Court Magistrate, and for enforcement of contempt adjudications of a Drug Court Magistrate.

SECTION 7. Sections 8-8-8.1 and 8-8-16.2 of the General Laws in Chapter 8-8 entitled "District Court" are hereby amended to read as follows:

8-8-8.1. Administrator/clerk -- Magistrate. -- (a) Administrator/clerk. - There shall be a district court administrator/clerk who shall be appointed by the chief judge in his or her capacity as administrative head of the court, and who shall hold office at the pleasure of the administrative judge. The administrator/clerk shall perform such duties and attend to such matters as may be assigned to the administrator/clerk by the administrative judge, other than those duties assigned to the chief clerk in section8-8-19. Said duties may be assigned by the chief judge. ~~both as to the district court established by this chapter and as to the traffic tribunal established by chapter 8.2 of this title.~~

(b) Magistrate. - Any person holding the position of district court administrator/clerk who is a member of the bar of Rhode Island may be appointed district court magistrate by the chief judge in his or her capacity as administrative head of the court, subject to the advice and consent of the senate. The district court magistrate shall hold said office for a term of ~~twelve (12)~~ ten (10) years and until a successor is appointed and qualified; and the magistrate shall retain whatever right he or she may have to the position of district court administrator/clerk pursuant to

this section. Nothing herein shall be construed to prohibit the appointment of the magistrate for more than one term, subject to the advice and consent of the senate. Any person holding office of district court magistrate on July 1, 1999 may continue in full authority in said position until such time as an appointment is made and the nominee qualified pursuant to this subsection.

(c) The district court magistrate shall have the power to hear and determine such matters as may be assigned to the district court magistrate by the chief judge all to the same effect as if done by a judge of the district court, including but not limited to:

(1) Matters relating to the determination of, monitoring, collection, and payment of restitution and court ordered fines, fees, and costs or the ordering of community service in lieu of or in addition to the payment of restitution, fines, fees, and costs, consistent with other provisions of the general laws;

(2) Arraignments and pretrial motions in misdemeanor, petty misdemeanor, violation, and ordinance cases and initial appearances and probable cause hearings in felony cases;

(3) Bail hearings pursuant to R.I. Const., Art. I, Sec. IX and all other bail matters pursuant to chapter 13 of title 12 and the rules of criminal procedure, including but not limited to motions to modify bail, bail revocation hearings, bail forfeiture hearings, and bail source hearings;

(4) All matters relating to fugitives from justice pursuant to chapter 9 of title 12;

(5) Probation revocation hearings;

(6) All matters relating to small claims and consumer claims pursuant to chapter 16 of title 10, including any pretrial motions including motions relating to the special service of process, the entry of defaults and default judgments, the trial of such cases and the entry of judgment after such trials, and all matters relating to the enforcement of such judgments, including but not limited to the ordering of installment payments and trustee process; and

(7) Complaints for judicial review of the decision of an administrative agency pursuant to chapter 35 of title 42 by making proposed findings of fact and recommendations for the disposition of the complaints to a judge of the court. Any party may object to any portion of the magistrate's proposed findings and recommendations within ten (10) days after receipt of a copy thereof. That party shall file with the clerk of the sixth division of the district court and serve on all parties written objections which shall specifically identify the portions of the proposed findings and recommendations to which objection is made and the basis for the objection. A judge shall make a de novo determination of those portions to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate. Absent a timely objection filed in accordance with this subdivision, the proposed prevailing party shall, upon expiration of the ten (10) days following the service of the magistrate's proposed findings and recommendations, submit a proposed order for signature of the judge to whom the case has been assigned.

(8) All matters heard pursuant to chapter 8.2 of this title, in the traffic tribunal.

(d) The magistrate may be authorized:

(1) To regulate all proceedings before him or her;

(2) To do all acts necessary or proper for the efficient performance of his or her duties;

(3) To require the production before him or her of books, papers, vouchers, documents, and writings;

(4) To rule upon the admissibility of evidence;

(5) To issue subpoenas for the appearance of witnesses, to put witnesses on oath, to examine them, and to call parties to the proceeding and examine them upon oath;

(6) To adjudicate a person in contempt and to order him or her fined or to order him or her imprisoned for not more than seventy-two (72) hours, pending review by a judge of the court, for failure to appear in response to a summons or for refusal to answer questions or produce evidence or for behavior disrupting a proceeding or other contempt of his or her authority;

(7) To adjudicate a person in contempt and to order him or her fined or to order him or her imprisoned for not more than seventy-two (72) hours, pending review by a judge of the court, for failure to comply with a pending order to provide payment or to perform any other act;

(8) To issue a capias and/or body attachment for the failure of a party or witness to appear after having been properly served or given notice by the court and, should the court not be in session, the person apprehended may be detained at the adult correctional institution, if an adult, or at the Rhode Island training school for youth, if a child, until the next session of the court;

(9) To issue writs of habeas corpus to bring before him or her or a judge of the court any person in jail or in prison to be examined as a witness in a suit or proceeding, civil or criminal, pending before the court, or whose presence is necessary as a party or otherwise necessary so that the ends of justice may be attained, and for no other purpose; and

(10) To issue warrants of arrest and search warrants to the same extent as an associate judge of the court.

(e) Except as otherwise indicated, a party aggrieved by an order entered by the district court magistrate shall be entitled to a review of the order, whether by appeal or otherwise, ~~in the same manner as if taken from an order issued~~ by a judge of the court~~; except, that any person aggrieved by an adjudication of contempt by the magistrate shall be entitled to a review by a judge of the court within seventy-two (72) hours~~. The court shall, by rules of procedure, establish procedures for review of contempt and adjudications of the magistrate.

(f) The magistrate shall be:

(1) Governed by the commission on judicial tenure and discipline, chapter 16 of this title, in the same manner as justices and judges;

(2) Subject to all provisions of the canons of judicial ethics;

(3) Subject to all criminal laws relative to judges by virtue of sections 11-7-1 and 11-7-2.

(g) The provisions of this section shall be afforded liberal construction.

8-8-16.2. District court clerk/magistrate. -- (a) Any person who is a member of the bar of Rhode Island may be appointed district court clerk/magistrate by the chief judge in his or her capacity as administrative head of the court, subject to the advice and consent of the senate. The district court clerk/magistrate shall hold that office for a term of ten (10) years and until a successor is appointed and qualified. Nothing herein shall be construed to prohibit the assignment of the district court clerk/magistrate to more than one such term, subject to the advice and consent of the senate. The district court clerk/magistrate shall have the power to hear and determine any matters that may be assigned to the district court clerk/magistrate by the chief judge all to the same effect as if done by a judge of the district court, including, but not limited to, matters relating to the determination of, monitoring, collection and payment of restitution and court ordered fines, fees and costs or the ordering of community service in lieu of or in addition to the payment of restitution, fines, fees and costs, consistent with other provisions of the general laws. ~~The clerk/magistrate may be assigned to hear and decide cases within the traffic tribunal.~~

(b) The clerk/magistrate may be authorized:

(1) To regulate all proceedings before him or her;

(2) To do all acts necessary or proper for the efficient performance of his or her duties;

(3) To require the production before him or her of books, papers, vouchers, documents and writings;

(4) To rule upon the admissibility of evidence;

(5) To issue subpoenas for the appearance of witnesses, to put witnesses on oath, to examine them and to call parties to the proceeding and examine them upon oath;

(6) To adjudicate a person in contempt and to order him or her fined or to order him or her imprisoned for not more than seventy-two (72) hours, for failure to appear in response to a summons or for refusal to answer questions or produce evidence or for behavior disrupting a proceeding or other contempt of his or her authority; provided; however, that no such imprisonment shall occur prior to review by a judge of the court.

(7) To adjudicate a person in contempt and to order him or her fined or to order him or her imprisoned for not more than seventy-two (72) hours, for failure to comply with a pending order to provide payment or to perform any other act; provided, however, that no such imprisonment shall occur prior to review by a judge of the court.

(8) To issue a capias and/or body attachment for the failure of a party or witness to appear after having been properly served or given notice by the court and, should the court not be in session, the person apprehended may be detained at the adult correctional institutions, if an adult, or at the Rhode Island training school for youth, if a child, until the next session of the court;

(9) To issue writs of habeas corpus to bring before him or her or a judge of the court any person in jail or in prison to be examined as a witness in a suit or proceeding, civil or criminal, pending before the court, or whose presence is necessary as a party or otherwise necessary so that the ends of justice may be attained, and for no other purpose; and

(10) To issue warrants of arrest and search warrants to the same extent as an associate judge of the court.

(c) Except as otherwise indicated, a party aggrieved by an order entered by the district court clerk/magistrate shall be entitled to a review of the order, whether by appeal or otherwise, ~~in the same manner as if taken from an order issued by~~ a judge of the court~~; except, that any person aggrieved by an adjudication of contempt by the district court clerk/magistrate shall be entitled to a review by a judge of the court within seventy-two (72) hours~~. The court shall, by rules of procedure, establish procedures for review of contempt and adjudications of the clerk/magistrate.

(d) The district court clerk/magistrate shall:

(1) Be governed by the commission on judicial tenure and discipline, pursuant to chapter 16 of this title, in the same manner as justices and judges;

(2) Be subject to all provisions of the canons of judicial ethics;

(3) Be subject to all criminal laws relative to judges by virtue of sections 11-7-1 and 11-7-2.

(4) Receive any salary ~~that may be established by the unclassified pay board,~~ that may be established by the state court administrator pursuant to section 8-15-4. The provisions of this section shall be afforded liberal construction.

SECTION 8. Sections 8-8.2-1, 8-8.2-2, 8-8.2-3, 8-8.2-4, 8-8.2-5, 8-8.2-6, 8-8.2-9, 8-8.2-10 and 8-8.2-17 of the General Laws in Chapter 8-8.2 entitled "Traffic tribunal" are hereby amended to read as follows:

8-8.2-1. Establishment -- Rule-making authority -- Adjudication of violations. -- (a) There is hereby established a traffic tribunal which shall be charged with the administration and

adjudication of traffic violations within its jurisdiction. The traffic tribunal shall be under the supervision of the chief ~~judge of the district court~~ magistrate of the traffic tribunal, who shall be the administrative head of the traffic tribunal and shall have the power to make rules for regulating practice, procedure and business within the traffic tribunal. Pursuant to section 8-6-2, said rules shall be subject to the approval of the supreme court. Such rules, when effective, shall supersede any statutory regulation in conflict therewith. Any person who has been a member of the bar of Rhode Island may be appointed chief magistrate of the traffic tribunal. The chief magistrate of the traffic tribunal shall be appointed by the chief justice of the supreme court, with the advice and consent of the senate, for a period of ten (10) years and until a successor is appointed and qualified. Nothing contained herein shall be construed to prohibit the reappointment of the chief magistrate for one or more ten (10) year terms subject to the advice and consent of the senate. Compensation for the chief magistrate shall be equal to that of an associate judge of the district court.

(b) The judges and magistrates of the traffic tribunal shall hear and determine cases as provided by law. No district court judge appointed pursuant to chapter 8 of this title shall be assigned to perform duties of a judge or magistrate of the traffic tribunal under this chapter. ~~The chief judge of the district court shall serve as the chief judge of the traffic tribunal.~~ The chief ~~judge~~ magistrate of the ~~district court~~ traffic tribunal may appoint a judge or magistrate who is authorized to hear and decide cases in the traffic tribunal to serve as administrative judge or magistrate of the traffic tribunal and the administrative ~~or~~ judge magistrate shall perform such administrative duties as may be delegated to him or her by the chief ~~judge~~ magistrate.

(c)(i) Those judges of the administrative adjudication court in active service on July 1, 1999 shall serve within the traffic tribunal. Whenever the total number of judges and magistrates in the traffic tribunal shall be less than seven (7), the chief ~~judge~~ magistrate of the ~~district court~~ traffic tribunal, with the advice and consent of the senate, may, as needed, assign a duly qualified member of the bar of this state to act as a magistrate to fill such vacancy and shall submit his or her name to the senate for confirmation; provided, however, that in the event of a vacancy in the position of chief magistrate, the chief justice of the supreme court shall appoint a successor in accordance with subsection 8-8.2-1(a). Any magistrate assigned under this section shall serve a term of ~~eight (8)~~ ten (10) years and until a successor is appointed and qualified, and shall be in the unclassified service of the state. Nothing herein shall be construed to prohibit the assignment of a magistrate to more than one such term, subject to the advice and consent of the senate. Compensation for any such magistrate shall be ~~determined by the unclassified pay plan board~~ determined by the chief magistrate of the traffic tribunal subject to appropriation by the general assembly but in no event shall the compensation be equal to or more than that of an associate judge of the district court. Magistrates of the traffic tribunal shall participate in the state retirement system in the same manner as all members of the unclassified service.

(ii) If any judge of the traffic tribunal shall retire, or a vacancy becomes available through death, disability or any other reason, the position shall be filled by a magistrate consistent with the provisions of this section.

(d) Each judge and magistrate of the traffic tribunal shall devote full time to his or her judicial duties, except as may be otherwise provided by law. He or she shall not practice law while holding office, nor shall he or she be a partner or associate of any person in the practice of law.

(e) Judges and magistrates of the traffic tribunal shall be subject to the provisions of R.I. Const. Art. XI; to the code of judicial conduct or successor code promulgated by the supreme

court of this state, to the jurisdiction of the Commission on Judicial Tenure and Discipline in accordance with chapter 16 of this title; and to the administrative authority and control of the chief justice of the supreme court in accordance with chapter 15 of this title, except that section 8-15-3 and 8-15-3.1 shall not apply to judges and/or magistrates of the traffic tribunal.

(f) The traffic tribunal shall be a tribunal of record and shall have a seal with such words and devices as it shall adopt.

(g) Judges and magistrates of the traffic tribunal shall have the power to administer oaths and affirmations.

(h) Administrative/supervisory officials. - (1) There shall be an assistant to the administrative ~~judge or~~ magistrate of the traffic tribunal who shall be appointed by and serve at the pleasure of the chief ~~judge~~ magistrate and who shall perform such clerical and administrative duties as may be assigned to him or her by the chief ~~judge of the district court~~ magistrate of the traffic tribunal and the administrative judge or magistrate of the traffic tribunal. The assistant to the administrative judge or magistrate shall have the power to administer oaths and affirmations within the state.

(2) There shall be a clerk of the traffic tribunal who shall be appointed by and serve at the pleasure of the chief ~~judge of the district court~~ magistrate of the traffic tribunal; provided, however, that, effective July 1, 1999, the first clerk of the traffic tribunal shall be that person holding the position of administrator/clerk of the administrative adjudication court as of May 1, 1998, and that person shall hold office for the balance of a term of twelve (12) years which began on September 1, 1992, without the necessity of appointment by the governor or advice and consent of the senate. The clerk of the traffic tribunal shall exercise his or her functions under the direction and control of the chief ~~judge~~ magistrate of the ~~district court~~ traffic tribunal and the administrative judge or magistrate ~~or~~ of the traffic tribunal. The clerk of the traffic tribunal shall have the power to administer oaths and affirmations within the state.

(i) Clerical Personnel/Court Recorders. - (1) The chief ~~judge of the district court~~ magistrate of the traffic tribunal shall appoint deputy clerks and assistance clerks for the traffic tribunal to serve at his or her pleasure. All such clerks may administer oaths and affirmations within the state.

(2) The chief ~~judge of the district court~~ magistrate of the traffic tribunal shall appoint sufficient court recorders to enable all proceedings to be recorded by electronic means and who shall assist in such other clerical duties as may be prescribed from time to time by the chief ~~judge of the district court~~ magistrate of the traffic tribunal.

(3) The chief ~~judge of the district court~~ magistrate of the traffic tribunal shall employ such clerical assistants in addition to deputy clerks as may be required in the traffic tribunal to perform clerical duties.

8-8.2-2. Jurisdiction. -- (a) Notwithstanding any inconsistent provision of law, all probationary license hearings as provided in section 31-10-26, all violations of the department of transportation, department of environmental management or board of governors for higher education regulations regarding parking, standing, or stopping in areas under the jurisdiction of said agencies, all violations of state statutes relating to motor vehicles, littering and traffic offenses, except those traffic offenses committed in places within the exclusive jurisdiction of the United States, and except driving so as to endanger resulting in death, driving so as to endanger resulting in personal injury, driving while under the influence of liquor or drugs, driving while under the influence of liquor or drugs resulting in death, driving while under the influence of liquor or drugs resulting in serious bodily injury, reckless driving and other offenses

against public safety as provided in section 31-27-4, eluding a law enforcement officer with a motor vehicle in a high speed pursuit, driving after denial, suspension or revocation of license, and leaving the scene of an accident in violation of section 31-26-1 and section 31-26-2, and driving without the consent of the owner and possession of a stolen motor vehicle in violation of section 31-9-1 and section 31-9-2, shall be heard and determined by the traffic tribunal pursuant to the regulations promulgated by the chief ~~judge of the district court~~ magistrate of the traffic tribunal; provided, however, the traffic tribunal shall not hear any parking, standing or stopping violations which occur in any city or town which has established its own municipal court and has jurisdiction over such violations. Nothing contained herein shall abrogate the powers of the Rhode Island family court under the provisions of chapter 1 of title 14.

(b) Notwithstanding any inconsistent provision of law, the traffic tribunal shall have concurrent jurisdiction to hear and determine, pursuant to rules and regulations promulgated by the chief ~~judge of the district court~~ magistrate of the traffic tribunal, all violations of any ordinances, rules and regulations governing the public waters and the speed, management and control of all vessels and the size, type and location and use of all anchorages and moorings within the jurisdiction of the towns of North Kingstown, South Kingstown, Portsmouth, Middletown, Narragansett and Tiverton enforced and supervised by the harbormaster and referred to the traffic tribunal, and the terms "traffic violations" and "traffic infraction" when used in this chapter shall include the aforesaid violations and such violations shall be adjudicated in accordance with the provisions of this chapter. Nothing contained herein shall abrogate the powers of the Rhode Island coastal management council under the provisions of chapter 23 of title 46.

8-8.2-3. Collection authority -- Contempt. -- (a) A judge or magistrate shall have the authority to enforce the judgments of the tribunal as authorized by law. The procedure for the collection of costs and fines shall generally follow the course of the collection of civil judgments pursuant to chapters 17 and 28 of title 9 to the extent applicable. A judge or magistrate shall not issue a body attachment for any judgment entered prior to the effective date of this section. All peace officers authorized by the law shall exercise the powers of a constable for purposes of making service of any writ or notice issued by the traffic tribunal pursuant to this collection procedure, including the execution of a body attachment. In the event that a body attachment is executed, the detainee must be brought before a judge or magistrate, or if the traffic tribunal is not in session before a justice of the peace authorized pursuant to section 12-10-2 immediately upon detention or as soon thereafter as is reasonably practicable. The amount of fees and fines due to the traffic tribunal shall be noted on a body attachment issued pursuant to this procedure, and a justice of the peace shall accept said monies and order the release of the detainee if the amount due is tendered. If the detainee claims an inability to pay the full amount due, the justice of the peace shall order the release of the detainee pursuant to reasonable bail. The chief ~~judge of the district court~~ magistrate of the traffic tribunal shall issue rules and regulations for the collection process consistent with this section.

(b) A judge or magistrate of the traffic tribunal may adjudicate a person in willful contempt and order him or her fined up to a maximum of five hundred dollars ($500) for each separate offense. Provided further that, if the judge or magistrate determines that the person is unable to pay the fine or judgment, he or she may order partial payments or establish a payment schedule for the payment of the fine or judgment.

8-8.2-4. Subpoena. -- (a) The traffic tribunal through its judges, magistrates and clerks is hereby authorized and empowered to summon defendants and issue subpoenas to the same extent

as they may be issued by the district court in civil cases in such forms as may be prescribed by rules promulgated by the chief ~~judge of the district~~ magistrate of the traffic tribunal pursuant to section 8-6-2.

(b) Notaries public and justices of the peace may issue subpoenas returnable before the traffic tribunal to the same extent that they are authorized to do so in civil cases pending before the district court.

8-8.2-5. Security officers -- Powers. -- (a) All full time security officers employed by the traffic tribunal shall have the same immunities and may exercise all powers of sheriffs, city and town police officers, and constables when the security officers are enforcing the laws of this state, and all rules and regulations of the traffic tribunal upon the lands and buildings owned or occupied by the traffic tribunal upon streets and highways immediately adjacent to those lands or when in attendance with a judge or magistrate.

(b) All security officers shall be required to attend the Rhode Island municipal police academy for a period of forty (40) hours for the purpose of training in law enforcement.

(c) When any person is suspected of having committed a felony the superintendent of state police shall be notified following the suspected felon's arrest.

(d) When acting as a constable with the authorization of the Chief ~~Judge~~ Magistrate, he or she may exercise all powers under Rhode Island sections 8-8-12(10) and 8-8-23.

8-8.2-6. Retirement of judges on reduced pay. -- (a) Whenever any person engaged as a judge on or before July 2, 1997, has served as a judge of the administrative adjudication court or as a judge of the administrative adjudication court who is reassigned by this chapter to the traffic tribunal for twenty (20) years, or has so served for ten (10) years and has reached the age of sixty five (65) years, the judge may retire from active service and, thereafter, the judge shall receive annually during life a sum equal to three fourths (3/4) of the annual salary that the judge was receiving at the time of retirement; provided, however, any person who has served for twenty (20) years and has reached the age of sixty five (65) years, or has so served for fifteen (15) years and reached the age of seventy (70) years, may retired from active service and, thereafter, the judge shall receive annually during his or her life a sum equal to the annual salary he or she was receiving at the time of his or her retirement. In determining eligibility under this section, any judge who has served within the judiciary or as a hearing officer or administrative law judge, may include such service as if the service had been on the administrative adjudication court and shall be included under the provisions of section 36-9-5.

(b) Any judge who shall retire in accordance with the provisions of this section may at his or her request, and at the direction of the chief justice of the supreme court subject to the retiree's physical and mental competence, be assigned to perform such services as a judge or magistrate in the traffic tribunal as the chief ~~judge of the district court~~ magistrate of the traffic tribunal or the chief justice shall prescribe. When so assigned and performing that service, he or she shall have all the powers and authority of a judge or magistrate. A retired judge shall not be counted in the number of magistrates provided by law for the traffic tribunal nor shall he or she receive any further emolument other than his or her retirement pay for the performance of the aforesaid services.

8-8.2-9. Retirement of judges on reduced pay. -- (a) Whenever any person first engaged as a judge subsequent to July 2, 1997, has served as a judge of the administrative adjudication court or as a judge of the administrative adjudication court who is reassigned by this chapter to the traffic tribunal for twenty (20) years, or has so served for ten (10) years and has reached the age of sixty five (65) years, the judge may retire from active service and, thereafter, the judge

shall receive annually during life a sum equal to three fourths (3/4) of his or her average highest three (3) consecutive years of compensation; provided, however any such person who has served twenty (20) years and has reached the age sixty five (65) or has served fifteen (15) years and has reached the age of seventy (70) years, may retire from active service and, thereafter, the judge shall receive annually during life a sum equal to his or her average highest three (3) consecutive years of compensation. In determining eligibility under this section, any judge who has served within the judiciary or as a hearing officer or administrative law judge, may include such service as if the service had been on the administrative adjudication court and shall be included under the provision of section 36-9-5.

(b) Any judge who shall retire in accordance with the provisions of this section may at his or her own request, and at the direction of the chief justice of the supreme court subject to the retiree's physical and mental competence, be assigned to perform such services as a magistrate in the traffic tribunal as the chief ~~judge~~ magistrate or chief justice shall prescribe. When so assigned and performing that service, he or she shall have all the powers and authority of a magistrate. A retired judge shall not be counted in the number of magistrates provided by law for the division of traffic adjudication nor shall he or she receive any further emolument other than his or her retirement pay for the performance of the aforesaid services.

8-8.2-10. ~~No incremental retirement benefit for temporary service as chief justice, presiding justice or chief judge. –~~ No incremental retirement benefit for temporary service as chief justice, presiding justice or chief judge or chief magistrate. -- No increment in salary resulting from the application of personnel rule 4.0217 or any other or successor rule or regulation providing for an increment in salary for temporary service as chief justice, presiding justice or chief ~~judge~~ magistrate shall be construed to add to the annual salary of a judicial officer for purposes of retirement under section 8-8.2-6 or section 8-8.2-9.

~~8-8.2-17. Continued service. -- Any person appointed as magistrate of the traffic tribunal pursuant to the provisions of P.L. 1998. ch. 91, article 2, shall continue to serve in such capacity in the traffic tribunal for a term of eight (8) years from the date of his or her appointment and shall be governed by the provisions of section 8-8.2-1, as enumerated in article 4 of this act and as amended.~~

SECTION 9. Sections 8-10-3, 8-10-3.1 and 8-10-3.2 of the General Laws in Chapter 8-10 entitled "Family Court" are hereby amended to read as follows:

8-10-3. ~~Establishment of court -- Jurisdiction -- Seal -- Oaths -- Masters~~. – Establishment of court – Jurisdiction – Seal – Oaths. -- (a) There is hereby established a family court, consisting of a chief judge and eleven (11) associate justices, to hear and determine all petitions for divorce from the bond of marriage and from bed and board; all motions for allowance, alimony, support and custody of children, allowance of counsel and witness fees, and other matters arising out of petitions and motions relative to real and personal property in aid thereof, including, but not limited to, partitions, accountings, receiverships, sequestration of assets, resulting and constructive trust, impressions of trust, and such other equitable matters arising out of the family relationship, wherein jurisdiction is acquired by the court by the filing of petitions for divorce, bed and board and separate maintenance; all motions for allowance for support and educational costs of children attending high school at the time of their eighteenth (18th) birthday and up to ninety (90) days after high school graduation, but in no case beyond their nineteenth (19th) birthday; enforcement of any order or decree granting alimony and/or child support, and/or custody and/or visitation of any court of competent jurisdiction of another state; modification of any order or decree granting alimony and/or custody and/or visitation of any court of competent

jurisdiction of another state on the ground that there has been a change of circumstances; modification of any order or decree granting child support of any court of competent jurisdiction of another state provided: (1) the order has been registered in Rhode Island for the purposes of modification pursuant to section 15-23.1-611, or (2) Rhode Island issued the order and has continuing exclusive jurisdiction over the parties; antenuptial agreements, property settlement agreements and all other contracts between persons, who at the time of execution of the contracts, were husband and wife or planned to enter into that relationship; complaints for support of parents and children; those matters relating to delinquent, wayward, dependent, neglected, or children with disabilities who by reason of any disability requires special education or treatment and other related services; to hear and determine all petitions for guardianship of any child who has been placed in the care, custody, and control of the department for children, youth, and families pursuant to the provisions of chapter 1 of title 14 and chapter 11 of title 40; adoption of children under eighteen (18) years of age; change of names of children under the age of eighteen (18) years; paternity of children born out of wedlock and provision for the support and disposition of such children or their mothers; child marriages; those matters referred to the court in accordance with the provisions of section 14-1-28; those matters relating to adults who shall be involved with paternity of children born out of wedlock; responsibility for or contributing to the delinquency, waywardness, or neglect of children under sixteen (16) years of age; desertion, abandonment, or failure to provide subsistence for any children dependent upon such adults for support; neglect to send any child to school as required by law; bastardy proceedings and custody to children in proceedings, whether or not supported by petitions for divorce or separate maintenance or for relief without commencement of divorce proceedings; and appeals of administrative decisions concerning setoff of income tax refunds for past due child support in accordance with sections 44-30.1-5 and 40-6-21. The holding of real estate as tenants by the entirety shall not in and of itself preclude the family court from partitioning real estate so held for a period of six (6) months after the entry of final decree of divorce.

(b) The family court shall be a court of record and shall have a seal which shall contain such words and devices as the court shall adopt.

(c) The judges and clerk of the family court shall have power to administer oaths and affirmations.

~~(d) The chief judge of the family court is hereby empowered to appoint experienced members of the Rhode Island bar as masters for the purpose of assisting the family court in matters pertaining to delinquent support payments and the taking of testimony in conducting all hearings relative to responsible persons who are not living up to their support obligations. The chief judge of the family court is also authorized to appoint masters in related matters pertaining to the collection of delinquent support payments from these responsible persons.~~

~~(e)~~ (d) The family court shall have exclusive initial jurisdiction of all appeals from any administrative agency or board affecting or concerning children under the age of eighteen (18) years and appeals of administrative decisions concerning setoff of income tax refunds, lottery set offs, insurance intercept, and lien enforcement provisions for past due child support, in accordance with sections 44-30.1-5 and 40-6-21, and appeals of administrative agency orders of the department of human services to withhold income under chapter 16 of title 15.

~~(f)~~ (e) The family court shall have jurisdiction over those civil matters relating to the enforcement of laws regulating child care providers and child placing agencies.

~~(g)~~ (f) The family court shall have exclusive jurisdiction of matters relating to the revocation or nonrenewal of a license of an obligor due to noncompliance with a court order of

support, in accordance with chapter 11.1 of title 15.

[See section 12-1-15 of the General Laws.]

8-10-3.1. Magistrates -- Appointment, duties, and powers. -- (a) The chief judge of the family court may appoint magistrates, with the advice and consent of the senate, to assist the court in the conduct of its business. A person appointed to serve as a magistrate shall be a member of the bar of Rhode Island. The powers and duties of magistrates shall be prescribed in the order appointing them.

(b) In addition, the chief judge of the family court may appoint magistrates to assist the court in the enforcement and implementation of chapter 23.1 of title 15, and to assist the family court in matters pertaining to hearings in accordance with section8-10-4, chapter 1 of title 14, chapter 8 of title 15, chapter 11 of title 40, and chapter 5 of title 40.1. The magistrate will be empowered to hear all motions, pretrial conferences, arraignments of juvenile offenders, probable cause hearings, and review of all such matters, including but not limited to, the temporary placement, custody, disposition and adoption of children, and the taking of testimony in conducting all hearings relative thereto.

(c) The magistrates shall serve ~~at the pleasure of the chief judge~~ a term of ten (10) years and until a successor is appointed and qualified and his or her powers and duties shall be prescribed in the order appointing him or her or in the rules of procedure of the family court. Nothing herein shall be construed to prohibit the assignment of a magistrate to more than one such term, subject to the advice and consent of the senate. The ~~special~~ magistrates may be authorized:

(1) To regulate all proceedings before him or her;

(2) To do all acts and take all measures necessary or proper for the efficient performance of his or her duties;

(3) To require the production before him or her of books, papers, vouchers, documents, and writings;

(4) To rule upon the admissibility of evidence;

(5) To issue subpoenas for the appearance of witnesses, to put witnesses on oath, to examine them, and to call parties to the proceeding and examine them upon oath;

(6) To adjudicate a person in contempt and to order him or her imprisoned for not more than seventy-two (72) hours, pending review by a justice of the court, for failure to appear in response to a summons or for refusal to answer questions or produce evidence or for behavior disrupting a proceeding;

(7) To adjudicate a party in contempt and to order him or her imprisoned for not more than seventy-two (72) hours, pending review by a justice of the court, for failure to comply with a pending order to provide support or to perform any other act; and

(8) To issue a capias and/or body attachment upon the failure of a party or witness to appear after having been properly served and, should the family court not be in session, the person apprehended may be detained at the adult correctional institution, if an adult, or at the Rhode Island training school for youth, if a child, until the next session of the family court.

(d) A party aggrieved by an order entered by a magistrate shall be entitled to a review of the order by a justice of the family court. Unless otherwise provided in the rules of procedure of the family court, such review shall be on the record and appellate in nature. The family court shall by rules of procedure establish procedures for review of orders entered by a magistrate, and for enforcement of contempt adjudications of a magistrate.

(e) Final orders of the family court entered in a proceeding to review an order of a

magistrate may be appealed to the supreme court.

(f) The magistrates shall be empowered to hear de novo all applications for income withholding pursuant to chapter 16 of title 15 and appeals of administrative agency orders of the department of human services to withhold income under chapter 16 of title 15.

(g) The magistrates shall be empowered to hear all matters relating to the revocation or nonrenewal of a license of an obligor due to non-compliance with a court order of support, in accordance with chapter 11.1 of title 15.

(h) The magistrates may be authorized by the chief judge to hear those matters on the domestic abuse prevention calendar and the nominal calendar.

[See section12-1-15 of the General Laws.]

8-10-3.2. General magistrate of the family court. -- (a) There is hereby created within the family court the position of general magistrate of the family court who shall be appointed by the ~~governor~~ chief judge of the family court with the advice and consent of the senate for a ~~life~~ term of ten (10) years and until a successor is appointed and qualified. Nothing herein shall be construed to prohibit the assignment of the general magistrate to more than one such term, subject to the advice and consent of the senate.

(b) The general magistrate shall be an attorney at law and a member in good standing of the Rhode Island bar. ~~with a minimum of ten (10) years experience as a general magistrate in the Rhode Island family court.~~

(c) The primary function of the general magistrate shall be the enforcement of child support decrees, orders, and law relative to child support. The general magistrate shall have all the authority and powers vested in magistrates by virtue of sections 8-10-3, 8-10-3.1, 9-15-19, 9-15-21, 9-14-26, 9-18-8, 9-18-9, and 36-2-3, and any other authority conferred upon magistrates by any general or public law or by any rule of procedure or practice of any court within the state.

(d) The chief justice of the supreme court with the agreement of the chief judge of the family court may specially assign the general magistrate to ~~perform judicial duties within~~ any court of the unified judicial system ~~in the same manner as a judge may be assigned pursuant to chapter 15 of this title~~; provided, however, that the general magistrate may be assigned to the superior court subject to the prior approval of the presiding justice of the superior court. When the general magistrate is so assigned he or she shall be vested, authorized, and empowered with all the powers belonging to the ~~justices~~ magistrates of the court to which he or she is specially assigned.

(e) The general magistrate shall:

(1) Receive all credits and retirement allowances as afforded justices under chapter 3 of this title and any other applicable law;

(2) Be governed by the commission on judicial tenure and discipline, chapter 16 of this title, in the same manner as justices and workers' compensation judges;

(3) Be entitled to a special license plate under section 31-3-47;

(4) Receive a salary equivalent to that of a district court judge ~~and shall be subject to the unclassified pay plan board~~;

(5) Be subject to all the provisions of the canons of judicial ethics; and

(6) Be subject to all criminal laws relative to judges by virtue of sections 11-7-1 and 11-7-2.

(f) The provisions of this section shall be afforded liberal construction.

SECTION 10. Section 8-15-3.1 of the General Laws in Chapter 8-15 entitled "Court Administration" is hereby amended to read as follows:

8-15-3.1. ~~Chief justice -- Power to assign judges. –~~ Chief justice – Power to assign magistrates. -- The Chief justice of the supreme court has the power to assign any magistrate of the superior court, family court, and/or district court to any court of the unified judicial system with the consent of the presiding justice and/or chief judge of the relevant courts. ~~in the same manner as a judge may be assigned pursuant to chapter 15 of this title.~~ When a magistrate is so assigned, he or she shall be vested, authorized, and empowered with all the powers belonging to the ~~justices and/or~~ magistrates of the court to which he or she is specially assigned.

SECTION 11. The general assembly hereby requires the governor to submit, as part of his FY 2009 budget, necessary legislation to create a department of advocacy, with an effective date of no sooner than July 1, 2008, and no later than January 1, 2009.

The governor shall consult with the child advocate, mental health advocate, commission on deaf and hard of hearing, development disabilities council, and the commission on disabilities in developing the department.

The department shall include the child advocate, mental health advocate, commission on deaf and hard of hearing, developmental disabilities council, and the commission on disabilities.

The governor with advice and consent of the senate shall appoint the child advocate and the mental health advocate, as detailed in existing statutes. All agencies combined into this new department shall maintain existing duties as set forth in current law.

The department shall consolidate communications, and overhead expenditures.

SECTION 12. Public Law 1997, Chapter 30, Article 25, Section 1 is hereby deleted in its entirety.

~~SECTION 1. There is hereby created a Program to be known as the Boards for Design Professionals, hereafter referred to as the "Program".~~

~~(a) The Program shall consist of the board of registration for professional engineers, board of registration for professional land surveyors, board of examination and registration of architects, and board of examiners of landscape architects.~~

~~(b) The purpose of the Program is to combine the resources of the four (4) boards within the Program in a cooperative venture to provide for more efficient operations.~~

~~(c) The boards shall retain their respective statutory authority pursuant to sections 5-1-5, 5-51-2, 5-8-8, and 5-8.1-4 of the general laws and any other applicable legal authority, notwithstanding their inclusion in the Program created by this article.~~

SECTION 13. (a) There shall be created within the department of business regulation, no later than January 1, 2008, a division to be known as the division of design professionals.

(1) The division shall consist of the membership of the board of registration for professional engineers, board of professional land surveyors, board of examination and registration of architects, and the board of examiners of landscape architects.

(2) The purpose of the division is to combine the four (4) boards into a single division to provide for more efficient operation.

(3) The boards shall retain their respective statutory authority pursuant to sections 5-1-5, 5-8-8, 5-8.1-4 and 5-51-2 of the general laws and any other applicable legal authority notwithstanding their inclusion in the division created by this article.

(4) The department of business regulation shall provide suitable and adequate space for the division.

(5) The division shall consist of members of each board as presently constituted; provided, however, that each board shall be entitled to cast two (2) votes regardless of the number of members of each board. The governor shall appoint a chairman of the division from a

member of one of the boards for a period of five (5) years. The governor's choice of chairman for each five (5) year successive period shall rotate among the members of the remaining boards so that a member of each board shall serve as chairman once every fourth successive period. There shall be no compensation for the members and the chairman of the division.

(6) There shall be no new appointments to any of the boards until such time as it is necessary to maintain the membership of each board at two (2) members.

SECTION 14. The general assembly hereby requires the governor to submit as part of his FY 2009 budget necessary recommended legislation to create a department of public safety, with an effective date no sooner than July 1, 2008 and no later than January 1, 2009. The director of the department shall be the superintendent of the state police who shall be appointed by the governor with the advice and consent of the senate.

The department shall include the state police, E-911 emergency telephone system division, the state fire marshal who shall be appointed by the governor with the advice and consent of the senate, fire safety code board of appeal and review, justice commission, municipal police training academy, sheriffs and capital police.

The department shall consolidate communications, training facilities and training among the divisions.

SECTION 15. Sections 11-47-17 and 11-47-17.1 of the General Laws in Chapter 11-47 entitled “Weapons” are hereby amended to read as follows:

11-47-17. Qualifications required of law enforcement officers appointed after June 17, 1959. – Except as provided in § 11-47-15.3, all law enforcement officers of this state and its political subdivisions whose permanent appointment shall take place after June 17, 1959, will be required to qualify with the pistol or revolver with which they are armed prior to their permanent appointment, that qualification to be the same as that required in § 11-47-15. Constables, special officers, and all law enforcement officers who by law are authorized to carry side-arms and whose appointments are made on a recurring basis will be required to qualify not later than one year following the date of enactment of this section, and their commissions or warrants will be plainly marked or stamped "QUALIFIED WITH PISTOL OR REVOLVER" and will be signed and dated by the certifying authority attesting to that fact. The failure of any law enforcement officer to qualify under the provisions of this section revokes his or her privilege of carrying a pistol or revolver, whether concealed or not, on or about his or her person. All law enforcement officers of this state and its political subdivisions will repeat this qualification at periods of not more than one year, except for correctional officers who must repeat this qualification every two (2) years.

11-47-17.1. Mandatory or discretionary nature of § 11-47-15.1 requirements – Qualification reports to be filed. – (a) All law enforcement officers of this state and its political subdivisions, whose permanent appointment shall take place later than June 6, 1970, shall be required to qualify with the pistol or revolver with which they are armed prior to their permanent appointment, that qualification to be as required in §§ 11-47-15.1 and 11-47-15.3. All permanent appointed law enforcement officers of this state and its political subdivisions who are required to qualify under § 11-47-17 may, at the discretion of the officer, qualify under either § 11-47-15, 11-47-15.1 or 11-47-15.3. The failure of any law enforcement officer to qualify under the provisions of this section revokes his or her privilege of carrying a pistol or revolver, whether concealed or not, on or about his or her person. Qualification under this section will be required at periods of not more than one year, except for correctional officers who must repeat this qualification every two (2) years.

(b) Copies of all of the qualification reports shall be filed with the office of the attorney general.

SECTION 16. Section 8 of this article shall take effect August 1, 2007. The remainder of this article shall take effect upon passage.

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02533/12
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Representative Costantino discusses the amendment.

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

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Costantino and Menard discuss the article as amended.

By unanimous consent, Representative Moffitt, seconded by Representative Loughlin offers a written motion to amend. LC02533/6

Representatives Moffitt and Carter discuss the amendment.

Representative Moffitt withdraws his amendment.

By unanimous consent, Representative Watson, seconded by Representative Gorham offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 3, page 1, line 29 by inserting the following language after the word "programs": ", except as provided for in subsections 42-7.2-5(o) and (p)".

(2) In Article 3, page 2, line 2 by inserting the following language after the word "programs": ", except as provided for in subsections 42-7.2-5(o) and (p)".

(3) In Article 3, page 5, line 2 by inserting the following language at the end of line 2:

"(o) For the fiscal year commencing July 1, 2007, the executive office of health and human services shall be authorized and required to make a single reduction or "redirection" in the total appropriations made by the general assembly to those departments managed by the office, including the departments of children, youth, and families, elderly affairs, health, human services, and mental health, retardation and hospitals. The amount of said reduction or redirection shall be three percent (3%) of the total appropriations made to said departments; provided, that said reductions need not be equally distributed or apportioned between or among said departments, and the executive office shall have discretion as to the exact amount reduced and redirected from each department. In determining the amounts of reductions to each respective department, the executive office shall exercise its discretion in the best interests of the state, and shall not be subject to any other restrictions or requirements, including, but not limited to, any requirements as to minimum funding, imposed by statute, rule, regulation, or other authority to the contrary.

(p) All sums reduced by the executive office pursuant to subparagraph (o) above shall be redirected and redistributed as follows:

(1) The first nineteen million four hundred thousand dollars (19,400,000) shall be used as school aid and distributed to local and regionally operated school districts on a percentage basis in direct proportion to the total aid distributed to communities in FY 2008, as set forth in section 16-7.1-15;

(2) The next twenty one million six hundred thousand dollars ($21,600,000) shall be used under the supervision of the tax administrator, to refund, on a proportional basis, those additional taxes colleted pursuant to the rate increases authorized by Article 7 of the state appropriations for the fiscal year ending June 30, 2008; and

(3) The balance of any funds remaining shall be transferred to the Rhode Island Capital Plan Fund."

Respectfully submitted,

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MINORITY LEADER WATSON

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LC02533/7

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Representatives Watson, Slater, Shanley and Mumford discuss the amendment.

The motion to amend fails on a roll call vote 17 members voting in the affirmative and 55 members voting in the negative as follows:

YEAS - 17: Representatives Amaral, Caprio, Ehrhardt, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Picard, Savage, Singleton, Smith, Story, Trillo, Watson.

NAYS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

By unanimous consent, 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
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 3, page 31, between lines 28 and 29 by inserting the following language:

"SECTION 18. Section 22-11-3 of the General Laws in Chapter 22-11 entitled "Joint Committee on Legislative Services" is hereby amended to read as follows:

22-11-3. Functions. -- (a) It shall be exclusively the responsibility of the joint committee to act upon all administrative matters affecting the operation of the general assembly, including, but not limited to:

(1) The preparation of the legislative payrolls;

(2) The preparation of requests for the annual operating budget for the general assembly;

(3) The control of house and senate appropriations, including expenditures of standing, select, and special committees of the general assembly, except those provided otherwise by law; provided, however, that all legislative grants contained in the legislative appropriation and not specifically designated by the budget act to any individual, agency, or other entity shall be directed to the governor who shall have exclusive authority to decide which individuals, agencies or entities shall receive said grants;

(4) All printing for the general assembly and its members and staff including, but not limited to, stationery, bills and journals and covers for them, daily calendars, public laws, acts of a local and private nature, and resolutions;

(5) The procuring of office space, supplies, equipment, and professional and technical assistants for the general assembly; and

(6) The exclusive responsibility for the purchase or rental of and the installation, obtaining, upkeep, and maintenance of electronic voting devices and equipment incidental to the devices, and sound systems for the house of representatives and senate chambers, including, but

not limited to, entering into contracts and agreements for the purchase, rental, installation, or maintenance of the equipment and procuring the necessary supplies for the systems.

(b) In addition, the joint committee will have exclusive authority on office space allocations and maintenance and repair in this state capitol building for all agencies of government, except the offices of the governor and the offices of the secretary of state."

(2) In Article 3, page 31, line 29 by deleting the numeral "18" and inserting in place thereof the number "19".

Respectfully submitted,

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REPRESENTATIVE GORHAM

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LC02533/4
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Representatives Gorham, Williamson and Fox discuss the amendment.

Representative Fox moves to lay on the table, seconded by Representative Kilmartin.

The motion to lay on the table prevails on a roll call vote 50 members voting in the affirmative and 21 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gallison, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Vaudreuil, Walsh, Williams, Williamson.

NAYS - 21: Representatives Amaral, Caprio, Ehrhardt, Flaherty, Gablinske, Gemma, Gorham, Long, Loughlin, McManus, Melo, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Ucci, Watson, Winfield.

Representative Gorham continues discussion.

By unanimous consent, Representative Gorham, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 3, page 31, between lines 28 and 29, by inserting the following language:

"SECTION 18. Chapter 42-11.3 of the General Laws entitled "Motor Vehicles Owned by a Governmental Body" is hereby amended by adding thereto the following section:

42-11.3-1.1. Personal use of vehicles prohibited. – Notwithstanding any statute, rule, regulation, order or policy to the contrary, no individual or governmental body shall use a vehicle owned or leased by any governmental body for personal use, including, but not limited to, housing such vehicle at a personal residence overnight. This section shall not apply to members of the state police and such other individuals or governmental bodies which may be exempted by the governor by executive order specific to such vehicle."

2. In Article 3, page 31, line 29, by deleting the number "18" and inserting in place thereof the number "19".

Respectfully submitted,

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REPRESENTATIVE GORHAM

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LC02533/3

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Representatives Gorham, Lewiss, Costantino and San Bento discuss the amendment.

The motion to amend fails on a roll call vote 13 members voting in the affirmative and 58 members voting in the negative as follows:

YEAS - 13: Representatives Ehrhardt, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Singleton, Story, Trillo, Watson, Winfield.

NAYS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson.

Representatives Walsh, Costantino and Mumford discuss the article, as amended. Representative Mumford requests to vote sections 4-10 separately. The Honorable Speaker Murphy rules it is divisible.

Sections 4-10, is read and prevails, on a roll call vote, 57 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Williams, Williamson, Winfield.

NAYS - 15: Representatives Amaral, Ehrhardt, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Walsh, Watson.

Article 3, as amended, prevails, on a roll call vote, 66 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 6: Representatives Gorham, Loughlin, McManus, Menard, Trillo, Watson.

ARTICLE 4

RELATING TO E-911 EMERGENCY TELEPHONE SYSTEM

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

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 4, page 7, by inserting the following language between lines 4 and 5: “(6) To audit, assess and collect all unclaimed intangible and tangible property pursuant to chapter 21.1 of title 33.”

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02534/2
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Representatives Costantino and Gorham discuss the amendment.

The motion to amend prevails on a roll call vote 52 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kilmartin, Lewiss, Lima, Mattiello, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Slater, Story, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 8: Representatives Ehrhardt, Gorham, Loughlin, McManus, Menard, Singleton, Trillo, Watson.

The article, as amended, is read and prevails, on a roll call vote, 54 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kilmartin, Lewiss, Lima, Loughlin, Mattiello, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Slater, Story, Sullivan, Ucci, Vaudreuil, Walsh, Watson, Williams, Williamson, Winfield.

NAYS - 6: Representatives Ehrhardt, Gorham, McManus, Menard, Singleton, Trillo.

REQUESTS

Representatives Caprio, Kennedy, Long and Amaral requests the journal to reflect that if they had voted on Article 4 as amended, they would have voted in the affirmative.

ARTICLE 5

RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

Representative Costantino moves passage of the article, seconded by Representatives Kilmartin, Rose, Naughton and Crowley.

Representative Costantino discusses the article.

By unanimous consent, Representative Gemma, seconded by Representative Costantino offers a written motion to amend. LC02535/4

Representative Gemma withdraws the amendment.

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 5, page 5, line 15, by adding the language “but not runway lengthening,” after the word and comma “improvements,”.

(2) In Article 5, page 5, line 16, by inserting a comma “,” before the word “funding”.

(3) In Article 5, page 5, line 32 by inserting the language and punctuation “; provided that none of the funds are used to lengthen the runway” after the number “$93,440,000”.

Respectfully submitted,

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REPRESENTATIVE GEMMA

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LC02535/7
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Representative Gemma discusses the amendment.

The motion to amend prevails on a roll call vote 58 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kilmartin, Lewiss, Lima, Loughlin, Mattiello, McManus, McNamara, Menard, Moffitt, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Silva, Singleton, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 4: Representatives Gorham, Mumford, Shanley, Story.

By unanimous consent, Representative Savage, seconded by Representative Watson offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 5, page 7, by deleting lines 12 through 34, in their entirety.
2. In Article 5, page 8, by deleting lines 1 through 34, in their entirety.
3. In Article 5, page 9, by deleting lines 1 through 7, in their entirety.
4. In Article 5, page 9, line 8, by deleting the number "8", and substituting thereafter the number "7".

Respectfully submitted,

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REPRESENTATIVE SAVAGE

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LC02535/3
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Representatives Savage, Costantino and Kilmartin discuss the amendment.

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

YEAS - 13: Representatives Almeida, Ehrhardt, Gorham, Loughlin, McManus, Menard, Moffitt, Mumford, Savage, Story, Trillo, Watson, Winfield.

NAYS - 52: The Honorable Speaker Murphy and Representatives Ajello, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lewiss, Lima, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

By unanimous consent, Representative Mumford, 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
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 5, page 9, line 3, after the words "Joint Resolution" by inserting the following language ", with the exception of Section 7,"

2. In Article 5, page 9, between lines 5 and 6, by inserting the following language:

"RESOLVED, That Section 7 shall be submitted to the electors at the next general election in the form of the question 'Shall a new Blackstone Valley Court House be constructed in the town of Lincoln at the cost of $71 million dollars?'"

3. In Article 5, page 9, line 8, by deleting the words "This article shall take effect upon passage." and by inserting in place thereof the following language: "Sections 1 through 6 shall take effect upon passage and Section 7 shall take effect upon approval of the question by the electors at the next general election."

Respectfully submitted,

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REPRESENTATIVE MUMFORD

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LC02535/2
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Representatives Mumford and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 18 members voting in the affirmative and 46 members voting in the negative as follows:

YEAS - 18: Representatives Ehrhardt, Fellela, Gorham, Kennedy, Loughlin, McManus, Melo, Menard, Moffitt, Mumford, Pacheco, Picard, Savage, Singleton, Story, Ucci, Walsh, Watson.

NAYS - 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kilmartin, Lewiss, Lima, Mattiello, McCauley, McNamara, Naughton, O'Neill, Petrarca, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Vaudreuil, Wasylyk, Williams, Williamson, Winfield.

REQUEST

Representative Smith requests the journal to reflect that if he had voted on LC 02535/2, he would have voted in the negative.

By unanimous consent, Representative Trillo, seconded by Representative Mumford offers a written motion to amend. LC 02535/6

Representative Trillo withdraws his amendment.

The article, as amended, is read and prevails, on a roll call vote, 57 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lewiss, Lima, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 9: Representatives Ehrhardt, Gorham, Loughlin, McManus, Menard, Moffitt, Mumford, Story, Watson.

REQUESTS

Representative Amaral requests the journal to reflect that if he had voted on Article 5, as amended, he would have voted in the affirmative.

Representative Long requests the journal to reflect that if he had voted on Article 5, as amended, he would have voted in the negative.

ARTICLE 6

RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2007

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

By unanimous consent, Representative Costantino, seconded by Representatives Crowley and Fox offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 6, page 3, line 33, by deleting the number "43,843" both times it appears, and inserting in place thereof the number "43,483".

(2) In Article 6, page 6, line 11, by deleting the number "35,669" and inserting in place thereof number "35,699".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02536/2

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Representative Costantino discusses the amendment.

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

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lewiss, Lima, Loughlin, Mattiello, McCauley, McManus, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

The article, as amended, is read and prevails, on a roll call vote, 60 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lewiss, Lima, Loughlin, Mattiello, McCauley, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 4: Representatives Gorham, McManus, Menard, Watson.

REQUESTS

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

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Roger Picard, State Representative, District 51, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: Article 7 of the State Budget

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

Affect a company a family member works for.

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.

ROGER PICARD
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

DAVID W.DUMAS
NOTARY PUBLIC

Representative Picard 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 REPRESENTATIVE

ARTICLE 7

RELATING TO TAXATION

Representative Costantino moves passage of the article, seconded by Representatives Kilmartin, Williamson, Fox and Lewiss.

By unanimous consent, Representative Costantino, seconded by Representatives Carter and Pacheco offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 7, page 2, line 26, by deleting the language “paragraph (e)” and inserting in place thereof the language “paragraph (f)”.

2. In Article 7, page 6, line 1, by deleting the word “commissioner’s” and inserting in place thereof the words “tax administrator”.

3. In Article 7, page 31, between lines 3 and 4, by inserting the following language:

"SECTION 14. Sections 44-11-1, 44-11-2 and 44-11-11 of the General Laws in Chapter 44-11 entitled "Business Corporation Tax" are hereby amended to read as follows:

<u>44-11-1. Definitions. --</u> For the purpose of this chapter:

<u>(1)(a) "Captive REIT" means a corporation, trust or association:</u>

<u>(i) that is considered a real estate investment trust for the taxable year under section 856 of the Internal Revenue Code;</u>

<u>(ii) that is not regularly traded on an established securities market; and</u>

<u>(iii) more than fifty percent (50%) of the voting power or value of the beneficial interests or shares of which at any time during the last half of the taxable year, is owned or controlled, directly or indirectly, by a single entity that is subject to the provisions of Subchapter C of Chapter 1 of the Internal Revenue Code; and</u>

<u>(b) "Captive REIT" does not include:</u>

<u>(i) a corporation, trust or association more than fifty percent (50%) of the voting power or value of the beneficial interests or shares of which, at any time during which the corporation, trust or association satisfies item (1)(iii) of this subsection, is owned or controlled, directly or indirectly, by:</u>

<u>(A) a real estate investment trust other than a real estate investment trust described in item (i) of this subsection; or</u>

<u>(B) a person exempt from taxation under section 501(a) of the Internal Revenue Code; and</u>

(ii) subject to regulations that the tax administrator adopts, a real estate investment trust that is intended to become regularly traded on an established securities market and that satisfies the requirements of section 865(A)(5) and (6) of the Internal Revenue Code by reason of section 856(h)(2) of the Internal Revenue Code; and

(c) For purposes of this section, the constructive ownership rules prescribed under section 318(a) of the Internal Revenue Code, as modified by section 856(d)(5) of the Internal Revenue Code, shall apply in determining the ownership of stock, assets or net profits of any person.

~~(1)~~ (2) "Corporation" means every corporation, joint-stock company, or association, wherever incorporated, a real estate investment trust, a regulated investment company, a personal holding company registered under the Federal Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq., and also a trustee or trustees conducting a business where interest or ownership is evidenced by certificates or other written instruments, deriving any income from sources within this state or engaging in any activities or transactions within this state for the purpose of profit or gain, whether or not an office or place of business is maintained in this state, or whether or not the income, activities, or transactions are connected with intrastate, interstate, or foreign commerce, except:

(i) State banks, mutual savings banks, federal savings banks, trust companies, national banking associations, building and loan associations, credit unions, and loan and investment companies;

(ii) Public service corporations included in chapter 13 of this title, except as otherwise provided in section 44-13-2.2;

(iii) Insurance and surety companies;

(iv) Corporations specified in section 7-6-4, incorporated hospitals, schools, colleges, and other institutions of learning not organized for business purposes and not doing business for profit and no part of the net earnings of which inures to the benefit of any private stockholder or individual, whether incorporated under any general law of this state or by any special act of the general assembly of this state;

(v) Fraternal beneficiary societies as set forth in section 27-25-1;

(vi) Any corporation expressly exempt from taxation by charter;

(vii) Corporations which together with all corporations under direct or indirect common ownership that satisfies the other requirements of this paragraph employ not less than five (5) full-time equivalent employees in the state; which maintain an office in the state; and activities within the state which are confined to the maintenance and management of their intangible investments or of the intangible investments of corporations or business trusts registered as investment companies under the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq., and the collection and distribution of the income from those investments or from tangible property physically located outside the state. For purposes of this paragraph, "intangible investments" includes, without limitation, investments in stocks, bonds, notes, and other debt obligations, including debt obligations of affiliated corporations, patents, patent applications, trademarks, trade names, copyrights, and similar types of intangible assets.

~~(2)~~ (3) "Fiscal year" means an accounting period of twelve (12) months ending on the last day of any month other than December.

~~(3)~~ (4) "Place of business" means a regular place of business, which, in turn, means any bona fide office, other than a statutory office, factory, warehouse, or other space which is regularly used by the taxpayer in carrying on its business. Where, as a regular course of business, property of the taxpayer is stored by it in a public warehouse until it is shipped to customers, the

warehouse is considered a regular place of business of the taxpayer and, where as a regular course of business, raw material or partially furnished goods of a taxpayer are delivered to an independent contractor to be converted, processed, finished, or improved and the finished goods remain in the possession of the independent contractor until shipped to customers, the plant of the independent contractor is considered a regular place of business of the taxpayer. The mere consignment of goods by the taxpayer to an independent factor outside this state for sale at the consignee's discretion does not constitute the taxpayer as having a regular place of business outside this state.

~~(4)~~ (5) "Taxable year" means the calendar year or the fiscal year ending during the calendar year upon the basis of which the net income is computed under this chapter. "Taxable year" means, in the case of a return made for a fractional part of a year under the provisions of this chapter or under regulations prescribed by the tax administrator, the period for which the return is made.

~~(5)~~ (6) "Taxpayer" means and includes any corporation subject to the provisions of this chapter.

44-11-2. Imposition of tax. -- (a) Each corporation shall annually pay to the state a tax equal to nine percent (9%) of net income, as defined in section 44-11-11, qualified in section 44-11-12, and apportioned to this state as provided in sections 44-11-13 -- 44-11-15, for the taxable year.

(b) A corporation shall pay the amount of any tax as computed in accordance with subsection (a) of this section after deducting from "net income," as used in this section, fifty percent (50%) of the excess of capital gains over capital losses realized during the taxable year, if for the taxable year:

(1) The corporation is engaged in buying, selling, dealing in, or holding securities on its own behalf and not as a broker, underwriter, or distributor;

(2) Its gross receipts derived from these activities during the taxable year amounted to at least ninety percent (90%) of its total gross receipts derived from all of its activities during the year. "Gross receipts" means all receipts, whether in the form of money, credits, or other valuable consideration, received during the taxable year in connection with the conduct of the taxpayer's activities.

(c) A corporation shall not pay the amount of the tax computed on the basis of its net income under subsection (a) of this section, but shall annually pay to the state a tax equal to ten cents ($.10) for each one hundred dollars ($100) of gross income for the taxable year or a tax of one hundred dollars ($100), whichever tax shall be the greater, if for the taxable year the corporation is either a "personal holding company" registered under the federal Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq., "regulated investment company", or a "real estate investment trust" as defined in the federal income tax law applicable to the taxable year. "Gross income" means gross income as defined in the federal income tax law applicable to the taxable year, plus:

(1) Any interest not included in the federal gross income; minus

(2) Interest on obligations of the United States or its possessions, and other interest exempt from taxation by this state; and minus

(3) Fifty percent (50%) of the excess of capital gains over capital losses realized during the taxable year.

(d) (1) A small business corporation having an election in effect under subchapter S, 26 U.S.C. section 1361 et seq., shall not be subject to the Rhode Island income tax on corporations,

except that the corporation shall be subject to the provisions of subsection (a), to the extent of the income that is subjected to federal tax under subchapter S.

(2) The shareholders of the corporation who are residents of Rhode Island shall include in their income their proportionate share of the corporation's federal taxable income.

(3) [Deleted by P.L. 2004, ch. 595. art. 29, section 1.]

(4) [Deleted by P.L. 2004, ch. 595, art. 29, section 1.]

(e) Minimum tax. The tax imposed upon any corporation under this section shall not be less than five hundred dollars ($500).

44-11-11. "Net income" defined. -- (a) (1) "Net income" means, for any taxable year and for any corporate taxpayer, the taxable income of the taxpayer for that taxable year under the laws of the United States, plus:

(i) Any interest not included in the taxable income;

(ii) Any specific exemptions; and

(iii) For a captive REIT, an amount equal to the amount of the dividends paid deduction allowed under the Internal Revenue Code for the taxable year; and

~~(iii)~~(iv) The tax imposed by this chapter; and minus

~~(iv)~~(v) Interest on obligations of the United States or its possessions, and other interest exempt from taxation by this state; and

~~(v)~~(vi) The federal net operating loss deduction.

(2) All binding federal elections made by or on behalf of the taxpayer applicable either directly or indirectly to the determination of taxable income shall be binding on the taxpayer except where this chapter or its attendant regulations specifically modify or provide otherwise. Rhode Island taxable income shall not include the "gross-up of dividends" required by the federal Internal Revenue Code to be taken into taxable income in connection with the taxpayer's election of the foreign tax credit.

(b) A net operating loss deduction shall be allowed which shall be the same as the net operating loss deduction allowed under 26 U.S.C. section 172, except that:

(1) Any net operating loss included in determining the deduction shall be adjusted to reflect the inclusions and exclusions from entire net income required by subsection (a) of this section and section 44-11-11.1;

(2) The deduction shall not include any net operating loss sustained during any taxable year in which the taxpayer was not subject to the tax imposed by this chapter; and

(3) The deduction shall not exceed the deduction for the taxable year allowable under 26 U.S.C. section 172; provided, that the deduction for a taxable year may not be carried back to any other taxable year for Rhode Island purposes but shall only be allowable on a carry forward basis for the five (5) succeeding taxable years.

(c) "Domestic international sales corporations" (referred to as DISCs), for the purposes of this chapter, will be treated as they are under federal income tax law and shall not pay the amount of the tax computed under section 44-11-2(a). Any income to shareholders of DISCs is to be treated in the same manner as it is treated under federal income tax law as it exists on December 31, 1984.

(d) A corporation which qualifies as a "foreign sales corporation" (FSC) under the provisions of subchapter N, 26 U.S.C. section 861 et seq., and which has in effect for the entire taxable year a valid election under federal law to be treated as a FSC, shall not pay the amount of the tax computed under section 44-11-2(a). Any income to shareholders of FSCs is to be treated in the same manner as it is treated under federal income tax law as it exists on January 1, 1985."

2. In Article 7, page 31, line 4, by deleting the numeral "14" and by inserting in its place the numeral "15".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02537/3
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Representative Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 58 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lewiss, Lima, Mattiello, McCauley, Melo, Menard, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 9: Representatives Ehrhardt, Gorham, Loughlin, McManus, Moffitt, Mumford, Singleton, Trillo, Watson.

Representative Costantino discusses the article as amended.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, William McManus, State Representative, District 46, 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: 07-H 5300 SUB A Article 7 LC 02537/2

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

I work at CVS Caremark, Inc.

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.

WILLIAM MCMANUS
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

DAVID W. DUMAS
NOTARY PUBLIC

Representative McManus 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

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Stephen Ucci, State Representative, District 42, 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: 07-H 5300 SUB A Article 7 LC 02537/2

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

I am employed by a corporation which may benefit from this amendment.

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.

STEPHEN UCCI
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

JOSEPH S. ALMEIDA JR.
NOTARY PUBLIC

Representative Ucci 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

By unanimous consent, Representative Moffitt, 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
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 7, page 31, line 6, by inserting the language "All tax increases contained within this article shall expire on January 1, 2008." after the language "passage."

Respectfully submitted,

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REPRESENTATIVE MOFFITT

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LC02537/2
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Representatives Ehrhardt, Ucci, Mumford, Watson, Gorham, Moffitt and Williamson discuss the amendment.

Representative Williamson moves to lay the amendment on the table, seconded by Representative Corvese.

Representative Williamson withdraws his motion to lay the amendment on the table.

Representatives Rice, Ehrhardt, Ajello, Wasylyk and Mumford continue discussion on the amendment.

The motion to amend fails on a roll call vote 15 members voting in the affirmative and 49 members voting in the negative as follows:

YEAS - 15: Representatives Amaral, Brien, Ehrhardt, Gorham, Jacquard, Loughlin, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Watson, Winfield.

NAYS - 49: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Kennedy, Kilmartin, Lally, Lewiss, Lima, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams.

By unanimous consent, Representative Ehrhardt, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1)In article 7, page 2, by deleting lines 20 through 34.

(2) In article 7, pages 3, 4, and 5, by deleting all of the language in its entirety.

(3) In article 7, page 6, by deleting lines 1 and 2, and by renumbering all subsequent sections in the article accordingly.

(4) In article 1, page 19, line 31 by deleting the number “25,903,138”, and inserting in place thereof the number “17,603,138”.

(5) In article 1, page 20, line 18 by deleting the number “96,997,828” and inserting in place thereof the number “88,697,828”.

Respectfully submitted,

_____
REPRESENTATIVE EHRHARDT

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LC02537/7
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Representatives Ehrhardt, Mumford, Watson and Costantino discuss the amendment.

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

YEAS - 14: Representatives Brien, Caprio, Ehrhardt, Gorham, Loughlin, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Watson, Winfield.

NAYS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Stephen R. Ucci, State Representative, District 42, 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: (07-H 5300 SUB A) Article 7-LC02537/6

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

My employer may benefit from the passage of this amendment.

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.

STEPHEN R. UCCI
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

JOSEPH S. ALMEIDA, JR.
NOTARY PUBLIC

Representative Ucci 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

By unanimous consent, Representative Ehrhardt, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In article 7, page 9, by deleting lines 7 through 34.

(2) In article 7, page 10, by deleting lines 1 through 7 and by renumbering all subsequent sections in this article accordingly.

(3) In article 1, page 19, line 31, by deleting the number "25,903,138", and inserting in place thereof the number "25,899,638".

(4) In article 1, page 20, line 6, by deleting the number "31,791,459", and inserting in place thereof the number "31,787,959".

Respectfully submitted,

_____
REPRESENTATIVE EHRHARDT

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LC02537/6
=======

Representatives Ehrhardt and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 13 members voting in the affirmative and 46 members voting in the negative as follows:

YEAS - 13: Representatives Brien, Caprio, Ehrhardt, Gorham, Loughlin, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Watson.

NAYS - 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Mattiello, McCauley, McNamara, Naughton, O'Neill, Petrarca, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

By unanimous consent, Representative Costantino, seconded by Representatives Slater, Ginaitt and Kilmartin offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 7, page 30, line 30 by inserting a period "." after the word "section" and by deleting the comma "," and words "and the".

(2) In Article 7, page 31, by deleting lines 1-3, inclusive in their entirety.

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

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LC02537/12
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Representative Costantino discuss the amendment.

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

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Loughlin, Mattiello, McCauley, McNamara, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 0.

Representative Menard discusses the article as amended. Representative Menard requests to vote Article 7 in sections. The Honorable Speaker rules it is divisible. Representative Handy requests to vote sections 7, 8 and 9 separately. The Honorable Speaker rules it is divisible.

Section 7, is read and prevails, on a roll call vote, 65 members voting in the affirmative and 1 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Mattiello, McCauley, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representatives Handy.

Section 8, is read and prevails, on a roll call vote, 59 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Loughlin, Mattiello, McCauley, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rose, San Bento, Savage, Schadone, Serpa, Shanley, Silva, Slater, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 5: Representatives Amaral, Gorham, Handy, Segal, Trillo.

REQUEST

Representative Rice requests the journal to reflect that if she had voted on Article 7, Section 8, she would have voted in the affirmative.

Section 9, is read and prevails, on a roll call vote, 55 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Loughlin, Mattiello, McCauley, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Serpa, Shanley, Silva, Singleton, Slater, Story, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 13: Representatives Amaral, Brien, Caprio, Ginaitt, Gorham, Handy, Menard, Segal, Smith, Sullivan, Trillo, Ucci, Watson.

The article, as amended, is read and prevails, on a roll call vote, 54 members voting in the affirmative and 11 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 11: Representatives Brien, Caprio, Ehrhardt, Gorham, Loughlin, Moffitt, Mumford, Singleton, Story, Trillo, Watson.

REQUESTS

Representative Savage requests the journal to reflect that he had voted incorrectly on Article 7, as amended, he should have voted in the negative.

Representative Long requests the journal to reflect that if he had voted on Article 7, as amended, he would have voted in the negative.

Representative Menard requests the journal to reflect that his machine malfunctioned on Article 7, as amended, if he could of voted, he would have voted in the negative.

ARTICLE 8

RELATING TO PUBLIC FINANCE – STATE BUDGET

Representative Costantino moves passage of the article, seconded by Representatives Lewiss, Slater, San Bento, Coderre, O'Neill, Kilmartin, Malik, Walsh, Church, Kilmartin and Gemma.

The article, is read and prevails, on a roll call vote, 73 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 73: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 9

RELATING TO EDUCATION BENEFITS FOR NATIONAL GUARD MEMBERS

Representative Carter moves passage of the article, seconded by Representatives Rose, Slater, Malik, Naughton, Lima, San Bento, Ucci, Pacheco, Gallison, Amaral, Fellela and Gemma.

The article, is read and prevails, on a roll call vote, 71 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Menard.

ARTICLE 10

RELATING TO RESTRICTED RECEIPT ACCOUNTS

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

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 10, page 2, line 16, by deleting the word "raw" and inserting in place thereof the word "draw".
2. In Article 10, page 5, lines 4 through 23, by deleting all the language.
3. In Article 10, page 10, by deleting all the language on line 33.

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

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LC02540/2
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The motion to amend prevails on a roll call vote 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Williamson, Winfield.

NAYS - 0.

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

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Picard.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

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

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (07-H 5300 SUB A) Articles 11, 13 and 19.

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

I am employed at Rhode Island Hospital.

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.

PETER GINAITT
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

DAVID W. DUMAS
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

ARTICLE 11

RELATING TO HOSPITAL AND OTHER MEDICAL FACILITIES AND SERVICES

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

By unanimous consent, Representative Costantino, seconded by Representatives Slater and Fox offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) On Article 11, page 3, line 1, by deleting the word "gross" and inserting the word

"net" in place thereof.

(2) On Article 11, page 6, line 16, by deleting the word "gross" and inserting the word "net" in place thereof.

(3) On Article 11, page 6, line 18, by deleting the word "gross" and inserting the word "net" in place thereof.

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

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LC02541/2
=======

Representatives Gorham, Costantino, Ehrhardt and Trillo discuss the amendment.

The motion to amend prevails on a roll call vote 70 members voting in the affirmative and 0 member voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

By unanimous consent, Representative Trillo, seconded by Representative Gorham offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 11, page 5, line 21, by deleting Section 3 in its entirety and renumbering the subsequent sections of the article.

(2) By adding the following new Article:

"ARTICLE ___
ADDITIONAL POWERS OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

SECTION 1. The director of the department of health and human services is hereby authorized and directed to reduce the amount of expenditure by the department in an amount equal to the loss of revenues resulting from the repeal of the imaging service surcharge contained in this amendment.

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

Respectfully submitted,

_____

REPRESENTATIVE TRILLO

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LC02541/6
=======

Representatives Trillo and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 17 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 17: Representatives Amaral, Caprio, Ehrhardt, Gorham, Long, Loughlin, Malik, McManus, Menard, Moffitt, Mumford, Savage, Story, Trillo, Ucci, Watson, Winfield.

NAYS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

By unanimous consent, Representative Trillo, seconded by Representative Gorham offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 11, page 2, line 15 by deleting Section 2 in its entirety, and renumbering the

subsequent sections accordingly.

2. By adding the following new Article:

"ARTICLE ____

ADDITIONAL AUTHORITY OF THE DIRECTOR

SECTION 1. The director of the department of health and human services is hereby authorized and directed to reduce the amount of expenditures by the department in an amount equal to the loss of revenues resulting from the repeal of the outpatient health facility surcharge contained in this amendment.

SECTION. 2. This Article Shall take effect upon passage."

Respectfully submitted,

_____

REPRESENTATIVE TRILLO

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LC02541/5

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Representatives Trillo and Naughton discuss the amendment.

The motion to amend fails on a roll call vote 15 members voting in the affirmative and 55 members voting in the negative as follows:

YEAS - 15: Representatives Amaral, Ehrhardt, Flaherty, Gorham, Jacquard, Long, Loughlin, McManus, McNamara, Menard, Moffitt, Mumford, Trillo, Watson, Winfield.

NAYS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

The article, as amended, is read and prevails, on a roll call vote, 54 members voting in the affirmative and 18 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 18: Representatives Amaral, Ehrhardt, Flaherty, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Picard, Savage, Singleton, Story, Trillo, Ucci, Watson, Winfield.

ARTICLE 12

RELATING TO NURSING FACILITIES

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

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 12, on page 2, line 1 by deleting the word "July" and inserting in place thereof the word "October".

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

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LC02542/2
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The motion to amend prevails on a roll call vote 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Long requests the journal to reflect that if he had voted on LC02542/2, he would have voted in the affirmative.

The article, as amended, is read and prevails, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

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

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (07-H 5300 SUB A) Articles 11, 13 and 19.

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

I am employed at Rhode Island Hospital.

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.

PETER GINAITT
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

DAVID E. DUMAS
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

ARTICLE 13

RELATING TO HOSPITAL PAYMENTS

Representative Costantino moves passage of the article, seconded by Representatives Lima, Gemma, Wasylyk, Sullivan, Coderre and Slater.

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 13, page 1, between lines 25 and 26, by adding the following language:

"(c) The payments are expressly conditioned upon approval by the secretary of the United States Department of Health and Human Services, or his or her authorized representative, of any Medicaid state plan amendment necessary to secure for the state the benefit of federal financial participation in federal fiscal year 2008 for such payments, such amendment to be filed not later than July 9, 2007."

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02543/2
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Representative Costantino and Gorham discuss the amendment.

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

YEAS - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

The article, as amended, is read and prevails, on a roll call vote, 73 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 73: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 14

RELATING TO MEDICAL ASSISTANCE – LONG-TERM CARE SERVICE AND FINANCE REFORM

Representative Slater moves passage of the article, seconded by Representatives Sullivan, Jacquard, San Bento and Gemma.

By unanimous consent, Representative Costantino, seconded by Representatives Sullivan, San Bento, Naughton Lima and several other members of the House offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 14, page 1, line 26, by deleting the word "hospital" and inserting in place thereof the word "hospice".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02544/2
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The motion to amend prevails on a roll call vote 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Diaz requests the journal to reflect that if she had voted on LC 02544/2, she would have voted in the affirmative.

The article, as amended, is read and prevails, on a roll call vote, 73 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 73: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 15

RELATING TO CHILD CARE – STATE SUBSIDIES

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

The article, is read and prevails, on a roll call vote, 74 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 74: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Douglas W. Gablinske, State Representative, District 68, 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: (07-H 5300 SUB A) Article 16

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

I am appraiser and bill deals with licensing loan brokers, who I do a substantial amount of business with Article 16 in budget.

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.

DOUGLAS W. GABLINSKE
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

DAVID W. DUMAS
NOTARY PUBLIC

Representative Gablinske 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

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Peter Lewiss, State Representative, District 37, 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: (07-H 5300 SUB A) Article 16

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

More than 50% of my law practice is real estate transactions including mortgages.

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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.

PETER LEWISS
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

J. RUSSELL JACKSON
NOTARY PUBLIC

Representative Lewiss 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

ARTICLE 16

RELATING TO FINANCIAL INSTITUTIONS – LICENSED ACTIVITIES

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

The article, is read and prevails, on a roll call vote, 64 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 64: Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lima, Long, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 4: Representatives Gorham, Loughlin, Trillo, Watson.

ARTICLE 17

RELATING TO HUMAN SERVICES – PHARMACEUTICALS

Representative Slater moves passage of the article, seconded by Representatives Gemma and Lima.

The article, is read and prevails, on a roll call vote, 70 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Moffitt, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 2: Representatives Handy, Menard.

ARTICLE 18

RELATING TO PROGRAM INTEGRITY

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

Representatives Wasylyk and Costantino discuss the article.

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 18, page 4, line 7, delete the words "under the federal false".
(2) In Article 18, page 4, delete line 8.
(3) In Article 18, page 4, line 9, delete the word "state".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02548/2
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Representative Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Gablinske, Gallison, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Costantino, Caprio and Ucci discuss the article, as amended.

Representative Costantino offers an oral amendment to the amendment. The oral motion to the amendment prevails by unanimous consent on a voice vote.

The article, as amended, is read and prevails, on a roll call vote, 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

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

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (07-H 5300 SUB A) Articles 11, 13 and 19.

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

I am employed at Rhode Island Hospital.

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.

PETER GINAITT
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

DAVID E. DUMAS
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

ARTICLE 19

RELATING TO HOSPITAL UNCOMPENSATED CARE

Representative Slater moves passage of the article, seconded by Representatives Gemma and Lima.

The article, is read and prevails, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 20

RELATING TO CHILD CARE ELIGIBILITY

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

By unanimous consent, Representative Diaz, seconded by Representative Almeida offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 20, page 1, line 8, by deleting the language "one hundred eighty percent (180 %), and inserting in place thereof the language "two hundred twenty-five percent (225%)".

Respectfully submitted,

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REPRESENTATIVE DIAZ

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LC02550/2
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Representatives Diaz, Almeida, Costantino and Rice discuss the amendment.

The motion to amend fails on a roll call vote 13 members voting in the affirmative and 60 members voting in the negative as follows:

YEAS - 13: Representatives Almeida, Baldelli-Hunt, Dennigan, Diaz, Flaherty, Handy, McCauley, Rice, Segal, Smith, Walsh, Wasylyk, Williams.

NAYS - 60: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, DeSimone, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Singleton, Story, Sullivan, Trillo, Ucci, Vaudreuil, Watson, Williamson, Winfield.

The article, is read and prevails, on a roll call vote, 63 members voting in the affirmative and 11 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williamson, Winfield.

NAYS - 11: Representatives Baldelli-Hunt, Ehrhardt, Gorham, Handy, Loughlin, McManus, Mumford, Segal, Trillo, Watson, Williams.

ARTICLE 21

RELATING TO EDUCATION AID

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

By unanimous consent, Representative Costantino, seconded by Representatives Picard, Mattiello, Ucci, Jacquard, Kilmartin, Baldelli-Hunt, San Bento, Brien, Carter, Lima, Williams, Savage, Naughton, Sullivan, Scott, Fellela, Slater, Serpa, Crowley, Pacheco, Picard, Gemma, Lima and many other members of the House offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

By deleting Article 21 in its entirety and inserting in place thereof the following new Article 21:

"ARTICLE 21
EDUCATION AID

SECTION 1. Sections 16-7-23 and 16-7-29 of the General Laws in Chapter 16-7 entitled "Foundation Level School Support" are hereby amended to read as follows:

16-7-23. Community requirements – Adequate minimum budget provision. – (a) The school committee's budget provisions of each community for current expenditures in each budget year shall provide for an amount from all sources sufficient to support the basic program and all other approved programs shared by the state. Each community shall contribute local funds to its school committee in an amount not less than its local contribution for schools in the previous fiscal year. Calculation of the annual local contribution shall not include Medicaid revenues received by the municipality or district pursuant to chapter 8 of title 40. A community which has a decrease in enrollment may compute maintenance of effort on a per pupil rather than on an aggregate basis when determining its local contribution; furthermore, a community which experiences a nonrecurring expenditure for its schools may deduct the nonrecurring expenditure in computing its maintenance of effort. The deduction of nonrecurring expenditures shall be with the approval of the commissioner. The courts of this state shall enforce this section by writ of mandamus.

(b) Whenever any state funds are appropriated for educational purposes, the funds shall be used for educational purposes only and all state funds appropriated for educational purposes must be used to supplement any and all money allocated by a city or town for educational purposes and, in no event, shall state funds be used to supplant, directly or indirectly, any money

allocated by a city or town for educational purposes. All state funds shall be appropriated by the municipality to the school committee for educational purposes in the same fiscal year in which they are appropriated at the state level even if the municipality has already adopted a school budget. All state and local funds unexpended by the end of the fiscal year of appropriation shall remain a surplus of the school committee and shall not revert to the municipality. Any surplus of state or local funds appropriated for educational purposes shall not in any respect affect the requirement that each community contribute local funds in an amount not less than its local contribution for schools in the previous fiscal year, subject to subsection (a) of this section, and shall not in any event be deducted from the amount of the local appropriation required to meet the maintenance of effort provision in any given year.

16-7-29. Minimum salary schedule established by community. – (a) Every community shall establish and put into full effect by appropriate action of its school committee a salary schedule recognizing years of service, experience, and training for all certified personnel regularly employed in the public schools and having no more than twelve (12) annual steps. ~~provided, however, that any salary supplement required under § 16-25.3-2 shall not be considered a step for the purposes of this section.~~ The term "school year" as applied to the salary schedule means the ten (10) calendar months beginning in September and ending the following June.

(b) Nothing in this section shall prohibit a freeze or reduction of the monetary value of the steps in the salary schedule through the collective bargaining process.

SECTION 2. Section 16-17.1-16 of the General Laws in Chapter 16-7.1 entitled "The Rhode Island Student Investment Initiative" is hereby amended to read as follows

16-7.1-15. The Rhode Island student investment initiative. – (a) Each locally or regionally operated school district shall receive as a base the same amount of school aid as each district received in fiscal year 1997-1998, adjusted to reflect the increases or decreases in aid enacted to meet the minimum and maximum funding levels established for FY 2000 through ~~FY 2006~~ FY 2007. Each school district shall also receive school aid through each investment fund for which that district qualifies pursuant to §§ 16-7.1-8, 16-7.1-9, 16-7.1-10, 16-7.1-11, 16-7.1-12, 16-7.1-16 and 16-7.1-19. These sums shall be in addition to the base amount described in this section. For ~~FY 2007~~ FY 2008, the reference year for the data used in the calculation of aid pursuant to §16-7.1-8, §16-7.1-9, §16-7.1-10, §16-7.1-11, section 16-7.1-11.1, §16-7.1-12, ~~and~~ §16-7.1-16, sections 16-7.1-19 and 16-77.1-2(b) shall be FY 2004. Calculation and distribution of education aid under §§ 16-5-31, 16-5-32, 16-7-20, 16-7-20.5, 16-7-34.2, 16-7-34.3, 16-24-6, 16-54-4, and 16-67-4 is hereby suspended. The funding of the purposes and activities of chapter 67 of this title, the Rhode Island Literacy and Dropout Prevention Act of 1967, shall be the same amount of the base amount of each district funded for that purpose in fiscal year 1997-1998. In addition each district shall expend three percent (3%) of its student equity and early childhood funds under the provisions of chapter 67 of this title.

(b) Funding for full day kindergarten programs in accordance with § 16-7.1-11.1 shall be in addition to funding received under this section.

(c) Funding distributed under §§ 16-77.1-2(b) and 16-64-1.1 shall be in addition to funding distributed under this section.

(d) There shall be an appropriation to ensure that total aid distributed to communities in ~~FY 2007~~ FY 2008 under this section and §§ 16-7.1-11.1, 16-64-1.1 and 16-77.1-2(b) shall be as follows:

Barrington	~~2,599,526~~	2,599,526

Burrillville	~~13,779,743~~	13,854,743
Charlestown	~~2,002,838~~	2,002,832
Coventry	~~20,075,081~~	20,075,081
Cranston	~~35,580,911~~	35,580,911
Cumberland	~~13,257,009~~	13,257,009
East Greenwich	~~1,949,761~~	1,949,761
East Providence	~~26,762,254~~	26,888,254
Foster	~~1,416,463~~	1,416,463
Glocester	~~3,213,847~~	3,213,847
Hopkinton	~~6,241,352~~	6,241,352
Jamestown	~~531,908~~	531,908
Johnston	~~10,915,364~~	10,915,364
Lincoln	~~7,403,268~~	7,403,268
Little Compton	~~368,810~~	368,810
Middletown	~~10,497,116~~	10,497,116
Narragansett	~~1,897,159~~	1,897,159
Newport	~~11,796,080~~	11,871,080
New Shoreham	~~106,345~~	106,345
North Kingstown	~~11,986,005~~	11,986,005
North Providence	~~13,232,872~~	13,262,872
North Smithfield	~~4,834,237~~	4,834,237
Pawtucket	~~66,858,559~~	67,023,559
Portsmouth	~~6,250,042~~	6,700,042
Providence	~~193,974,756~~	194,109,756
Richmond	~~6,188,615~~	6,188,615
Scituate	~~3,407,183~~	3,407,183
Smithfield	~~5,668,568~~	5,743,568
South Kingstown	~~10,428,698~~	10,548,698
Tiverton	~~5,932,058~~	5,932,058
Warwick	~~37,626,000~~	37,626,000
Westerly	~~6,843,077~~	6,843,077
West Warwick	~~20,440,547~~	20,440,547
Woonsocket	~~47,616,613~~	47,616,613
Bristol-Warren	~~20,498,190~~	20,498,190
Exeter-West Greenwich	~~7,661,019~~	7,661,019
Chariho	~~398,334~~	398,334
Foster-Glocester	~~5,729,861~~	5,729,861
Central Falls	~~43,313,036~~	43,873,873

This special provision shall not limit entitlements as determined by application of other formula provisions in this section.

(f) Children with disabilities. (1) Based on its review of special education within the context of Rhode Island school reform, the general assembly recommends addressing the needs of all children and preventing disability through scientific research based, as described in the No Child Left Behind Act of 2001, Title 1, Part B, Section 1208 [20 U.S.C. § 6368], reading instruction and the development of Personal Literacy Programs for students in the early grades performing below grade level in reading and implement a system of student accountability that

will enable the state to track individual students over time. Additionally, the department of elementary and secondary education must provide districts with rigorous criteria and procedures for identifying students with learning disabilities and speech/language impairments. Additional study is required of factors that influence programming for students with low incidence disabilities; those with disabilities that severely compromise life functions; and programming for students with disabilities through urban special education. Alternatives for funding special education require examination.

(2) All departments and agencies of the state shall furnish any advice and information, documentary and otherwise, to the general assembly and its agents that is deemed necessary or desirable by the study to facilitate the purposes of this section.

SECTION 3. Section 16-25.3-2 of the General Laws in Chapter 16-25.3 entitled "School Speech and Language Pathologists" is hereby amended to read as follows:

16-25.3-2. Employment of speech language pathologists. – (a) Each school district is encouraged by the general assembly to employ one full time certified speech language pathologist for every forty (40) students who receive speech language services within the age range of three (3) to twenty-one (21). In cases where the number of students receiving speech language services is above forty (40), the school district is encouraged to employ a speech language pathologist on a part time pro-rata basis.

(b) When a speech and language evaluation or the provision of speech language services are being considered or are part of the student's program the speech language pathologist shall be a member of the multidisciplinary team.

(c) In the event an individual seeks emergency certification from the department of elementary and secondary education in the area of speech language pathology, the individual must meet the following minimum requirements before the granting of emergency certification by the department of elementary and secondary education:

(1) Hold a bachelor's degree in communicative disorders from an accredited college or university;

(2) Have successfully completed no less than eighteen (18) hours of graduate credit in the area of speech language pathology.

(d) Individuals under emergency certification to conduct the business of a speech language pathologist shall be under the direct supervision of a certified speech language pathologist. At no time shall a certified speech language pathologist supervise more than one emergency certified speech language pathologist.

(e) Any licensed speech language pathologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association, and who is employed full-time as a speech language pathologist by a school district, shall be entitled to receive an annual salary supplement of one thousand seven hundred fifty dollars ($1,750) for school year 2007 only, in addition to any other compensation to which the employee may be entitled.

Any licensed speech language pathologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and is employed full-time by a school district shall submit documentation to the department of elementary and secondary education, and to the local school district by December 1, in order to be eligible to receive the salary supplement in the next immediate school year, except for the school year 2007, in which documentation shall be submitted to the department of elementary and secondary education and the local school district by October 1 in order to be eligible to

receive the salary supplement in that school year. The department of elementary and secondary education shall, within thirty (30) days, notify the school district if the documentation provided by the employee is inadequate to show proof of certification, thereby rendering the employee ineligible for the salary supplement in the next immediate school year; provided, however, that if the employee provides additional information, with fifteen (15) days of notification of ineligibility, verifying certification, that employee shall be entitled to receive the salary supplement in the next immediate school year.

(f) Local school districts shall be reimbursed by the state for costs attributable to the salary supplements provided for in this act.

SECTION 4. Section 16-25.3-2 of the General Laws in Chapter 16-25.3 entitled "School Speech and Language Pathologists" is hereby amended to read as follows:

16-25.3-2. Employment of speech language pathologists. -- (a) Each school district is encouraged by the general assembly to employ one full time certified speech language pathologist for every forty (40) students who receive speech language services within the age range of three (3) to twenty-one (21). In cases where the number of students receiving speech language services is above forty (40), the school district is encouraged to employ a speech language pathologist on a part time pro-rata basis.

(b) When a speech and language evaluation or the provision of speech language services are being considered or are part of the student's program the speech language pathologist shall be a member of the multidisciplinary team.

(c) In the event an individual seeks emergency certification from the department of elementary and secondary education in the area of speech language pathology, the individual must meet the following minimum requirements before the granting of emergency certification by the department of elementary and secondary education:

(1) Hold a bachelor's degree in communicative disorders from an accredited college or university;

(2) Have successfully completed no less than eighteen (18) hours of graduate credit in the area of speech language pathology.

(d) Individuals under emergency certification to conduct the business of a speech language pathologist shall be under the direct supervision of a certified speech language pathologist. At no time shall a certified speech language pathologist supervise more than one emergency certified speech language pathologist.

~~(e) Any licensed speech language pathologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association, and who is employed by a school district, shall be entitled to receive an annual salary supplement of one thousand seven hundred fifty dollars ($1,750), in addition to any other compensation to which the employee may be entitled.~~

~~Any licensed speech language pathologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association shall submit documentation to the department of elementary and secondary education, and to the local school district by December 1, in order to be eligible to receive the salary supplement in the next immediate school year, except for the school year 2007, in which documentation shall be submitted to the department of elementary and secondary education and the local school district by October 1 in order to be eligible to receive the salary supplement in that school year. The department of elementary and secondary education shall, within thirty (30) days, notify the school district if the documentation provided by the employee is inadequate to show proof of~~

~~certification, thereby rendering the employee ineligible for the salary supplement in the next immediate school year; provided, however, that if the employee provides additional information, with fifteen (15) days of notification of ineligibility, verifying certification, that employee shall be entitled to receive the salary supplement in the next immediate school year.~~

~~(f) Local school districts shall be reimbursed by the state for costs attributable to the salary supplements provided for in this act.~~

SECTION 5. Chapter 16-47 of the General Laws entitled "Compact for Education" is hereby repealed in its entirety:

16-47-1. Compact. ~~– The interstate compact for education is enacted into law and entered into by this state with all states legally joining in the compact in the form substantially as follows:~~

~~ARTICLE I~~

~~Purpose and Policy~~

~~A. It is the purpose of this compact to:~~

~~1. Establish and maintain close cooperation and understanding among executive, legislative, professional educational and lay leadership on a nationwide basis at the state and local levels.~~

~~2. Provide a forum for the discussion, development, crystalization and recommendation of public policy alternatives in the field of education.~~

~~3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.~~

~~4. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.~~

~~B. It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.~~

~~C. The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.~~

~~ARTICLE II~~

~~State Defined~~

~~As used in the compact, "State" means state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.~~

~~ARTICLE III~~

~~The Commission~~

~~A. The educational commission of the states, hereinafter called "The commission", is hereby established. The commission shall consist of seven (7) members representing each party~~

~~state. One of such members shall be the governor; two (2) shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and four (4) shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the commission, six (6) members shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, lay and professional, public and non-public educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be not to exceed ten (10) non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.~~

~~B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its by-laws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to article IV and adoption of the annual report pursuant to article III (J).~~

~~C. The commission shall have a seal.~~

~~D. The commission shall elect annually, from among its members, a chairperson, who shall be a governor, a vice chairperson and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.~~

~~E. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.~~

~~F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two (2) or more of the party jurisdictions or their subdivisions.~~

~~G. The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or~~

~~from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.~~

~~H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.~~

~~I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendments thereto, with the appropriate agency or officer in each of the party states.~~

~~J. The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.~~

~~ARTICLE IV~~

~~Powers~~

~~In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:~~

~~1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.~~

~~2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.~~

~~3. Develop proposals for adequate financing of education as a whole and at each of its many levels.~~

~~4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.~~

~~5. Formulate suggested policies and plans for the improvement of public education as a whole, or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.~~

~~6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.~~

~~ARTICLE V~~

~~Cooperation with Federal Government~~

~~A. If the laws of the United States specifically so provide, or if administrative provision is made therefore within the federal government, the United States may be represented on the commission by not to exceed ten (10) representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.~~

~~B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common~~

~~educational policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.~~

~~ARTICLE VI~~

~~Committees~~

~~A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of thirty (30) members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the by-laws of the commission. One-third (1/3) of the voting membership of the steering committee shall consist of governors, and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two (2) years, except that members elected to the first steering committee of the commission shall be elected as follows: fifteen (15) for one year and fifteen (15) for two (2) years. The chairperson, vice chairperson, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two (2) terms as a member of the steering committee: provided that service for a partial term of one year or less shall not be counted toward the two (2) term limitation.~~

~~B. The commission may establish advisory and technical committees composed of state, local, and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two (2) or more of the party states.~~

~~C. The commission may establish such additional committees as its by-laws may provide.~~

~~ARTICLE VII~~

~~Finance~~

~~A. The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.~~

~~B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.~~

~~C. The commission shall not pledge the credit of any party states. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to article III(G) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it pursuant to article III(G) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.~~

~~D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled~~

~~by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.~~

~~E. The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.~~

~~F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.~~

~~ARTICLE VIII~~

~~Eligible Parties; Entry into and Withdrawal~~

~~A. This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.~~

~~B. Any state or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same: provided that in order to enter into initial effect, adoption by at least ten (10) eligible party jurisdictions shall be required.~~

~~C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the governor shall appoint those persons who, in addition to himself or herself, shall serve as the members of the commission from his or her state, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him or her.~~

~~D. Except for a withdrawal effective on December 31, 1967, in accordance with paragraph C of this article, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.~~

~~ARTICLE IX~~

~~Construction and Severability~~

~~This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the state affected as to all severable matters.~~

SECTION 6. Section 16-64-1.1 of the General Laws in Chapter 16-64 entitled "Residence of Children for School Purposes" is hereby amended to read as follows:

<u>16-64-1.1. Payment and reimbursement for educational costs of children placed in foster care, group homes, or other residential facility by a Rhode Island state agency. --</u> (a) Children placed in foster care by a Rhode Island licensed child placing agency or a Rhode Island governmental agency shall be entitled to the same free appropriate public education provided to all other residents of the city or town where the child is placed. The city or town shall pay the

cost of the education of the child during the time the child is in foster care in the city or town.

(b) Children placed by DCYF in a group home or other residential facility that does not include the delivery of educational services are to be educated by the community in which the group home or other residential facility is located, and those children shall be entitled to the same free appropriate public education provided to all other residents of the city or town where the child is placed. For purposes of payment and reimbursement for educational costs under this chapter, the term "group home or other residential facility" shall not include independent living programs. Each city and town that contains one or more group homes or other residential facilities that do not include delivery of educational services will receive funds as part of state aid to education in accordance with the following provisions:

(1) On ~~June 30~~ December 31 of each year the DCYF shall provide the department of elementary and secondary education with a precise count of how many group home or other residential facility "beds" exist in each Rhode Island city or town, counting only those "beds" in facilities that do not include the delivery of educational services. The number of "beds" in each group home or other residential facility shall be equal to the maximum number of children that may be placed in that group home or other residential facility on any given night according to the applicable licensure standards of the DCYF. ~~This notification shall also include an estimate of the number of group home beds by city or town that are projected to be licensed by DCYF between July 1 and December 31 of each year.~~

~~(2) On June 30 of each year the DCYF shall provide the department of elementary and secondary education with a precise count of the total number of students aged three (3) to twenty-one (21) in DCYF care on that date who reside in group homes in the state of Rhode Island, as well as an accurate accounting of the percentage of those children that are eligible for special education and related services pursuant to the Individuals with Disabilities Education Act [20 U.S.C. section 1400 et seq.]as of that date;~~

(2) For the fiscal year beginning July 1, 2007, if the number of beds certified by the Department of Children, Youth and Families for a school district by December 31, 2007 is greater than the number certified March 14, 2007 upon which the education aid for FY 2008 was appropriated, the education aid for that district will be increased by the number of increased beds multiplied by fifteen thousand dollars ($15,000). Notwithstanding the provisions of this section or any law to the contrary, the education aid for all group home or other residential facility "beds" located or associated with the Children's Residential and Family Treatment (CRAFT) program located on the East Providence campus of Bradley Hospital shall be twenty-two thousand dollars ($22,000) per bed. The Department of Elementary and Secondary Education shall include the additional aid in equal payments in March, April, May and June, and the Governor's budget recommendations pursuant to section 35-3-8 shall include the amounts required to provide the increased aid.

For all fiscal years beginning after June 30, 2008, education aid for each school district shall include fifteen thousand dollars ($15,000) for each bed certified by the Department of Children, Youth and Families by the preceding December 31. Notwithstanding the provisions of this section or any law to the contrary, the education aid for all group home or other residential facility "beds" located or associated with the Children's Residential and Family Treatment (CRAFT) program located on the East Providence campus of Bradley Hospital shall be twenty-two thousand dollars ($22,000) per bed. For all fiscal years beginning after June 30, 2008, whenever the number of beds certified by the Department of Children, Youth and Families for a school district by December 31 is greater than the number certified the prior December 31 upon

which the education aid for that fiscal year was appropriated, the education aid for that district as enacted by the assembly during the prior legislative session for that fiscal year will be increased by the number of increased beds multiplied by the amount per bed authorized for that fiscal year. The Department of Elementary and Secondary Education shall include the additional aid in equal payments in March, April, May and June, and the Governor's budget recommendations pursuant to section 35-3-8 shall include the amounts required to provide the increased aid.

~~(3) Each city or town shall receive state education aid in an amount equal to the number of group home or other residential facility "beds" in that community multiplied by a per pupil rate.,~~ subject to appropriation, intended to reflect the average cost per pupil based on the blend of regular education and special education students in group homes as derived from figures supplied on June 30 of the reference year as defined in section 16-7-16(11). Each city or town shall receive an additional per pupil rate for beds certified by DCYF as licensed between July 1 and December 31 of each year. Any city or town may petition the commissioner of elementary and secondary education for additional state education aid pursuant to this section in any year in which the total number of group home or other residential facility "beds" is increased by more than five (5) in any annual cycle.

~~(4) The general assembly shall annually appropriate a sum sufficient to distribute to each city or town the aid required by this subsection based upon the DCYF count provided on June 30 of the reference year as defined in section 16-7-16(11) and that aid shall be distributed by the department of elementary and secondary education. For an appropriation to be made for payments to be made for the 2001-2002 school year the DCYF shall establish a count as required in this subsection upon passage of this legislation [July 5, 2001] This count shall be determined based on the group home and other residential facility "beds" in existence in each community as of December 31 of the preceding year.~~

~~(5) For fiscal year 2007, aid received pursuant to this section shall be equal to aid received in the fiscal year 2006 enacted budget. However, notwithstanding the language in subsection 3 limiting requests for additional aid to the year in which facility "beds" have increased by more than five (5) in that annual cycle, communities may, pursuant to subsection 3, petition in the fiscal year 2007 for additional aid based upon an increase of more than five (5) "beds" subsequent to the passage of the fiscal year 2006 budget enacted by the 2005 General Assembly.~~

(c) Children placed by DCYF in a residential treatment program, group home, or other residential facility, whether or not located in the state of Rhode Island, which includes the delivery of educational services, provided by that facility (excluding facilities where students are taught on grounds for periods of time by teaching staff provided by the school district in which the facility is located), shall have the cost of their education paid for as provided for in subsection (d) of this section and section 16-64-1.2. The city or town determined to be responsible to DYCF for a per-pupil special education cost pursuant to section 16-64-1.2 shall pay its share of the cost of educational services to DCYF or to the facility providing educational services.

(d) Children placed by DCYF in group homes, child caring facilities, community residences, or other residential facilities shall have the entire cost of their education paid for by DCYF if:

(1) The facility is operated by the state of Rhode Island or the facility has a contract with DCYF to fund a pre-determined number of placements or part of the facility's program;

(2) The facility is state-licensed; and

(3) The facility operates an approved on-grounds educational program, whether or not the child attends the on-grounds program.

SECTION 7. Sections 3 and 5 of this article shall take effect as of July 1, 2006; the remainder of this article shall take effect on July 1, 2007."

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

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LC02551/18
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Representatives Costantino and Ucci discuss the amendment.

The motion to amend prevails on a roll call vote 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

By unanimous consent, Representative Handy, seconded by Representative Segal offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. An Article 21, page 4, by inserting the following language after line 24:

"(3) Provided, that in addition to the amounts set forth in subsection (d) herein, the total aid distributed to each said community in FY 2008 shall be increased an additional one percent (1%) of the amount provided in subsection (d). Said additions shall be funded directly from

savings realized by reamortizing the state's unfunded pension liability commencing June 30, 2007, as provided for in section 36-10-2 of the general laws and by this act."

2. By adding the following new Article:

"ARTICLE _____

RELATING TO STATE RETIREMENT SYSTEM – FUNDING AND AMORTIZATION

SECTION 1. Section 16-16-22 of the General Laws in Chapter 16-16 entitled "Teachers' Retirement" is hereby amended to read as follows:

16-16-22. Contributions to state system. -- (a) Each member shall contribute into the system nine and one-half percent (9.5%) of compensation as his or her share of the cost of annuities, benefits, and allowances. Provided, that for any member, who has not completed at least ten (10) years of contributory service on or before July 1, 2005, the amount contributed by the member shall be equal to eight and one-half percent (8.5%). The employer contribution on behalf of teacher members of the system shall be in an amount that will pay a rate percent of the compensation paid to the members, according to the method of financing prescribed in the State Retirement Act in chapters 8 -- 10 of title 36. This amount shall be paid by the state, and sixty percent (60%) by the city, town, local educational agency, or any formalized commissioner approved cooperative service arrangement by whom the teacher members are employed, with the exception of teachers who work in federally funded projects. Provided, however, that the rate percent paid shall be rounded to the nearest hundredth of one percent (.01%).

(b) The employer contribution on behalf of teacher members of the system who work in fully or partially federally funded programs shall be prorated in accordance with the share of the contribution paid from the funds of the federal, city, town, or local educational agency, or any formalized commissioner approved cooperative service arrangement by whom the teacher members are approved.

(c) In case of the failure of any city, town, or local educational agency, or any formalized commissioner approved cooperative service arrangement to pay to the state retirement system the amounts due from it under this section within the time prescribed, the general treasurer is authorized to deduct the amount from any money due the city, town, or local educational agency from the state.

(d) The employer's contribution shared by the state shall be paid in the amounts prescribed in this section for the city, town, or local educational agency and under the same payment schedule. Notwithstanding any other provisions of this chapter, the city, town, or local educational agency or any formalized commissioner approved cooperative service arrangement shall remit to the general treasurer of the state the local employer's share of the teacher's retirement payments on a monthly basis, payable by the fifteenth (15th) of the following month. The general treasurer, upon receipt of the local employer's share, shall effect transfer of a matching amount of money from the state funds appropriated for this purpose by the general assembly into the retirement fund.

(e) This section is not subject to sections 45-13-7 through 45-13-10.

(f) Provided, any savings realized by reamortizing the state's unfunded pension liability commencing June 30, 2007, as provided for in section 36-10-2 of the general laws and by this act, and which remain after being applied as school aid pursuant to section 16-7.1-15, shall then be applied to the state retirement system.

SECTION 2. Sections 36-10-1 and 36-10-2 of the General Laws in Chapter 36-10 entitled "Retirement System-Contributions and Benefits" are hereby amended to read as follows:

36-10-1. Member contributions -- Deduction from compensation. -- (a) Each member of the retirement system shall contribute an amount equal to eight and one-half percent (8.5%) of his or her compensation as his or her share of the cost of annuities, benefits, and allowances; provided, however, that each member will also initially contribute one eighth of one percent (0.125%) in the fiscal year beginning July 1, 1989, and one eighth of one percent (0.125%) in the fiscal year beginning July 1, 1990. Provided, that for any member, who has not completed at least ten (10) years of contributory service on or before July 1, 2005, the amount contributed by the member shall be equal to seven and three-quarters percent (7.75%). Any contributions made by employees prior to July 1, 1990, for the purpose of providing health benefits to retirees as provided in section 36-12-4 shall be transferred to each employee's retirement annuity account. Every person being a member of the general assembly and electing to participate in the benefits provided by chapters 8 -- 10 of this title, in accordance with the provisions of section 36-9-6, shall contribute an amount equal to thirty percent (30%) of his or her compensation. The contributions shall be made in the form of deductions from compensation.

(b) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his or her full compensation and payment of compensation, less the deductions, shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by the person during the period covered by the payment except as to the benefit provided under this chapter.

36-10-2. State contributions. -- (a) The State of Rhode Island shall make its contribution for the maintenance of the system, including the proper and timely payment of benefits in accordance with the provisions of this chapter and chapters 8, 16, 28, 31 and 42 of this title, by annually appropriating an amount equal to a percentage of the total compensation paid to the active membership. The percentage shall be computed by the actuary employed by the retirement system and shall be certified by the retirement board to the director of administration on or before the fifteenth day of October in each year. In arriving at the yearly employer contribution the actuary shall determine the value of:

(1) The contributions made by the members;

(2) Income on investments; and

(3) Other income of the system.

(b) The Actuary shall thereupon compute the yearly employer contribution that will:

(1) Pay the actuarial estimate of the normal cost for the next succeeding fiscal year;

(2) Amortize the unfunded liability of the system as of June 30, 1999 utilizing a time period not to exceed thirty (30) years. Provided, that effective June 30, 2007, the actuary is authorized and directed to reamortize or begin to amortize said unfunded actuarial accrued liability (UAAL) of the system again as of June 30, 2007, utilizing a time period not to exceed thirty (30) years. The savings incurred by commencing the amortization period anew or reamortization of the UAAL as provided for herein shall be used as school aid pursuant to section 16-7.1-15 and to offset reductions in state employee contributions to the state retirement system for those members who have not completed at least ten (10) years of contributory service on or before July 1, 2005.

(c) The State of Rhode Island shall remit to the general treasurer the employer's share of the contribution for state employees, state police, and judges on a payroll frequency basis, and for teachers in a manner pursuant to section 16-16-22.

(d) From the rate percent computed pursuant to subsection (b), the state shall contribute a sum equal to one eighth of one percent (0.125%) of each member's rate of compensation and an additional sum equal to one eighth of one percent (0.125%) of each member's rate of compensation effective July 1, 1990, as the state's share of the cost of providing retiree health benefits in accordance with the provisions of section 36-10-4. Contributions shall be actuarially adjusted to reflect refunds made to employees. The contribution shall be placed in a restricted fund and shall be used solely for providing health benefits to retirees as provided in section 36-12-4. The adequacy of the fund will be actuarially reevaluated during the fiscal year prior to July 1, 1993, to determine the required amount to maintain this benefit in effect. If at any time during the aforementioned period the cost for health coverage exceeds the contributions in the restricted fund account, the state shall assume the liability for that cost by making advances to the restricted fund which advances shall be repaid from any subsequent excess funds in the restricted fund.

(e) In accordance with the intent of section 36-8-20 that the retirement system satisfy the requirements of section 401(a) of the Internal Revenue Code of 1986 as amended [26 U.S.C. section 401(a)] the restricted fund for providing health benefits to retirees described in subsection (d) shall constitute a separate retiree medical benefits account within the meaning of section 401(h) of the code [26 U.S.C. section 401(h)] and the account shall be administered in accordance with the applicable requirements. Prior to the satisfaction of all retiree health liabilities no part of the corpus or income of the account shall be used for, or diverted to, any purpose other than the payment of retiree medical benefits in accordance with the provisions of section 36-12-4. However, this requirement shall not restrict the collective investment of funds of that account with funds of the retirement account. Following the satisfaction of all retiree health liabilities, any funds remaining in the retiree medical benefits account shall be paid to the state.

(f) (1) In accordance with the intent of section 36-8-20 that the retirement system satisfy the requirements of section 401(a) of the Internal Revenue Code of 1986, the state shall pay to the retirement system:

(i) By June 30, 1995, an amount equal to the sum of the benefits paid to state legislators pursuant to section 36-10-10.1 in excess of ten thousand dollars ($10,000) per member (plus accrued interest on such amount at eight percent (8%)) for all fiscal years beginning July 1, 1991, and ending June 30, 1995, but this amount shall be paid only if section 36-10-10.1(e) becomes effective January 1, 1995; and

(ii) By December 31, 1994, twenty million seven hundred eighty eight thousand eight hundred twelve dollars and nineteen cents ($20,788,812.19) plus accrued interest on that amount at eight percent (8%) compounded monthly beginning March 1, 1991, and ending on the date this payment is completed (reduced by amortized amounts already repaid to the retirement system with respect to the amounts withdrawn by the state during the fiscal year July 1, 1990 -- June 30, 1991); and

(iii) By June 30, 1995, the sum of the amounts paid by the retirement system for retiree health benefits described in section 36-12-4 for all fiscal years beginning July 1, 1989, and ending June 30, 1994, to the extent that the amounts were not paid from the restricted fund described in subsection (c).

(2) Any and all amounts paid to the retirement system under this subsection shall not increase the amount otherwise payable to the system by the state of Rhode Island under subsection (a) for the applicable fiscal year. The actuary shall make such adjustments in the

amortization bases and other accounts of the retirement system as he or she deems appropriate to carry out the provisions and intent of this subsection.

(g) In addition to the contributions provided for in subsection (a) through (c) and in order to provide supplemental employer contributions to the retirement system, commencing in fiscal year 2006, and each year thereafter:

(1) For each fiscal year in which the actuarially determined state contribution rate for state employees is lower than that for the prior fiscal year, the governor shall include an appropriation to that system equivalent to twenty percent (20%) of the rate reduction for the state's contribution rate for state employees to be applied to the actuarial accrued liability of the state employees' retirement system for state employees for each fiscal year;

(2) For each fiscal year in which the actuarially determined state contribution rate for teachers is lower than that for the prior fiscal year, the governor shall include an appropriation to that system equivalent to twenty percent (20%) of the rate reduction for the state's share of the contribution rate for teachers to be applied to the actuarial accrued liability of the state employees' retirement system for teachers for each fiscal year;

(3) The amounts to be appropriated shall be included in the annual appropriation bill and shall be paid by the general treasurer into the retirement system.

(h) While the retirement system's actuary shall not adjust the computation of the annual required contribution for the year in which supplemental contributions are received, such contributions once made may be treated as reducing the actuarial liability remaining for amortization in the next following actuarial valuation to be performed.

SECTION 3. This article shall take effect June 30, 2007."

Respectfully submitted,

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REPRESENTATIVE HANDY

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LC02551/11

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Representatives Handy, Costantino, Moffitt, Ehrhardt and Picard discuss the amendment.

Representative Picard requests to vote Section A lines 15-20 on 1st page and 1-9 on 2nd page separately. The Honorable Speaker Murphy rules it is not divisible.

The motion to amend fails on a roll call vote 13 members voting in the affirmative and 57 members voting in the negative as follows:

YEAS - 13: Representatives Diaz, Flaherty, Handy, Loughlin, McCauley, Menard, Picard, Savage, Segal, Smith, Walsh, Wasylyk, Winfield.

NAYS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Schadone, Scott, Serpa, Shanley, Silva, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Watson, Williams.

REQUEST

Representative Jacquard requests the journal to reflect that if he had voted on LC02551/11, he would have voted in the negative.

By unanimous consent, Representative Watson, 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
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1) In Article 1, page 14, between lines 29 and 30 by inserting the following language: “Deduction from administrative appropriation to Elementary and Secondary Education 6,068,138”.

2) In Article 1, page 15, line 16, by striking the figure “678,802,316” and inserting in place thereof the figure “684,870,455”.

3) In Article 21, page 4, between lines 6 and 7 by inserting the following language: “Increase to communities from reduction of appropriation to department of elementary and secondary education of $6,068,139 be distributed in an equal percentage basis amongst each community.”

Respectfully submitted,

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REPRESENTATIVE WATSON

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LC02551/14
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Representatives Crowley and Gorham discuss the amendment.

The motion to amend fails on a roll call vote 26 members voting in the affirmative and 47 members voting in the negative as follows:

YEAS - 26: Representatives Amaral, Caprio, Ehrhardt, Flaherty, Gorham, Kennedy, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Picard, Rice, Rose, Savage, Scott, Segal, Singleton, Smith, Story, Trillo, Walsh, Wasylyk, Watson, Winfield.

NAYS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, San Bento, Schadone, Serpa, Shanley, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williams, Williamson.

By unanimous consent, Representative Trillo, seconded by Representative Gorham offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", by adding the following new article:

"ARTICLE_____

SECTION 1. Notwithstanding any provision of law to the contrary every school district within the state is hereby authorized to nullify the terms of any collective bargaining agreement in effect on July 1, 2007. In order to be given effect, collective bargaining agreements are required to be negotiated with each individual school district.

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

Respectfully submitted,

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REPRESENTATIVE TRILLO

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LC01305/11
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Representative Trillo discusses the amendment.

Representative Crowley moves to lay on the table, seconded by Representative Kilmartin.

The motion to lay on the table prevails on a roll call vote 50 members voting in the affirmative and 20 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, McCauley, McNamara, Menard, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Vaudreuil, Walsh, Williams, Williamson.

NAYS - 20: Representatives Amaral, Caprio, Ehrhardt, Flaherty, Gablinske, Gorham, Long, Loughlin, McManus, Melo, Moffitt, Mumford, Petrarca, Singleton, Story, Sullivan, Trillo, Ucci, Watson, Winfield.

By unanimous consent, Representative Loughlin, seconded by Representative Gorham offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", by adding thereto the following new Article:

"Article _____

SECTION 1. Section 16-2-21.4 of the General Laws in Chapter 16-2 entitled "School Committees and Superintendents" is hereby amended to read as follows:

16-2-21.4. School budgets -- Compliance with certain requirements. -- (a) Notwithstanding any provision of the general or public laws to the contrary, whenever a city, town, or regional school committee determines that its budget is insufficient to comply with the provisions of section 16-2-21, 16-7-23, or 16-7-24, the city, town, or regional school committee shall adhere to the appropriated budget or the provisions of section 16-2-23 in the absence of an appropriated budget. The chairperson of the city, town, or regional school committee, in accordance with the provisions of section 16-2-9, shall be required to petition the commissioner, in writing, to seek alternatives for the district to comply with state regulations and/or provide waivers to state regulations and, in particular, those which are more restrictive than federal regulations that allow the school committee to operate with a balanced budget. Waivers which affect the health and safety of students and staff or which violate the provisions of chapter 24 of this title shall not be granted. The commissioner must consider alternatives for districts to comply with regulations and/or provide waivers to regulations in order that the school committee may operate with a balanced budget within the previously authorized appropriation. In the petition to the commissioner, the school committee shall be required to identify the alternatives to meet regulations and/or identify the waivers it seeks in order to provide the commissioner with the revised budget which allows it to have a balanced budget within the previously authorized appropriation. The commissioner shall respond within fifteen (15) calendar days from the date of the written petition from the school committee. If the commissioner does not approve of the alternatives to meet regulations or the waivers from regulations which are sought by the school committee, or if the commissioner does not approve of the modified expenditure plan submitted by the school committee, then: (1) within ten (10) days of receiving the commissioner's response, the school committee may submit a written request to the city or town council for the council of the municipality to decide whether to increase the appropriation for schools to meet expenditures. The decision to increase any appropriations shall be conducted pursuant to the

local charter or the public law controlling the approval of appropriations within the municipality; or (2) in a regional school district, the chairperson of the school committee may, within ten (10) days of receiving the commissioner's response, submit a written request to the chief elected official of each of the municipalities to request that the city or town council in each of their respective towns meet to decide whether or not to increase the appropriation for schools to meet expenditures. The decision to increase any appropriations shall be conducted pursuant to the local charter or the public law controlling the approval of appropriations within the municipality.

(b) In the event of a negative vote by the appropriating authority, the school committee shall have the right to seek additional appropriations by bringing an action in the superior court for the county of Providence and shall be required to demonstrate that the school committee lacks the ability to adequately run the schools for that school year with a balanced budget within the previously authorized appropriation or in accordance with sections 16-2-21, 16-2-23, 16-7-23, and 16-7-24. In no event shall any court order obtained by the school committee have force and effect for any period longer than the fiscal year for which the litigation is brought. Any action filed pursuant to this section shall be set down for a hearing at the earliest possible time and shall be given precedence over all matters except older matters of the same character. The court shall render its decision within thirty (30) days of the close of the hearings. Upon the bringing of an action in the superior court by the school committee to increase appropriations, the chief executive officer of the municipality, or in the case of a regional school district the chief elected officials from each of the member municipalities, shall cause to have a financial and program audit of the school department conducted by the auditor general, the bureau of audits, or a certified public accounting firm qualified in program audits. The results of the audit shall be made public upon completion and paid for by the school committee to the state or private certified public accounting firm.

(c) Notwithstanding any other provisions to the contrary, in the event a school budget increases by more than three percent (3%) over the prior fiscal year, a governing school committee may seek a waiver, from the commissioner, of any state law or regulation related to education, including, but not limited to, regulations governing the education of children with disabilities, to the extent permitted by federal law so as to reduce the school budget increase to no more than three percent (3%).

(d) Notwithstanding any other statute, law, or regulation to the contrary, in the event a school budget increases by a percentage greater than the permitted maximum percentage increase allowable for any city or town over the prior fiscal year as set forth in Chapter 5 of Title 44, a governing school committee may seek a waiver, from the commissioner, of any state law or regulation related to education, including, but not limited to, regulations governing the education of children with disabilities, to the extent permitted by federal law and the commissioner shall grant the waiver so as to reduce the increase in such school budget to an amount which is equal to or lesser than a percentage equal to the allowable maximum percentage increase permitted to any city or town pursuant to the provisions of Chapter 5, Title 44.

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

Respectfully submitted,

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REPRESENTATIVE LOUGHLIN

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LC01305/3

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Representatives Ehrhardt, Costantino, Crowley, Gorham, Williamson, Amaral, Long, Mumford, Savage, Jacquard, Picard, Loughlin, Gemma, Kilmartin, Walsh, Melo, Baldelli-Hunt and Moffitt discuss the amendment.

The motion to amend fails on a roll call vote 21 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 21: Representatives Amaral, Caprio, Ehrhardt, Fellela, Flaherty, Gablinske, Gorham, Long, Loughlin, McManus, Moffitt, Mumford, Savage, Scott, Singleton, Story, Trillo, Ucci, Walsh, Watson, Winfield.

NAYS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Vaudreuil, Wasylyk, Williams, Williamson.

By unanimous consent, Representative Segal, 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
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 21, page 4, between lines 8 and 9 by inserting the following language:

"(f) There shall be a 2.88% increase in the Education Aid appropriation distributed to each of the aforementioned communities and Central Falls."

(2) In Article 21, page 4, line 9 by deleting the letter "(f)" and inserting in place thereof the letter "(g)".

(3) In Article 21, page 16, between lines 13 and 14 by inserting the following:

"SECTION 7. Section 44-30-2.7 of the General Laws in Chapter 44-30 entitled "Personal Income Tax" is hereby amended to read as follows:

<u>44-30-2.7. Capital gains rates for assets held more than five (5) years. --</u> All capital assets purchased prior to January 1, 2002 and sold on or after January 1, 2007, shall be deemed to have a holding period beginning January 1, 2002. For tax years beginning in 2007, the capital gains rate for assets held more than five (5) years shall be eight and one-third percent (8.33%) of the federal capital gains rate(s) which were in effect prior to the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA). Beginning in tax year 2008 and

thereafter, the capital gains rate for assets held more than five (5) years shall be ~~zero percent (0%)~~ five percent (5%)."

(4) In Article 21, page 16, line 14 by deleting the number "7" and inserting in place thereof the number "8".

Respectfully submitted,

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REPRESENTATIVE SEGAL

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LC02551/12
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Representatives Segal, Costantino, Watson, Handy, Trillo, Savage and Gorham discuss the amendment.

NOW PRESIDING

At 5:58 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

Representatives Smith and Amaral continue discussion on the amendment.

NOW PRESIDING

At 6:05 o'clock P.M. the Honorable Speaker Pro Tempore Lima yields the rostrum to the Honorable Speaker Murphy

The motion to amend fails on a roll call vote 23 members voting in the affirmative and 50 members voting in the negative as follows:

YEAS - 23: Representatives Ajello, Almeida, Amaral, Caprio, DeSimone, Diaz, Flaherty, Handy, Long, McCauley, Menard, Moffitt, Pacheco, Palumbo, Picard, Rice, Scott, Segal, Smith, Sullivan, Walsh, Wasylyk, Williams.

NAYS - 50: The Honorable Speaker Murphy and Representatives Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Loughlin, Malik, Mattiello, McManus, Melo, Mumford, Naughton, O'Neill, Petrarca, Rose, San Bento, Savage, Schadone, Serpa, Shanley, Silva, Singleton, Story, Trillo, Ucci, Vaudreuil, Watson, Williamson, Winfield.

By unanimous consent, Representative Story, seconded by Representative Savage offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 1, page 6, line 33, by deleting the numeral "35,964,082" and inserting in place thereof the numeral "32,964,082".

(2) In Article 21, page 16, between lines 13 and 14 by inserting the following language:

(3) In Article 21, page 16, line 14, by deleting the numeral "7" and inserting in place thereof the numeral "8".

"SECTION 7. Chapter 16-7 of the General Laws entitled "Foundation Level School Support" is hereby amended by adding thereto the following section:

16-7-20.8. Extraordinary services reimbursement. – (a) Extraordinary services reimbursement shall be payable in each fiscal year to each school district.

(b) The amount of extraordinary services reimbursement provided to each district shall be equal to ninety percent (90%) of its extraordinary special education expenditures.

(c) As used in this section, "extraordinary special education expenditures" means a school district's expenditures which for any one child exceed fifty thousand dollars ($50,000) for a fiscal year. In this section, child means a pupil with disabilities who is three (3) years of age or older in the current school year. Such expenditures shall include any expenditures required under federal law, and any cost of mediation conducted by a mediator in accordance with applicable law, who is approved by the commissioner.

(d) The amount payable by the state pursuant to this section shall not exceed three million dollars ($3,000,000) for any fiscal year, and if such amount is not sufficient to fully reimburse all school districts eligible therefor, such amount shall be distributed to such districts on a pro rata basis."

Respectfully submitted,

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REPRESENTATIVE STORY

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LC02551/9
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Representatives Story and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 17 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 17: Representatives Amaral, Ehrhardt, Gorham, Long, Loughlin, Malik, McManus, Menard, Moffitt, Mumford, Picard, Rice, Savage, Scott, Story, Trillo, Watson.

NAYS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Mattiello, McCauley, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rose, San Bento, Schadone, Serpa, Shanley, Silva, Slater, Sullivan, Ucci, Vaudreuil, Wasylyk, Williams, Williamson, Winfield.

Representatives Schadone, Watson, Gorham, Williamson, Trillo, Rice, San Bento, Amaral discuss the Article as amended.

Representative Amaral requests to vote page 6, title 16 Chapter 25.3, section 2 on lines 24-line 31 on page 7, separately. The Honorable Speaker Murphy rules it is divisible.

Representative Smith and Fox continue discussion the article as amended.

Page 6, title 16 Chapter 25.3, section 2 on lines 24-line 31on page 7 is read and prevails, on a roll call vote, 58 members voting in the affirmative and 17 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Williamson.

NAYS - 17: Representatives Amaral, Flaherty, Gorham, Handy, Long, Loughlin, McCauley, McManus, Moffitt, Mumford, Segal, Singleton, Trillo, Wasylyk, Watson, Williams, Winfield.

The remainder of the act, as amended, prevails on a roll call vote 50 members voting in the affirmative and 25 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rose, San Bento, Schadone, Scott, Serpa, Shanley, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Williamson.

NAYS - 25: Representatives Amaral, Caprio, Ehrhardt, Flaherty, Gorham, Handy, Long, Loughlin, McCauley, McManus, Menard, Moffitt, Mumford, Picard, Rice, Savage, Segal, Singleton, Smith, Story, Trillo, Wasylyk, Watson, Williams, Winfield.

RECESS

At 7:15 o'clock P.M. the Honorable Speaker Murphy declares the House to be in recess.

ORDER

At 8:22 o'clock P.M. the Honorable Speaker Murphy calls the House to order.

After several announcements, the House is in Recess for celebration of Chairman Costantino's 50th Birthday.

RECESS

At 8:27 o'clock P.M. the Honorable Speaker Murphy declares the House to be in recess.

ORDER

At 8:39 o'clock P.M. the Honorable Speaker Murphy calls the House to order.

RECONSIDERATION

Representative Costantino moves to reconsider Article 7, seconded by Representative Fox.

The motion to reconsider prevails on a roll call vote, 52 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lewiss, Lima, Long, Malik, Mattiello, McNamara, Melo, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 8: Representatives Ehrhardt, Gorham, Loughlin, McManus, Menard, Mumford, Trillo, Watson.

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 7, as amended by floor amendment LC 2537/3, in SECTION 14, by deleting the word "and" in section 44-11-1(1)(b)(i)(B) and inserting in place thereof the following language: "or (C) a listed Australian Property Trust; and".

Respectfully submitted,

_____
REPRESENTATIVE COSTANTINO

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LC02537/14
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Representatives Watson and Costantino discuss the amendment.

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 Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

The article as amended, is read and prevails, on a roll call vote, 54 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 13: Representatives Amaral, Brien, Ehrhardt, Long, Loughlin, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Watson.

REQUEST

Representative Gorham requests the journal to reflect that if he had voted on Article 7, as amended, , he would have voted in the negative.

ARTICLE 22

RELATING TO DELINQUENT AND DEPENDENT CHILDREN

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

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 22, page 1, line 19 by adding after the word "petition" the following language: "based upon an offense which was committed".

(2) In Article 22, page 5, lines 25 – 34 by deleting all of the language in its entirety.

(3) In Article 22, page 6, lines 1 – 34 by deleting all of the language in its entirety.

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02552/3
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Representative Williams discusses the amendment.

The motion to amend prevails on a roll call vote 61 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 8: Representatives Ehrhardt, Gorham, Long, Loughlin, Mumford, Story, Trillo, Watson.

Representatives Almeida discusses the article as amended.

The article, as amended, is read and prevails, on a roll call vote 48 members voting in the affirmative and 19 members voting in the negative as follows:

YEAS - 48: The Honorable Speaker Murphy and Representatives Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lewiss, Lima, Malik, Mattiello, McManus, McNamara, Menard, Moffitt, Naughton, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Slater, Story, Ucci, Vaudreuil, Williamson, Winfield.

NAYS - 19: Representatives Ajello, Almeida, Diaz, Fellela, Flaherty, Handy, Long, Loughlin, McCauley, Melo, Mumford, O'Neill, Segal, Smith, Sullivan, Walsh, Wasylyk, Watson, Williams.

REQUESTS

Representatives Gablinske, Gorham and Rice request the journal to reflect that if they had voted on Article 22 as amended, they would have voted in the negative.

ARTICLE 23

RELATING TO GENERAL PUBLIC ASSISTANCE – HARDSHIP

Representative Slater moves passage of the article, seconded by Representatives San Bento, Williams and Gemma.

The article, is read and prevails, on a roll call vote, 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 24

RELATING TO LICENSING OF ADULT DAY PROGRAMS

Representative Slater moves passage of the article, seconded by Representatives Williamson, Williams and San Bento.

The article, is read and prevails, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 25

RELATING TO STATE AID

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

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 25, page 6, line 32, by striking the numeral and parenthesis "(1)" and inserting in place thereof the numeral and parenthesis "(2)".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02555/4
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Representative Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

The article, as amended, is read and prevails, on a roll call vote, 63 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 7: Representatives Flaherty, Gorham, Loughlin, McManus, Menard, Moffitt, Picard.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Thomas Winfield, State Representative, District 53, 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: (07-H 5300 SUB A) Article 26

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

I own and am the President of Anderson-Winfield Chauffeured Services.

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.

THOMAS WINFIELD
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

ROBERT FLAHERTY
NOTARY PUBLIC

Representative Winfield 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

ARTICLE 26

RELATING TO MOTOR AND OTHER VEHICLES

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

The article is read and prevails, on a roll call vote, 62 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 8: Representatives Flaherty, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Trillo.

REQUEST

Representative Watson requests the journal to reflect that if he had voted on Article 26, he would have voted in the negative.

ARTICLE 27

RELATING TO SALES TAX EXEMPTION

Representative Lewiss moves passage of the article, seconded by Representatives Slater, Malik and many other members of the House.

The article is read and prevails, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 28

RELATING TO EXCESS INSURER PROFITS AND ADMINISTRATIVE COSTS

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 28, page 2, line 30, by deleting the comma "," between the numbers "1" and "1" and inserting a period "." in place thereof.

2. In Article 28, page 2, line 31, after the language "U.S.C." by inserting the following

language "; provided, further, notwithstanding any provision of the law to the contrary, installment payments shall equal at least ninety percent (90%) of estimated liability in the first year".

3. In Article 28, page 2, line 33, after the words "shall pay the" by deleting the language "lesser of the".

4. In Article 28, page 3, line 2, after the language "U.S.C." by inserting the following language "; provided, further, notwithstanding any provision of the law to the contrary, installment payments shall equal at least ninety percent (90%) of estimated liability in the first year".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02558/3

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Representative Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 67 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 4: Representatives Gorham, Loughlin, Mumford, Watson.

The article, as amended, is read and prevails, on a roll call vote, 63 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 7: Representatives Flaherty, Gorham, Long, Loughlin, McManus, Menard, Watson.

ARTICLE 29

RELATING TO MOTOR AND OTHER VEHICLES

Representative Costantino moves passage of the article, seconded by Representatives Fox, Pacheco, Melo, Rose, McNamara, Ajello, Handy, Sullivan, Petrarca, Vaudreuil, Slater, Williamson, Diaz, Caprio, Kennedy, Almeida, Kilmartin, Gemma and Mattiello.

By unanimous consent, Representative Mumford, seconded by Representative Moffitt offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 29, page 1, line 5, by deleting the words "Sunday business permitted".
2. In Article 29, page 1, by restoring the deleted language on lines 5, 6, and 7 inclusive.
3. In Article 29, page 1, by deleting all the language on lines 8, 9 and 10 inclusive.

Respectfully submitted,

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REPRESENTATIVE MUMFORD

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LC02559/2
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Representatives Mumford, Williamson, Ehrhardt, Moffitt, Costantino, Long, Malik, Kilmartin, Gorham, McNamara, San Bento, Trillo, Slater and Watson discuss the amendment.

The motion to amend fails on a roll call vote 14 members voting in the affirmative and 57 members voting in the negative as follows:

YEAS - 14: Representatives Caprio, Corvese, Ehrhardt, Gorham, Long, Loughlin, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Wasylyk, Watson.

NAYS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Church, Coderre, Costantino, Dennigan, DeSimone, Diaz, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

REQUEST

Representative Smith requests the journal to reflect that if he had voted on Article LC02559/2, he would have voted in the negative.

By unanimous consent, Representative Moffitt, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In Article 29, page 1, line 17 by adding the language "and shall expire on July 1, 2008" after the word "passage".

Respectfully submitted,

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REPRESENTATIVE MOFFITT

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LC02559/4
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Representatives Moffitt and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 15 members voting in the affirmative and 56 members voting in the negative as follows:

YEAS - 15: Representatives Caprio, Ehrhardt, Fellela, Gorham, Long, Loughlin, McManus, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Wasylyk, Watson.

NAYS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

The article is read and prevails, on a roll call vote, 57 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Costantino, Dennigan, DeSimone, Diaz, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams, Williamson.

NAYS - 14: Representatives Corvese, Ehrhardt, Fellela, Flaherty, Long, Loughlin, Moffitt, Mumford, Savage, Singleton, Story, Wasylyk, Watson, Winfield.

ARTICLE 30

RELATING TO BAYS, RIVERS, AND WATERSHED COORDINATION TEAM

Representative Naughton moves passage of the article, seconded by Representatives Lima and Fox.

The article, is read and prevails, on a roll call vote, 59 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 8: Representatives Ehrhardt, Flaherty, Gorham, Loughlin, Menard, Mumford, Picard, Winfield.

REQUEST

Representative Watson requests the journal to reflect that if he had voted on Article 30, he would have voted in the negative.

ARTICLE 31

RELATING TO MUNICIPAL TIPPING FEES

Representative Malik moves passage of the article, seconded by Representative Fox.

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

YEAS - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

ARTICLE 32

RELATING TO CONTRACTOR'S REGISTRATION FEES

Representative Lewiss moves passage of the article, seconded by Representatives Fox.

Representative Gorham and Costantino discuss the article.

The article is read and prevails, on a roll call vote, 67 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 7: Representatives Flaherty, Gorham, Loughlin, McManus, Menard, Trillo, Watson.

ARTICLE 33

RELATING TO FIRE SAFETY FEES

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

By unanimous consent, Representative Savage, seconded by Representative Watson offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 33, page 1, line 9, by inserting after the word "assessed" the language: "only for the initial inspection."

2. In Article 33, page 1, lines 9 through 11, inclusive, by deleting the following language: "for each required inspection. Initial inspections and any required subsequent re-inspection shall constitute separate visits for which separate inspection fees will be payable."

Respectfully submitted,

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REPRESENTATIVE SAVAGE

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LC02563/2
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Representatives Savage, Carter, Trillo, Gorham and Ginaitt discuss the amendment.

The motion to amend fails on a roll call vote 31 members voting in the affirmative and 37 members voting in the negative as follows:

YEAS - 31: Representatives Amaral, Caprio, Ehrhardt, Flaherty, Gemma, Ginaitt, Gorham, Jackson, Long, Loughlin, McCauley, McManus, Melo, Menard, Moffitt, Mumford, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Smith, Story, Trillo, Wasylyk, Watson, Winfield.

NAYS - 37: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McNamara, Naughton, Pacheco, San Bento, Scott, Serpa, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh.

By unanimous consent, Representative Brien, seconded by Representatives Ginaitt and Gallison offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 33, page 1, lines 23 and 24, by deleting the language "This fee waiver provision shall not apply in the case of any inspection required for a state issued license."

2. In Article 33, page 2, line 33, by deleting the language "$50.00" and inserting in place thereof the language "$85.00".

3. In Article 33, page 2, line 34, by deleting the language "$35.00" and inserting in place thereof the language "$50.00".

4. In Article 33, page 3, line 21, by deleting the language "fifty dollars ($50.00)" and inserting in place thereof the language "one hundred dollars ($100)".

Respectfully submitted,

_____
REPRESENTATIVE BRIEN

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LC02563/6
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Representatives Brien, Costantino and Trillo discuss the amendment.

The motion to amend prevails on a roll call vote 67 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 2: Representatives Gorham, Petrarca.

By unanimous consent, Representative Menard, seconded by Representatives Fox and Costantino offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In article 33, on page 1, line 25, after the word "against" by inserting the words "any municipality or municipal agency or".

Respectfully submitted,

_____
REPRESENTATIVE MENARD

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LC02563/5
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Representative Menard discusses the amendment.

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

YEAS - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

Representative Ucci, Jacquard, Ehrhardt, Trillo and Gorham discuss the article as amended.

The article, as amended, is read and prevails, on a roll call vote, 46 members voting in the affirmative and 21 members voting in the negative as follows:

YEAS - 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Giannini, Handy, Jackson, Jacquard, Kilmartin, Lally, Lewiss, Lima, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Scott, Segal, Serpa, Shanley, Silva, Slater, Ucci, Walsh, Williams.

NAYS - 21: Representatives Amaral, Caprio, Ehrhardt, Flaherty, Gemma, Ginaitt, Gorham, Kennedy, Long, Loughlin, Malik, McManus, Menard, Moffitt, Rice, Singleton, Story, Trillo, Vaudreuil, Wasylyk, Winfield.

REQUEST

Representatives Mumford and Watson request the journal to reflect that if they had voted on Article 33, as amended, they would have voted in the negative.

ARTICLE 34

RELATING TO MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM

Representative Lewiss moves passage of the article, seconded by Representative Amaral.

The article is read and prevails, on a roll call vote, 68 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 2: Representatives Palumbo, Rice.

REQUEST

Representative Watson requests the journal to reflect that if he had voted on Article 34, he would have voted in the negative.

ARTICLE 35

RELATING TO ADJUDICATION OF TRAFFIC OFFENSES

Representative Carter moves passage of the article, seconded by Representatives San Bento, Fox and Mumford.

Representative Gorham and Carter discuss the article.

The article is read and prevails, on a roll call vote, 56 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Sullivan, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 14: Representatives Amaral, Caprio, Ehrhardt, Flaherty, Gorham, Kennedy, Long, Loughlin, Menard, Picard, Smith, Trillo, Wasylyk, Winfield.

ARTICLE 36

RELATING TO HISTORICAL RECORDS TRUST FEES

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

The article is read and prevails, on a roll call vote, 53 members voting in the affirmative and 17 members voting in the negative as follows:

YEAS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 17: Representatives Amaral, Baldelli-Hunt, Ehrhardt, Flaherty, Gorham, Kennedy, Long, Loughlin, McManus, Menard, Moffitt, Rice, San Bento, Trillo, Wasylyk, Watson, Winfield.

ARTICLE 37

RELATING TO UNCLAIMED PROPERTY

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

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

1. In Article 37, page 1, lines 3 through 19, by deleting all language therein.

2. In Article 37, page 1, line 20, by deleting the number "2" after the word "SECTION" and inserting in place thereof the number "1".

3. In Article 37, page 3, line 34, by deleting the number "3" after the word "SECTION", and inserting in place thereof the number "2".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02567/2
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Representative Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

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

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representative Trillo.

ARTICLE 38

RELATING TO PESTICIDE REGISTRATION SURCHARGE FEES

Representative Malik moves passage of the article, seconded by Representative Fox.

Representative Gorham discusses the article.

The article is read and prevails, on a roll call vote, 56 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 14: Representatives Amaral, Baldelli-Hunt, Ehrhardt, Flaherty, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Rice, Singleton, Trillo, Watson.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Thomas Winfield, State Representative, District 53, 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: (07-H 5300 SUB A) Article 39

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

I am the owner and President of the Anderson-Winfield Funeral Home.

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.

THOMAS WINFIELD
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 15th day of June, 2007.

ROBERT A. FLAHERTY
NOTARY PUBLIC

Representative Winfield 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

ARTICLE 39

RELATING TO DEPARTMENT OF HEALTH FEES

Representative Naughton moves passage of the article, seconded by Representative Malik.

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In article 39, on page 42, by deleting lines 27 and 28 in their entirety.

(2) In article 39, on page 42, line 29, by deleting the number in parentheses “(5)” and restoring the number in parentheses “(4)”.

(3) In article 39, on page 42, line 31, by deleting the number in parentheses “(6)” and restoring the number in parentheses “(5)”.

(4) In article 39, on page 43, line 1, by deleting the number in parentheses “(7)” and restoring the number in parentheses “(6)”.

(5) In article 39, on page 43, line 5 by deleting the number in parentheses “(8)” and restoring the number in parentheses “(7)”.

(6) In article 39, on page 43, line 8, by deleting the number in parentheses “(9)” and restoring the number in parentheses “(8)”.

(7) In article 39, on page 43, by deleting lines 20 and 21 in their entirety.

(8) In article 39, on page 43, line 22, by deleting the number in parentheses “(viii)” and restoring the number in parentheses “(vii)”.

(9) In article 39, on page 43, line 22, by deleting the number in parentheses "(ix)" and restoring the number in parentheses "(viii)".

(10) In article 39, on page 43, line 22, be deleting the number in parentheses "(x)" and restoring the number in parentheses "(ix)".

(11) In article 39, on page 43, line 22, by deleting the number in parentheses "(10)" and restoring the number in parentheses "(9)".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02569/4
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Representatives Costantino, Corvese, Williams, Moffitt, Gorham and Menard discuss the amendment.

The motion to amend prevails on a roll call vote 67 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 1: Representative Amaral.

Representative Watson discusses the article as amended.

The article, as amended, is read and prevails, on a roll call vote, 55 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 13: Representatives Amaral, Caprio, Ehrhardt, Flaherty, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Scott, Trillo, Watson.

ARTICLE 40

RELATING TO TOBACCO SETTLEMENT FINANCING CORPORATION

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

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

(1) In Article 40, page 2, line 3, by deleting the number "$47,000,000" and inserting in place thereof the number "$42,500,000".

(2) In Article 40, page 2, line 4, by deleting the number "$6,300,000" and inserting in place thereof the number "$6,350,000".

(3) In Article 40, page 2, line 6, by deleting the number "$123,500,000" and inserting in place thereof the number "$124,000,000".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02570/6
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Representatives Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 64 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 3: Representatives Gorham, Long, Mumford.

Representatives Ehrhardt, Gorham, Costantino, Gemma and Watson discuss the article as amended.

The article, as amended, is read and prevails, on a roll call vote, 48 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 48: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Walsh, Wasylyk, Williams, Williamson.

NAYS - 14: Representatives Amaral, Caprio, Ehrhardt, Gorham, Loughlin, McManus, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Watson.

REQUESTS

Representatives Ucci and Vaudreuil request the journal to reflect that if they had voted on Article 40, as amended, they would have voted in the affirmative.

Representative Long requests the journal to reflect that if he had voted on Article 40, as amended, he would have voted in the negative.

ARTICLE 41

RELATING TO MUTUEL BETTING AND LICENSE FEES

Representative Lewiss moves passage of the article, seconded by Representatives Williamson and Slater.

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR

ENDING JUNE 30, 2008", as follows:

1. In Article 41, page 1, line 8, by restoring the stricken language.
2. In Article 41, page 1, line 9, by restoring the stricken language.
3. In Article 41, page 1, lines 14 and 15, by restoring the stricken language.
4. In Article 41, page 1, lines 16 and 17, by restoring the stricken language.
5. In Article 41, page 2, lines 25 through 26, by restoring the stricken language.

Respectfully submitted,

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REPRESENTATIVE WALSH

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LC02571/4
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Representative Long discusses the amendment.

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 Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Mattiello, McManus, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 0.

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

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

In article 41, page 2, lines 27 and 28, by deleting the words “Twin River and Newport Grand” and inserting in place thereof the words “the employer of the licensee”.

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC02571/3
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Representatives Costantino and Gorham discuss the amendment.

The motion to amend prevails on a roll call vote 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Gorham, Lewiss and Costantino discuss the article as amended.

The article, as amended, is read and prevails, on a roll call vote, 64 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jacquard, Kennedy, Kilmartin, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 4: Representatives Long, Loughlin, McManus, Menard.

REQUEST

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

NEW ARTICLES

Representative Costantino moves passage of LC 01305/20, seconded by Representatives Dennigan, Slater, Diaz, Almeida and many other members of the House.

Representatives Moffitt, Costantino, Picard, Gemma, Ucci, Menard, Gorham, Trillo, Kilmartin, Wasylyk, and Amaral discuss the article.

Representative Costantino withdraws his amendment.

By unanimous consent, Representative Lima, seconded by Representatives Kilmartin, Pacheco, Gallison and Costantino offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", as follows:

ARTICLE_____

SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND GOVERNMENT" is hereby amended by adding thereto the following chapter:

CHAPTER 148

PRIVATIZATION OF STATE SERVICES

42-148-1. Statement of intent. – If it is determined that privatization of certain governmental functions may be appropriate, the privatization inquiry process should be well defined with appropriate non-partisan, institutional oversight. The principles that guide a privatization inquiry shall include the following:

(a) To ensure the potential savings are realized and maximized -- build cost controls and containment incentives into contracts to eliminate excessive and unreasonable overhead costs and profits at the expense of citizens of the state;

(b) To preserve and promote competition – permit in-house program managers and public employees to bid for the contract on a level playing field;

(c) To ensure quality and responsiveness – develop reliable measures of service quality, strengthen in-house monitoring capacity and expertise, and write contracts with periodic performance reporting;

(d) To ensure accountability, control, and avoidance of conflicts of interest with departmental managers – write detailed contract specifications, and require record-keeping and periodic reports;

(e) To address legal and political barriers – involve affected groups in the decision making process; and

(f) To recognize the impact on service recipients, employees, and their families – enable public employees to have an opportunity to bid for their work.

42-148-2. Definitions. – When used in this chapter:

(a) "In-house costs" means a detailed budget breakdown of the current costs of providing the service or program proposed for privatization.

(b) "Statement of work and performance standards" means a clear statement of the nature and extent of the work to be performed with measurable performance standards as set forth in section 42-148-3(b)(2) of this chapter.

(c) "In-house bid" shall mean the cost of the proposal proffered by in-house state programs and employees and their representatives pursuant to section 42-148-3(b)(3) of this chapter.

(d) "Cost comparison" means an analysis of the comparative costs of providing the service in-house or by privatization.

(e) "Conversion differential" means transition costs and costs associated with starting up or closing down during conversion to purchase of service or in the event of the need to bring services back in-house.

(f) "Transition costs" means the cost of contracting including monitoring vendors for accountability, costs associated with unemployment compensation, payment of accrued leave credits, bumping, and retention factors for those with statutory status. Transitional costs shall not include department overhead or other costs that would continue even if the services were privatized.

42-148-3. Preclosure analysis. – (a) Prior to the closure, consolidation or privatization of any state facility, function or program, the director of administration or his or her designee, shall conduct a thorough cost comparison analysis and evaluate quality performance concerns before deciding to purchase services from private vendors rather than provide services directly.

(b) The director of administration shall, at least sixty (60) days prior to issuing requests for bids or proposals, complete the following process:

(i) Document the current in-house costs of providing the services with a detailed budget breakdown. The in-house cost shall include any department overhead and other costs that would continue even if the service was contracted out.

(ii) Prepare a statement of work and performance standards which shall form the basis for the requests for proposals and which shall include the following:

(A) A clear statement of work with measurable performance standards including qualitative as well as quantitative standards that bidders must meet or exceed;

(B) Requirements that contractors meet affirmative action, disability and other nondiscriminatory and service standards currently required of state agencies.

(C) A clear format that will enable comparison of competitive bids and in-house bids. The format must require detailed budget breakdowns.

(c) Prior to the issuance of the RFP current public employees and program recipients must be notified of the intent to solicit bid proposals and of the decision timeline.

(d) If the statement of work and performance standards differs from the current in-house program procedures and requirements or if current state program employees and their representatives believe that they could perform the work more efficiently, an in-house state work group shall be afforded an opportunity to present a new cost estimate, reflecting any innovations that they could incorporate into the work performance standards. This new cost estimate shall be deemed an in-house bid, which shall form the basis for the eventual cost comparison. The director shall provide technical and informational assistance to the in-house state work group in its preparation of an in-house bid.

(e) The director may elect to accept the in-house bid or proceed to prepare a request for proposal ("RFP") which must:

(i) incorporate the statement of work and performance standards, and

(ii) require bidders to meet the same statement of work performance standards as required of the final in-house cost estimate; and

(iii) include bid forms requiring a sufficiently detailed breakdown of cost categories to

allow accurate and meaningful comparisons.

(f) The in-house bid developed pursuant to subsection (d) of this section shall be kept confidential from bidders.

42-148-4. Cost comparison. – The director of administration shall analyze all vendor bids as compared to current delivery of service costs or an in-house bid, whichever is lower, according to the following:

(a) Any cost comparison must include an analysis of:

(i) Comparative benefits for employees to meet the requirements of the statement of work and performance standards;

(ii) All transition costs as defined in section 42-148-2(f) of this chapter;

(iii) Any conversion costs as defined in section 42-148-2(e) of this chapter; and

(iv) Areas where the bidder's costs appear artificially low, thereby putting the state at risk for further cost overruns.

(b) In the event that the state will incur new program costs related to the statement of work and performance standards, such costs shall be included in the cost comparison.

(c) All cost comparisons must include an analysis of whether the cost savings will result in meeting the performance and qualitative measures set out in the statement of work and performance standards.

42-148-5. Award of contract. – After conducting a cost comparison pursuant to section 42-148-4, the director of administration may award the bid to an outside vendor only if the savings to the state is substantial and the quality of performance of service required and specified in statement of work and performance standards will be met or exceeded by the outside vendor.

42-148-6. Appeal. – (a) Before any award is final, the affected parties, which shall include program recipients, state employees and their representatives shall have a right to appeal the award decision of the director of the department of administration.

(b) The parties shall have sixty (60) days from the date of the award to file an appeal. No contracts shall be awarded or services contracted to vendors if an appeal is pending.

(c) All documentation supporting the cost and quality comparison shall be made available to the affected parties upon request after the final decision has been made.

(d) All appeals of the final decision of an award shall be filed in superior court in Providence County.

42-148-7. Report of general assembly. – (a) The director of the department of administration shall notify the chairpersons of the house and senate finance committees of their intent to request bids or proposals to privatize state services. The notice to the committees shall be provided thirty (30) days prior to issuing the request.

(b) Upon the final decision of an award the director of the department of administration shall provide a report to the chairpersons of the house and senate finance committees outlining the bid process and analysis conducted in issuing an award.

42-148-8. Applicability. – Notwithstanding any general law or special law to the contrary, no award shall be made or privatization contract entered into by the state of Rhode Island unless and until the processes and procedures outlined in sections 42-148-3, 42-148-4 and 42-148-5 have been fully complied with in their entirety. All of the aforementioned sections shall apply to all pending awards and pending privatization contracts.

Respectfully submitted,

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REPRESENTATIVE LIMA

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LC01305/22
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Representative Lima, Mumford, Trillo, Pacheco and Watson discuss the amendment.

Minority Leader Watson inquires whether the amendment is germane to the budget. The Honorable Speaker rules it is germane to the budget. Majority Leader Watson appeals the ruling of the Chair.

The motion to uphold the Ruling of the Chair prevails on a roll call vote 55 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

NAYS - 13: Representatives Amaral, Caprio, Ehrhardt, Gorham, Long, Loughlin, McManus, Moffitt, Mumford, Savage, Singleton, Story, Trillo.

REQUEST

Representative Ucci requests the journal to reflect that if he had voted on the motion to uphold the Ruling of the Chair he would have voted in the affirmative.

Representative Corvese discusses the amendment.

Representative Trillo offers an oral amendment. Representative Kilmartin objects.

Representatives Mumford, Ehrhardt, Long, Fox and Gorham continue discussion on the amendment.

Minority Leader Watson moves to lay the amendment on the table, seconded by Representative Gorham.

The motion to lay the amendment on the table fails on a roll call vote 11 members voting in the affirmative and 54 members voting in the negative as follows:

YEAS - 11: Representatives Caprio, Ehrhardt, Gorham, Long, Loughlin, McManus, Mumford, Singleton, Story, Trillo, Watson.

NAYS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Carter, Church, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela,

Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Schadone, Segal, Serpa, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

Representative Trillo offers a hand written amendment. Representative Menard objects. Representative Trillo requests to suspend the rules, seconded by Representative Gorham.

The motion to suspend the rules fails on a roll call vote 12 members voting in the affirmative and 57 members voting in the negative as follows:

YEAS - 12: Representatives Caprio, Ehrhardt, Gemma, Gorham, Loughlin, McManus, Moffitt, Mumford, Singleton, Story, Trillo, Watson.

NAYS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Vaudreuil, Walsh, Wasylyk, Williamson, Winfield.

Representatives Gorham and Palumbo continue to discuss the amendment.

Representative Kilmartin moves the question, seconded by Representative Kennedy.

The motion to move the question prevails on a roll call vote 52 members voting in the affirmative and 20 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Vaudreuil, Walsh, Williams, Williamson.

NAYS - 20: Representatives Amaral, Caprio, Ehrhardt, Gablinske, Giannini, Gorham, Long, Loughlin, McManus, Melo, Menard, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Ucci, Watson, Winfield.

Representatives Lima, Watson and Fox discuss the amendment.

The New Article prevails and becomes Article 42 on a roll call vote 61 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 13: Representatives Caprio, Ehrhardt, Gablinske, Gorham, Long, Loughlin, McManus, Mumford, Singleton, Story, Trillo, Watson, Winfield.

By unanimous consent, Representative Gorham, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", by adding thereto the following new Article:

"ARTICLE_____

JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (REFERENDUM ON FISCAL RESPONSIBILITY AND AFFORDABILITY)

RESOLVED, That a majority of all members elected to each house of the general assembly voting therefore, the following amendments to the Constitution of the state be proposed to the qualified electors of the state in accordance with the provisions of article XIV of the Constitution, for their approval and that it take the place of article IX sections 16 and 17 and article XIII section 5 which are hereby amended to read as follows:

SECTION 16. ~~Limitations on state spending~~. Limitations on spending – (a) No appropriation, supplemental appropriation or budget act shall cause the aggregate state general revenue appropriations enacted in any given fiscal year to exceed ninety-eight percent (98%) of the estimated state general revenues for such fiscal year from all sources, including estimated unencumbered general revenues to the new fiscal year remaining at the end of the previous fiscal year. Estimated unencumbered general revenues are calculated by taking the estimated general revenue cash balance at the end of the fiscal year less estimated revenue anticipation bonds or notes, estimated general revenue encumbrances, estimated continuing general revenue appropriations and the amount of the budget reserve account at the end of said fiscal year.

~~(b) The amount between the applicable percentage in (a) and one hundred percent (100%) of the estimated state general revenue for any fiscal year as estimated in accordance with subsection (a) of this section shall be appropriated in any given fiscal year into the budget~~

~~reserve account; provided , however, that no such payment will be made which would increase the total of the budget reserve account to more than three percent (3%) of only the estimated state general revenues as set by subsection (a) of this section. In the even that the payment be made into the budget reserve account would increase the amount in said account to more than three percent (3%) of estimated state general revenues that said amount shall be transferred to the state bond capitol fund to be used solely for the purposes of reduction of state indebtedness, payment of debt service, and/or funding of capitol projects.~~

(b) For each fiscal year commencing after the base fiscal year, no appropriation, supplemental appropriation or budget act shall contain a general revenue appropriation which when taken together with all other general revenue appropriations for such fiscal year shall result in a general revenue appropriation for such fiscal year in excess the product of: (a) the total general revenue appropriation, including all supplemental appropriations, for the base fiscal year; and (b) the sum of: (i) the consumer price index for the period between the end of the base fiscal year and the December 31st immediately preceding the first day of the fiscal year for which the calculation is being made; plus (ii) one and one-half percent (1.5%) for each fiscal year that, as of such first day, will have elapsed since the base fiscal year. The term "consumer price index" means the consumer price index (all items) (cpi-u) using the same based period as published by the bureau of labor statistics of the United States government, or if such index is no longer published, by that index published by the United States government which most closely reflects the components of the consumer price index (cpi-u) in effect of the first day of the base fiscal year. The term "base fiscal year" means the first fiscal year following the fiscal year in which this amendment is approved by the voters.

~~(c) Within forty-five (45) days after the close of any fiscal year, all unencumbered general revenue in the year end surplus account from the said fiscal year shall be transferred to the general fund.~~

(c) At the end of each fiscal year, any unencumbered general revenue for such fiscal year shall first be transferred to the budget reserve account until the amount of money in the budget reserve account equals five percent (5%) of state general revenues for such fiscal year. If after making the foregoing allocation to the budget reserve account for such fiscal year, there remains unencumbered general revenue from such revenue an amount up to two percent (2%) of the general revenue appropriation for such fiscal year shall be appropriated by the general assembly solely for either capital projects or funding of unfunded state pension obligations and the balance, if any, of such unencumbered general revenue shall be refunded in a manner recommended by the governor and approved by the general assembly. All unencumbered general revenue at the end of any fiscal year shall be transferred to the budget reserve account, appropriated for capital projects or pension obligations and refunded as required herein within ninety (90) days of receipt by the governor of the audit by the state auditor general of such fiscal year.

(d) The general assembly shall enact such laws as are necessary to implement this section 16. The provisions of this section 16 and section 17 of article IX and section 5 of article XIII may be enforced by any of the general officers or any person economically aggrieved.

(e) The provisions of subsection (b) of this section 16 shall expire on the first day of the fiscal year next following the tenth (10th) anniversary of the end of the base fiscal year unless extended by the qualified electors of the state. The general assembly shall cause to place on the ballot at the general election next occurring prior to the tenth (10th) anniversary of the end of the base fiscal year and if extended, each general election next occurring prior to the date on which

this section would otherwise expire the following question:

"Shall the limitation on general revenue appropriations contained in subsection (b) of section 16 of article IX of the constitution be extended for ten (10) years?"

Section 17. ~~Budget reserve account. – There is hereby established a budget reserve account within the general fund. Revenues in this budget reserve account may be appropriated in the event of an emergency involving the health safety or welfare of the citizens of the state of Rhode Island or in the even of an unanticipated deficit in any given fiscal year, such appropriations to be approved by a majority vote of each house of the general assembly.~~

Budget reserve account. There is hereby established a budget reserve account within the general fund. In the event of an emergency and upon the request of the governor and with the approval by vote of two-thirds (2/3) of the entire membership of each house of the general assembly, all or a portion of the amount contained in the budget reserve fund may be used to fund the costs related to such emergency. In the event that the amount in the budget reserve fund is insufficient to fund the costs of any such emergency, then the limitation on general revenue appropriations contained herein may be suspended on the recommendation of the governor and with the approval by a vote of two-thirds (2/3) of the entire membership of each house of the general assembly but only to the extent necessary to fund the costs which cannot be funded by amounts contained in the budget reserve fund. For purposes of this section 17, "emergency" means an extraordinary event or occurrence that could not have been reasonably foreseen or prevented and that requires immediate expenditure to preserve the health, safety and general welfare of the citizens of the state of Rhode Island.

Section 5. Local taxing and borrowing powers. – Nothing contained in this article shall be deemed to grant to any city or town the power to levy, asses and collect taxes or to borrow money, except as authorized by the general assembly. The annual aggregate property tax levy in each municipality shall not exceed two and one half percent (2.5%) of the full value of property in that municipality as of the December 31st immediately preceding the date of such levy. The increase in the aggregate property tax levy for any fiscal year in each municipality shall not exceed four percent (4%) of the property tax levy for the prior fiscal year without the prior approval of a majority of the voters at a special election of that municipality call for such purpose: provided, however, the property tax levy may exceed the foregoing limitation: (i) to cover increases in debt service costs in such fiscal year as compared to the immediately preceding fiscal year as a result of debt obligations approved by the voters; and/or (ii) to cover revenue losses resulting from reductions in net state aid compared to the net state aid in the prior fiscal year. Any increase in the levy above four percent (4%) which qualifies under the exemptions set forth in (i) through (ii) hereof shall be limited to an increase sufficient to offset the increased costs or lost revenues attributable to the qualifying exemption. The state shall not impose upon any local unit of government any part of the total costs of new programs or services, or increases in existing programs or services, unless a specific appropriation is made sufficient to pay the local unit of government for that purpose.

RESOLVED, That these amendments take the place of the corresponding sections of the constitution of this state.

RESOLVED, That the said propositions of amendment shall be submitted to the electors for their approval or rejection at the next statewide general election. The voting places in the several cities and towns shall be kept open during the hours required by law for voting therein for general officers of the state.

RESOLVED, This article shall take effect upon passage."

Respectfully submitted,

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REPRESENTATIVE GORHAM

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LC01305/9
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Representatives Costantino, Gorham and Gemma discuss the amendment.

The motion to amend fails on a roll call vote 12 members voting in the affirmative and 58 members voting in the negative as follows:

YEAS - 12: Representatives Amaral, Ehrhardt, Gorham, Long, Loughlin, McManus, Moffitt, Mumford, Picard, Story, Trillo, Watson.

NAYS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

By unanimous consent, Representative Gorham, seconded by Representative Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", by adding thereto the following new Article:

"ARTICLE_____

RELATING TO APPROVAL AND PUBLISHING AND SUBMISSION TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (REFERENDUM ON FISCAL RESPONSIBILITY)

SECTION 1. That a majority of the members elected to each house of the general assembly voting therefore, the following amendments to the Constitution of the state be proposed to the qualified electors of the state in accordance with the provisions of Article XIV of the Constitution, for their approval that it take the place of Article IX Sections 14 and 18 which are

hereby amended to read as follows:

ARTICLE IX – OF THE EXECUTIVE POWER

Section 14. Veto power of governor – Veto overrides by general assembly – Acts effective without action by governor – Budget line item veto. – Every bill, resolution, or vote (except such as relate to adjournment, the organization or conduct of either or both houses of the general assembly, and resolutions proposing amendment to the Constitution) which shall have passed both houses of the general assembly shall be presented to the governor. If the governor approve it the governor shall sign it, and thereupon it shall become operative, but if the governor does not approve it the governor shall return it, accompanied by the governor's objections in writing to the house in which it originated, which shall enter the governor's objections in full upon its journal and proceed to reconsider it. If, after such reconsideration, three-fifths of the members present and voting in that house shall vote to pass the measure, it shall be sent with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by three-fifths of the members present and voting in that house, it shall become operative in the same manner as if the governor had approved it, but in such cases the votes of both houses shall be determined by ayes and nays and the names of the members voting for and against the measure shall be entered upon the journal of each house, respectively. If the measure shall not be returned by the governor within six days (Sundays excepted) after it shall have been presented to the governor the same shall become operative unless the general assembly, by adjournment, prevents its return, in which case it shall become operative unless transmitted by the governor to the secretary of state, with the governor's disapproval in writing within ten days after such adjournment.

The Governor may reduce or veto any item of appropriations in a bill presented to him. Portions of a bill not reduced or vetoed shall become law. An item vetoed or reduced shall be returned to the house in which it originated and may be restored to its original amount and become law in the same manner as a vetoed bill. If a reduced item is not so restored, it shall become law in the reduced amount.

Section 16. Limitation on state spending. – (a) No appropriation, supplemental appropriation or budget act shall cause the aggregate state general revenue appropriations enacted in any given fiscal year to exceed ninety-eight percent (98%) of the estimated state general revenues for such fiscal year from all sources, including estimated unencumbered general revenues to the new fiscal year remaining at the end of the previous fiscal year. Estimated unencumbered general revenues are calculated by taking the estimated general revenue cash balance at the end of the fiscal year less estimated revenue anticipation bonds or notes, estimated general revenue encumbrances, estimated continuing general revenue appropriations and the amount of the budget reserve account at the end of said fiscal year.

(b) The amount between the applicable percentage in (a) and one hundred percent (100%) of the estimated state general revenue for any fiscal year as estimated in accordance with subsection (a) of this section shall be appropriated in any given fiscal year into the budget reserve account; provided, however, that no such payment will be made which would increase the total of the budget reserve account to more than three percent (3%) of only the estimated state general revenues as set by subsection (a) of this section. In the event that the payment to be made into the budget reserve account would increase the amount in said account to more than three percent (3%) of estimated state general revenues that said amount shall be transferred to the state bond capitol fund to be used solely for the purposes of reduction of state indebtedness, payment of debt service, and/or funding of capitol projects.

(c) Within forty-five (45) days after the close of any fiscal year, all unencumbered general revenue in the year end surplus account from the said fiscal year shall be transferred to the general fund.

(d) No bill, including any budget or appropriations bill, submitted to either house of the general assembly shall increase the revenue raised from any tax unless such provision is approved by a two-thirds (2/3) vote of the members elected to each house of the general assembly.

SECTION 2. That this amendment shall take, in the Constitution of the state, the place of Section 14 and 16 of Article IX of the Constitution:

(a) That the said proposition of amendment shall be submitted to the electors for their approval or rejection at the next statewide general election. The voting places in the several cities and towns shall be kept open during the hours required by law for voting therein for general officers of the state; and be it further

(b) That the secretary of state shall cause the said proposition of amendment to be published as a part of this resolution in the newspapers of the state prior to the date of the said meetings of the said electors; and the said proposition shall be inserted in the warrants or notices to be issued previous to said meetings of the electors for the purpose of warning the town, ward, or district meetings, and said proposition shall be read by the town, ward, or district meetings to be held as aforesaid; and be it further

(c) That the town, ward, and district meetings to be held aforesaid shall be warned, and the list of voters shall be canvassed and made up, and the said town, ward, and district meetings shall be conducted in the same manner as now provided by law for the town, ward, and district meetings for the election of general officers of the state.

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

Respectfully submitted,

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REPRESENTATIVE GORHAM

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LC01305/7
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Representative Gorham discusses the amendment.

Representative Costantino moves to lay the amendment on the table, seconded by Representative Williamson.

The motion to lay on the table prevails on a roll call vote 51 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McNamara, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 15: Representatives Amaral, Caprio, Ehrhardt, Gorham, Long, Loughlin, McManus, Melo, Menard, Moffitt, Mumford, Singleton, Story, Trillo, Watson.

By unanimous consent, Representative Gorham, seconded by Representatives Ehrhardt, Trillo and Mumford offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", by adding thereto the following new Article:

"ARTICLE_____

RELATING TO APPROVING AND PUBLISHING AND SUBMITTING TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (INITIATIVE AND REFERENDUM)

SECTION 1. A majority of all members elected to each house of the general assembly voting therefor, the following amendment to the constitution of the state be proposed to the qualified electors of the state in accordance with the provisions of Article XIV of the constitution for their approval and that it take the place of Article VI Sections 1 and 2 which are hereby amended to read as follows:

ARTICLE VI

Section 1. Constitution supreme ~~law of the state~~. -- This Constitution shall be the supreme law of the state, and any law inconsistent therewith shall be void. ~~The general assembly shall pass all laws necessary to carry this Constitution into effect.~~ The legislative power of the state shall be vested in a general assembly, consisting of a senate and a house of representatives, both to be elected by the people, but the people reserve to themselves the power to propose laws and amendments to the constitution and to enact or reject the same at a general election without the approval of the general assembly, and also reserve power at their own option to approve or reject at a general election any act, section or part of any act of the general assembly.

Section 2. ~~Power vested in general assembly -- Concurrence of houses required to enact laws -- Style of laws.~~ Power to enact legislation. -- Enactment and style of laws. -- Power of the general assembly. – Initiative and referendum. -- A. The legislative power, under this Constitution, and subject to the reservations set forth in Section 1 hereof, shall be vested in two houses, the one to be called the senate, the other the house of representatives; and both together the general assembly. The concurrence of the two houses shall be necessary to the enactment of laws. The style of their laws shall be, It is enacted by the general assembly as follows:

B. The people reserve the right to themselves the power to propose laws and amendments to the constitution and to adopt or reject the same. Qualified voters shall have the power through petition to enact statutes and to amend the constitution at general elections. This power shall be

known as initiative and referendum. No initiative shall be permitted which shall abridge the civil rights or liberties, including those guaranteed by Article I of the Rhode Island Constitution, of any individual or group of individuals and no initiative shall be permitted which would repeal or amend this sentence. The superior court shall have original jurisdiction to hear complaints arising under this section on an expedited basis. Any individual shall have standing to bring an action at anytime to enforce this section.

C. This article does not permit the proposal of any constitutional amendment that appropriates state revenue. This article does not permit the proposal of any constitutional amendment that diminishes state revenues by the reduction or limitation of a tax or fee. This article does not permit the proposal of any constitutional amendment that affects the generation or expenditure of state revenues through the ordinary legislative budget process.

D. This article does not permit the proposal of any statute or statutory amendment that makes an appropriation or otherwise requires the expenditure of money, unless such statute or amendment also enacts a commensurate increase in revenues and/or decreases in revenue appropriations, not prohibited by the constitution; provided, however, that this requirement shall not apply to a proposal for the appropriation or expenditure of less than two hundred fifty thousand dollars ($250,000), which amount shall be adjusted annually commencing in fiscal year 2009/2010 to reflect changes in the cost-of-living as determined by the United States government. This article does not permit the proposal of any statute or any statutory amendment that diminishes state revenue, unless such statute or amendment also enacts a commensurate increase in revenues and/or decreases in revenue appropriations to accommodate the projected reduction in state revenue. Any initiative affecting the state budget must be prospective in nature and may not be effective prior to the fiscal year subsequent to the general election.

E. To be eligible to be placed on a general election ballot a statutory initiative petition shall be signed by at least a number of qualified voters equal to five percent (5%) of the total number of votes cast for the office of governor at the last preceding general election for that office, and a petition to amend the constitution shall be signed by at least a number of qualified voters equal to ten percent (10%) of the total number of votes cast for the office of governor at the last preceding general election for that office. To qualify for certification, signatures from at least twenty (20) cities and/or towns, of which four (4) must be cities, must meet the above percentage requirements.

F. For certified initiative petitions, initiative petitioners shall have two hundred ten (210) days from the date the secretary of state has date and time stamped, assigned a petition reference number, and issued the first initiative petition forms to collect and file with the local canvassing authorities the requisite number of signatures, and such signatures may be filed separately with the authorities as they are collected by the petitioners. The local canvassing authorities shall certify the authenticity of the initiative petition signatures and advise the secretary of state within thirty (30) business days of receipt of each initiative petition form.

G. (1) An initiative shall be approved by a majority of the qualified voters voting thereon. If so approved, it shall become part of the statutory law of the state or part of the constitution as the case may be and shall take effect from and after the official declaration of the vote thereon by proclamation of the state board of elections, or its successor, but in no event later than thirty (30) days after the vote has been certified unless otherwise provided in the initiative petition.

(2) The veto power of the governor shall not extend to an initiative by the voters.

(3) If any provisions of constitutional amendments and/or laws approved by the people at the same election are in conflict with each other, then the provisions which received the largest

number of affirmative votes at such election shall govern; and in any other case an initiative approved by the voters shall supersede any conflicting law.

(4) The general assembly shall provide such funds as may be required to implement an approved initiative.

(5) The general assembly shall not, within four (4) years after passage, repeal or alter any such statutory initiative unless by three-fourths (3/4) vote of both houses.

(6) Unless an initiative which has a singular or exclusive impact on any city or town is approved by a majority of those voting in that city or town, said initiative shall not take effect.

H. The provisions of Article XIV of this constitution shall not be construed to deny, limit or disparage the people's right to propose or amend the constitution through initiative and referendum.

I. The general assembly shall enact implementing legislation for this section.

SECTION 2. (a) The said proposition of amendment shall be submitted to the electors for their approval or rejection at the next statewide general election. The voting places in the several cities and towns shall be kept open during the hours required by law for voting therein; and be it further

(b) The secretary of state shall cause said proposition of amendment to be published as a part of this resolution in the newspapers of the state prior to the date of the said meetings of the said electors; and the said proposition shall be inserted in the warrants or notices to be issued previous to said meetings of the electors for the purpose of warning the town, ward, or district meetings, and said proposition shall be read by the town, ward or district clerks to the electors in the town, ward, or district meetings to be held as aforesaid; and be it further

The town, ward, or district meetings to be held aforesaid shall be warned, and the list of voters shall be canvassed and made up, and the said town, ward, or district meetings shall be conducted in the same manner as now provided by law for the town, ward, and district meetings for the statewide general election.

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

Respectfully submitted,

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REPRESENTATIVE GORHAM

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LC01305/8
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Representative Gorham discusses the amendment.

Representative Williamson moves to lay the amendment on the table, seconded by Representative Petrarca.

The motion to lay the amendment on the table prevails on a roll call vote 47 members voting in the affirmative and 17 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally,

Lewiss, Malik, Mattiello, McNamara, Naughton, O'Neill, Pacheco, Petrarca, Rose, San Bento, Schadone, Scott, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson.

NAYS - 17: Representatives Amaral, Caprio, Ehrhardt, Gorham, Long, Loughlin, McManus, Melo, Menard, Moffitt, Mumford, Picard, Savage, Story, Trillo, Watson, Winfield.

By unanimous consent, Representative Gorham, seconded by Representatives Mumford and Costantino offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2007 -- H 5300 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Mr. Speaker:

I hereby move to amend 2007 -- H 5300 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2008", by adding thereto the following new Article:

"ARTICLE_____

SECTION 1. Chapter 44-30 of the General Laws entitled "Personal Income Tax" is hereby amended by adding thereto the following section:

44-30-27. Farm to school income tax credit. -- Upon presentation of written certification by a local education agency, an individual or entity domiciled in the state for the entire tax year, shall be entitled to an income tax credit for the purchase of produce grown in the state which shall be furnished or used in connection with that individual's or entity's agreement to provide food, services or other products to a local education agency. The income tax credit shall be equal to five percent (5%) of the cost of farm products grown or produced in the state. Any amount of income tax credit not deductible in the taxable year of certification may not be carried over to the following year. The credit may not be applied until all other credits available to the taxpayer for that taxable year are applied.

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

Respectfully submitted,

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REPRESENTATIVE GORHAM

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LC01305/6
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Representatives Gorham and Fox discuss the amendment.

The New Article prevails and becomes Article 43 on a roll call vote 66 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Moffitt, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Segal, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representative San Bento.

Representative Watson presents a paper seeking to withdraw his name and the name of the other sponsors as sponsors of (07-H 5300 SUB A). The Honorable Speaker rules that the request may not be timely under Rule 16(g), but not withstanding that question, the statement may be placed in the House Journal. The Speaker also rules that the bill once introduced and amended becomes the property of the House (see Mason's Manual section 727) and that the absence of a sponsor or sponsors at that stage of the bill's progress is not relevant, particularly in respect to the budget. The introduction of which is required both by the Constitution and by statute.

Pursuant to rule 16(g) of the House Rules of Procedure, the undersigned hereby elect to have their names disassociated from 2007-H5300 Sub A as amended:

Bob Watson
Sue Story
Laurence W. Ehrhardt,
William McManus,
Nicholas Gorham,
Carol A. Mumford,
John A. Savage

Submitted 6/16/07
@ 12:45 P.M.

Representative Kilmartin challenges the ruling of the Chair, seconded by Representative Fox.

The motion to uphold the Ruling of the Chair prevails on a roll call vote, 57 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 14: Representatives Amaral, Caprio, Ehrhardt, Gorham, Long, Loughlin, McManus, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Watson.

REQUEST

Representative Caprio requests the journal to reflect that he had voted incorrectly on the motion to uphold the Ruling of the Chair, he should have voted in the affirmative.

ARTICLE 44

RELATING TO EFFECTIVE DATE

Representative Costantino moves passage of the article, seconded by Representatives Corvese, Kennedy, Malik, San Bento, Palumbo, Slater, Coderre, Naughton, Fox, Kilmartin, Brien, Lewiss, Gemma and many other members of the House.

The article, is read and prevails, on a roll call vote, 63 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 10: Representatives Ehrhardt, Gorham, Long, Loughlin, McManus, Mumford, Singleton, Story, Trillo, Watson.

Representative Menard discusses Article procedures.

Representative Costantino moves LC 1305/22 becomes Article 42, LC 1305/6 becomes Article 43, the effective date becomes Article 44, amend the table of context to reflect changes, seconded by Representatives Fox, Pacheco, Williamson and many other members of the House.

This motion prevails on a roll call vote, 69 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 3: Representatives Long, Loughlin, Trillo.

Representative Costantino moves (07-H 5300 SUB A, as amended), seconded by Representative Fox.

The Budget prevails on a roll call vote, 57 members voting in the affirmative and 16 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 16: Representatives Amaral, Ehrhardt, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Savage, Singleton, Smith, Story, Trillo, Watson, Winfield.

TRANSMITTAL

By unanimous consent, (07-H 5300 SUB A, as amended), on the Clerk's desk is ordered to be transmitted to the Honorable Senate, forthwith.

ANNOUNCEMENTS

The Honorable Speaker Murphy wishes Representative Tom Winfield a Happy 44th Birthday.

The Honorable Speaker Murphy wishes a Happy Anniversary to Representative Al Gemma and his wife Ann.

The Honorable Speaker Murphy wishes Representative William McManus and his wife Joanne a Happy Anniversary on June 16th.

The Honorable Speaker Murphy wishes Representative Joseph Trillo and his wife Marilyn a Happy Anniversary on June 18th.

The Honorable Speaker Murphy wishes Representative Peter Wasylyk and his wife Sharon a Happy Anniversary on June 18th.

The Honorable Speaker Murphy wishes Representative Thomas Winfield and his wife Rebecca a Happy Anniversary on June 16th.

The Honorable Speaker Murphy wishes Representative Stephen Ucci and his wife Dina a Happy Anniversary on June 18th.

The Honorable Speaker Murphy and Minority Leader Watson wish Representative Steven Costantino a Happy 50th Birthday.

GUEST

Representative Williamson welcomes to the House Chamber-Senator Moura.

THANK YOU

Representative Costantino extends thanks to people who worked on the budget- Pam Blais, Robert Carr, Carolyn Dickey, Sharon Reynolds Ferland, Hideilda Flores, Heriberto Gonzalez, Linda Haley, John Mansolillo, Liza Pinto, James Pontarelli, Chantale Sarrasin, Legislative Council, John O'Conner, Legislative Data, and a special thanks to House Advisor-Michael O'Keefe and the Finance Committee.

ADJOURNMENT

At 1:38 o'clock A.M. on motion of Representative Fox seconded by Representative Watson the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DEBORAH A. FELLELA

Thank you God for Your presence here with us and Your blessings on this Assembly today and every day. Amen.

APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, JUNE 19, 2007:

1 2007-H 5767
BY Lewiss
ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

Committee on Health, Education & Welfare recommends passage.

2 2007-H 5185
BY Lewiss
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE

Committee on Judiciary recommends passage.

3 2007-H 5653
BY Gallison
ENTITLED, AN ACT RELATING TO ELECTIONS - LOCAL CANVASSING AUTHORITY

Committee on Judiciary recommends passage.

4 2007-H 6436
BY Ehrhardt
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

5 2007-H 6449
BY Fox
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

6 2007-H 5105
BY Ucci
ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES

Committee on Corporations recommends passage.

7 2007-H 6204 SUB A
BY Carter
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - HEAVY DUTY DIESEL VEHICLE EMISSION INSPECTIONS

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

8 2007-H 6276
BY Schadone
ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - REGISTRATION AND PROTECTION OF TRADEMARKS

Committee on Corporations recommends passage.

9 2007-H 5901 SUB A
BY Caprio D
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SECOND-HAND DEALERS

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

10 2007-H 6479
BY Walsh
ENTITLED, AN ACT RELATING TO CHARLESTOWN FIRE DISTRICT

Committee on Municipal Government recommends passage.

11 2007-H 6482
BY Gallison
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- EMERGENCY MANAGEMENT

Committee on Municipal Government recommends passage.

12 2007-H 6282 SUB A
BY Walsh
ENTITLED, AN ACT RELATING TO INCORPORATION OF THE DUNN'S CORNERS FIRE DISTRICT

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

13 **2007-H 5425 SUB A**
BY Kennedy
ENTITLED, AN ACT RELATING TO INDEBTEDNESS OF TOWNS AND CITIES

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

14 **2007-H 5500 SUB A**
BY Church
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO MAKE A COMPREHENSIVE STUDY OF THE IMPACT OF MANDATES ON RHODE ISLAND'S SCHOOL DISTRICTS

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

15 **2007-H 5764**
BY Lewiss
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH PROFESSIONS LOAN REPAYMENT PROGRAM

Committee on Health, Education & Welfare recommends passage.

16 **2007-H 6053**
BY Costantino
ENTITLED, AN ACT RELATING TO HUMAN SERVICES - PUBLIC OFFICERS AND EMPLOYEES

Committee on Health, Education & Welfare recommends passage.

17 **2007-H 6513**
BY Pacheco
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

18 **2007-H 6425**
BY Silva
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Municipal Government recommends passage.

19 **2007-H 6480**
BY Church
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Municipal Government recommends passage.

20 **2007-H 6481**
BY Church
ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Municipal Government recommends passage.

21 **2007-H 5668**
BY Lima
ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - BIRDS

Committee on Health, Education & Welfare recommends passage.

22 **2007-H 6062 SUB A**
BY Pacheco
ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- SANITATION IN FOOD ESTABLISHMENTS

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

23 **2007-H 5033 SUB A**
BY Lima
ENTITLED, AN ACT RELATING TO UNFAIR SALES PRACTICES

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

24 **2007-H 5557 SUB A**
BY San Bento
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY CODE -- GENERAL PROVISIONS

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

25 2007-S 103
BY Walaska
ENTITLED, AN ACT RELATING TO INSURANCE -- INSURANCE INSOLVENCY FUND

Committee on Corporations recommends passage in concurrence.

26 2007-S 360
BY Gibbs
ENTITLED, JOINT RESOLUTION AMENDING THE JOINT RESOLUTION CREATING A PERMANENT LEGISLATIVE COMMISSION ON CHILD CARE IN RHODE ISLAND

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

27 2007-S 520
BY Sosnowski
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE TAXATION OF FARM, FOREST, AND OPEN SPACE LAND

Committee on Finance recommends passage in concurrence.

28 2007-S 189
BY Felag
ENTITLED, AN ACT RELATING TO ELECTIONS - LOCAL CANVASSING AUTHORITY

Committee on Judiciary recommends passage in concurrence.

29 2007-S 764
BY Jabour
ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -- JUDICIAL REVIEW

Committee on Judiciary recommends passage in concurrence.

30 2007-S 463 SUB A
BY Perry
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS

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

31 2007-S 710 SUB A as amended
BY Goodwin
ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - DOMESTIC VIOLENCE PREVENTION ACT

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

32 2007-S 970
BY Revens
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

33 2007-S 794 as amended
BY McCaffrey
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - COMPUTER CRIME

Committee on Judiciary recommends passage as amended in concurrence.

34 2007-S 1044
BY Tassoni
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

35 2007-S 1045
BY Walaska
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

36 2007-S 1048
BY Gallo
ENTITLED, AN ACT RELATING SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

37 2007-S 236 SUB B
BY Doyle
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - WARRANTIES

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

38 2007-S 906 SUB A
BY Algiere
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - HEAVY DUTY DIESEL VEHICLE EMISSION INSPECTIONS

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

39 2007-S 1040
BY Fogarty P
ENTITLED, AN ACT RELATING TO THE GLENDALE ASSOCIATION, INC.

Committee on Corporations recommends passage in concurrence.

40 2007-S 1057
BY Cote
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF KATHMANDU, LTD.

Committee on Corporations recommends passage in concurrence.

41 2007-S 919
BY Jabour
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- NOTICE AND HEARING ON LICENSES

Committee on Corporations recommends passage in concurrence.

42 2007-S 63
BY Algiere
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Municipal Government recommends passage in concurrence.

43 2007-S 666 SUB B
BY Algiere
ENTITLED, AN ACT RELATING TO INCORPORATION OF THE DUNN'S CORNERS FIRE DISTRICT

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

44 2007-S 1039
BY Lenihan
ENTITLED, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO FINANCE THE ACQUISITION, CONSTRUCTION, RENOVATION, IMPROVEMENT, REHABILITATION, EQUIPPING AND FURNISHING OF A NEW SENIOR AND COMMUNITY CENTER IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN $4,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Municipal Government recommends passage in concurrence.

45 2007-S 1052
BY Breene
ENTITLED, AN ACT RELATING TO THE EXETER FIRE DISTRICT

Committee on Municipal Government recommends passage in concurrence.

46 2007-S 1072
BY Blais
ENTITLED, AN ACT IN AMENDMENT OF SECTION 9 OF AN ACT PASSED AT THE JANUARY SESSION A.D. 1942 ENTITLED "AN ACT TO INCORPORATE THE WESTERN COVENTRY FIRE DISTRICT" AS AMENDED

Committee on Municipal Government recommends passage in concurrence.

47 2007-S 553 SUB A
BY Walaska
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- ACCESSIBLE TAXICABS

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

48 2007-S 93 SUB A
BY Algiere
ENTITLED, AN ACT RELATING TO TAXATION -- TOWN OF WESTERLY

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

49 2007-S 690
BY Breene
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Judiciary recommends passage in concurrence.

50 <u>2007-S 469 SUB A as amended</u>
BY McCaffrey
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE COMMISSION ON JUDICIAL TENURE AND DISCIPLINE

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

51 <u>2007-S 869 SUB A as amended</u>
BY Cote
ENTITLED, AN ACT AN ACT AUTHORIZING THE CITY OF WOONSOCKET TO FINANCE THE ACQUISITION OF LAND FOR SCHOOL FACILITIES, INCLUDING THE DEMOLITION OF EXISTING BUILDINGS AND SITE PREPARATION, AND THE CONSTRUCTION,
FURNISHING AND EQUIPPING OF TWO NEW MIDDLE SCHOOLS AND RELATED SCHOOL FACILITIES AND THE REHABILITATION OF APPURTENANT HISTORIC BUILDINGS, IF ANY, IN THE CITY AND TO ISSUE NOT MORE THAN $74,000,000 BONDS AND/OR NOTES THEREFOR INCLUDING, BUT NOT LIMITED TO, ANY BONDS OR NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION, AND FURTHER PROVIDING THAT ONE HUNDRED PERCENT (100%) OF THE PROCEEDS FROM ANY FUTURE SALE OF THE EXISTING MIDDLE SCHOOL SHALL BE PAID TO THE STATE OF RHODE ISLAND GENERAL FUND IN THE FOLLOWING YEAR

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

52 <u>2007-S 934</u>
BY Alves
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Finance recommends passage in concurrence.

53 <u>2007-S 556 SUB A as amended</u>
BY Tassoni
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL PUPIL TRANSPORT VEHICLE

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

54 **2007-S 448 SUB B**
BY Perry
ENTITLED, AN ACT RELATING TO INSURANCE -- ESTABLISHING A HEALTH INSURANCE TAX INCENTIVE

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

IN ORDER FOR WEDNESDAY, JUNE 20, 2007:

1 **2007-H 5521**
BY Lally
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - STATE COURT ADMINISTRATION

Committee on Finance recommends passage.

2 **2007-H 6057 SUB A**
BY Costantino
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 **2007-H 5459**
BY McNamara
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- INTRACTABLE PAIN TREATMENT

Committee on Health, Education & Welfare recommends passage.

4 **2007-H 5037 SUB A**
BY Walsh
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND CESSPOOL ACT OF 2007

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

5 **2007-H 6137 SUB A**
BY Naughton
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

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

6 2007-S 176
BY Blais
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- INTRACTABLE PAIN TREATMENT

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

7 2007-S 361 SUB A as amended
BY Tassoni
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO MAKE A COMPREHENSIVE STUDY OF THE IMPACT OF MANDATES ON RHODE ISLAND'S SCHOOL DISTRICTS

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

8 2007-S 644
BY Levesque C
ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES

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

9 2007-S 654
BY Jabour
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH PROFESSIONS LOAN REPAYMENT PROGRAM

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

10 2007-S 228
BY Blais
ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage in concurrence.

Francis P. McCabe
Clerk of the House

Friday, June 15, 2007