

State of Rhode Island and Providence Plantations

JOURNAL
-OF THE-
HOUSE OF REPRESENTATIVES

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

Volume 136, No. 34

Wednesday, April 1, 2009

Thirty-fourth Day

The House of Representatives meets at the State House in Providence, Wednesday, April 1, 2009 and is called to order at 3:01 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, A. Rice, M. Rice, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 0:

INVOCATION

The Honorable Speaker presents Representative Almeida 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 Journals of Thursday, March 26, 2009 and Tuesday, March 31, 2009 are approved as printed.

REPORTS OF COMMITTEES**COMMITTEE ON CORPORATIONS**

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

House Bill No. 6031**BY** Ferri**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. MARY'S CHURCH {LC2343/1}

04/01/2009 Placed on House Calendar

COMMITTEE ON JUDICIARY

Representative Lally, for the Committee on Judiciary, reports back the following measure, with recommendation of passage:

House Bill No. 5990**BY** Kilmartin**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow David W. Piccerelli to join Alexa Marie Tedoldi and Matthew Joseph Piccerelli in marriage on or about October 3, 2009 within the Town of Barrington, Rhode Island.) {LC2167/1}

04/01/2009 Placed on House Calendar

House Bill No. 6020**BY** Lally**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Michael Anthony Cardi to join Danielle Lynn Pard and Derek Joseph Tomaselli in marriage within the Town of North Kingstown, Rhode Island) {LC2218/1}

04/01/2009 Placed on House Calendar

Senate Bill No. 12**BY** Miller**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Edward L. Rondeau to join John E. Picozzi and Laura Rogers in marriage on or about June 6, 2009 within the City of Newport, Rhode Island.) {LC140/1}

04/01/2009 Placed on House Calendar

Senate Bill No. 41**BY** Walaska, Lynch, McCaffrey**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Scott Avedisian to join Tina Marie Travis and Christopher Michael Bajakian in marriage) {LC17/1}

04/01/2009 Placed on House Calendar

Senate Bill No. 163**BY** Connors

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Gerald B. Resnick, Federal Administrative Law Judge to join Stephanie M. Lamarre and Matthew A. Resnick in marriage within the City of Providence, Rhode Island) {LC542/1}
04/01/2009 Placed on House Calendar

Senate Bill No. 197**BY** Perry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Gilbert Salk to join Lauren Salk and Ryan Buckley in marriage within the Town of Portsmouth, Rhode Island) {LC790/1}
04/01/2009 Placed on House Calendar

Senate Bill No. 265**BY** Paiva-Weed

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Mark Mckee to join Christina Conarroe and Brian Gould in marriage within the City of Newport, Rhode Island) {LC99/1}
04/01/2009 Placed on House Calendar

Senate Bill No. 266**BY** Paiva-Weed

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC250/1}
04/01/2009 Placed on House Calendar

Senate Bill No. 577**BY** DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Elizabeth Hackett to join Jennifer Lynn Roediger and Rudolph Kevin Jindracek in marriage within the town of Richmond, Rhode Island) {LC811/1}
04/01/2009 Placed on House Calendar

Senate Bill No. 609**BY** Levesque C

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Casey Parsons and Joseph Gill in marriage) {LC1983/1}
04/01/2009 Placed on House Calendar

Senate Bill No. 615**BY** Bates, Levesque C, Felag

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Louis P. Cirillo to join Peter Joseph Alfano and Mary-Jo Pasqua Valentino in marriage within the Town of Bristol, Rhode Island on or about August 29, 2009) {LC1908/1}
04/01/2009 Placed on House Calendar

NEW BUSINESS**House Bill No. 6067****BY** Corvese**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - MANUFACTURING AND WHOLESALE LICENSES {LC2349/1}

04/01/2009 Introduced, referred to House Corporations

House Bill No. 6068**BY** Williamson**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE BIG NEW ENGLAND FOOTBALL CLINIC, INC. {LC2368/1}

04/01/2009 Introduced, referred to House Corporations

House Bill No. 6069**BY** Gablinske, Fierro**ENTITLED**, AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS {LC2350/1}

04/01/2009 Introduced, referred to House H.E.W.

House Resolution No. 6070**BY** Segal, Ajello, Driver, Fierro, Newberry**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE ETHICS COMMISSION {LC2285/1}

04/01/2009 Introduced, referred to House Judiciary

House Resolution No. 6071**BY** Malik, Gablinske, Driver, Gallison, Menard**ENTITLED**, HOUSE RESOLUTION PROCLAIMING APRIL 1, 2009 AS "RHODE ISLAND SCHOLARSHIP ADVOCATES DAY" IN THE STATE OF RHODE ISLAND {LC2386/1}

04/01/2009 House read and passed

Representative Malik requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Malik seconded by Representatives McNamara, Costantino, Naughton and many other members of the House by unanimous consent, on a voice vote.

House Resolution No. 6072**BY** Dennigan, McNamara, O'Neill JP, Coderre E, San Bento**ENTITLED**, HOUSE RESOLUTION RECOGNIZING THE EDUCATIONAL PARTNERSHIP BETWEEN HENGSHUI HIGH SCHOOL HEBEI, CHINA AND THE PAWTUCKET SCHOOL DEPARTMENT {LC2392/1}

Representative Dennigan requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Dennigan seconded by Representatives McNamara, Coderre, O'Neill and many other members of the House by unanimous consent, on a voice vote.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 782

BY Levesque C, Felag, Bates

ENTITLED, AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX - BRISTOL (would permit the town of Bristol to list motor vehicle taxes due and owning on their municipal lien certificates.) {LC2137/1}

04/01/2009 Referred to House Municipal Government

Senate Bill No. 753 SUB A

BY Blais

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- FISCAL YEAR (would authorize the Scituate town council to modify the fiscal year for the town) {LC1082/1/A}

04/01/2009 Referred to House Municipal Government

CALENDAR

From the Calendar are taken:

SPECIAL ORDER OF BUSINESS FOR WEDNESDAY, APRIL 1, 2009 AT 2:00 PM

1 2009-H 5654

BY Dennigan

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND ESTABLISH HEALTH CARE REFORM MODELS TO EXPAND HEALTH CARE COVERAGE AND TO DECREASE HEALTH CARE COSTS FOR RHODE ISLAND RESIDENTS

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the resolution, seconded by Representatives Dennigan, Wasyluk, Williams, Ferri, Ruggiero, Giannini, Naughton, Martin and many other members of the House.

By unanimous consent, Representative McNamara offers Representative Dennigan's written motion to amend, seconded by Representative Dennigan.

F L O O R A M E N D M E N T
TO
2009 -- H 5654

JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY
AND ESTABLISH HEALTH CARE REFORM MODELS TO EXPAND HEALTH CARE
COVERAGE AND TO DECREASE HEALTH CARE COSTS FOR RHODE ISLAND
RESIDENTS

Mr. Speaker:

I hereby move to amend 2009 -- H 5654, entitled "JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND ESTABLISH HEALTH CARE REFORM MODELS TO EXPAND HEALTH CARE COVERAGE AND TO DECREASE HEALTH CARE COSTS FOR RHODE ISLAND RESIDENTS", as follows:

On page 2, by deleting all of the language on lines 27 through 29, inclusive.

Respectfully submitted,

REPRESENTATIVE DENNIGAN

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LC01676/2
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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, Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Read and passed, as amended, 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy,

Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

2 2009-H 5019 SUB A

BY Watson

ENTITLED, AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

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

Representative Costantino moves passage of the act, seconded by Representatives Silva, Coderre, Lima, McNamara, Slater, San Bento, Giannini, Gemma, Jacquard, Almeida, Kilmartin, Carter and Fox.

Representative Costantino discusses the act.

ARTICLE 2 RELATING TO INTERFUND BORROWING

Representative Costantino moves passage of the Article, seconded by Representatives Carter, Naughton, Fox and Slater.

Representative Costantino discusses the Article.

The Article prevails on a roll call vote 68 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Loughlin, Newberry, Watson.

ARTICLE 3 RELATING TO CLEAN WATER FINANCE AGENCY

Representative Costantino moves passage of the Article, seconded by Representative Fox.

Representatives Costantino and Watson discuss the Article.

The Article prevails on a roll call vote 69 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 2: Representatives Newberry, Watson.

ARTICLE 4 RELATING TO RETIREE HEALTH CARE TRUST FUND

Representative Costantino moves the passage of the Article, seconded by Representatives Slater, Fox, Gemma and San Bento.

Representative Costantino discusses the Article.

The Article prevails on a roll call vote 66 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 5: Representatives Ehrhardt, Loughlin, Newberry, Savage, Watson.

ARTICLE 5 RELATING TO UNEMPLOYMENT INSURANCE BENEFITS

Representative Costantino moves passage of the Article, seconded by Representatives Slater, Kilmartin, Naughton, Mattiello, Gemma and M. Rice.

The Article 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 2: Representatives Newberry, Watson.

ARTICLE 6 RELATING TO TELECOMMUNICATIONS TAX

Representative Costantino moves passage of the Article, seconded by Representatives Silva, Slater, Carter, and many other members of the House.

Representatives Newberry, Costantino and Watson discuss the Article.

The Article 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 7: Representatives Ehrhardt, Loughlin, MacBeth, Menard, Newberry, Watson, Winfield.

ARTICLE 7 RELATING TO STATE AID

Representative Costantino moves passage of the Article, seconded by Representatives Fox, Slater, Coderre, Naughton, Lima, McNamara, Williamson, and many other members of the House..

Representative Costantino discusses the Article.

By unanimous consent, Representative Costantino, seconded by Representatives Fox, McNamara, Slater, Corvese, Gallison, Kilmartin, Williamson, San Bento, and many other members of the House offers an written motion to amend.

FLOOR AMENDMENT TO 2009 -- H 5019 SUBSTITUTE A

**AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE
FOR THE FISCAL YEAR ENDING JUNE 30, 2009**

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

(1) On page 50, line 9, in Article 7, by adding the following language after the language that has been stricken and before the word "no":

"the total amount of aid shall be twenty-five million dollars (\$25,000,000) with such distribution allocated proportionately on the same basis as the original enactment of general revenue sharing for FY 2009".

(2) On page 50, lines 9 and 10, by deleting the inserted language.

Respectfully submitted,

REPRESENTATIVE COSTANTINO

LC00256/80

Representatives Ehrhardt, Costantino, Gemma, Loughlin Watson, Corvese, Savage, Driver, Newberry, Jacquard, Palumbo and Trillo discuss the amendment.

The motion to amend prevails on a roll call vote 74 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 74: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

NAYS - 1: Representative Williams.

By unanimous consent, Representative Loughlin seconded by Representative Savage offers an written motion to amend.

F L O O R A M E N D M E N T
TO
2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE
FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING

REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

In Article 1, page 5, line 22, by deleting the parentheses and numeral "(55,111,876)" and inserting in place thereof the numeral "55,111,876".

(2) In Article 1, page 6, line 25, by deleting the parentheses and numeral "(65,007,774)" and inserting in place thereof the parentheses and numeral ("9,895,898)."

(3) In Article 1, page 8, line 4, by deleting the numeral "31,655,283" and inserting in place thereof the numeral "86,767,159".

(4) In Article 7, page 45, by deleting all the language on lines 23 to 34, and of the language on pages 46 through 49, inclusive.

(5) In Article 7, page 50, by deleting all of the language on lines 1 through 11, inclusive.

Respectfully submitted,

REPRESENTATIVE LOUGHLIN

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LC00256/54
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Representatives Loughlin, Watson, Costantino, Fox, Ehrhardt and Trillo discuss the amendment. Representative McNamara rises on a point of order for Representative Trillo to speak germane to the amendment. The Honorable Speaker Murphy rules for Representative Trillo to speak germane to the amendment. Representatives Trillo, Palumbo, Kilmartin, and Savage continue discussion on the amendment.

The motion to amend fails on a roll call vote 28 members voting in the affirmative and 45 members voting in the negative as follows:

YEAS - 28: Representatives Baldelli-Hunt, Brien, Carnevale, Driver, Edwards, Ehrhardt, Fellela, Fierro, Flaherty, Guthrie, Handy, Loughlin, MacBeth, McCauley, Menard, Newberry, Petrarca, Rice, A., Savage, Schadone, Segal, Sullivan, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

NAYS - 45: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Fox, Gablinske, Gallison, Gemma, Giannini, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, M., Ruggiero, San Bento, Serpa, Shallcross-Smith, Silva, Slater, Vaudreuil, Williams, Williamson.

REQUEST

Representative Martin requests the journal to reflect that if he had voted on (LC 00256/54), he would have voted in the negative.

By unanimous consent, Representative Handy seconded by Representative Sullivan offers a written motion to amend.

Newberry, Pacheco, Petrarca, Rice, A., Ruggiero, Savage, Schadone, Segal, Sullivan, Trillo, Ucci, Wasylyk, Watson, Winfield.

NAYS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, DeSimone, Driver, Ferri, Fox, Gablinske, Gallison, Gemma, Giannini, Hearn, Jackson, Kilmartin, Lally, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Palumbo, Pollard, Rice, M., San Bento, Serpa, Shallcross, Silva, Slater, Vaudreuil, Walsh, Williams, Williamson.

REQUEST

Representative Lima requests the journal to reflect that if she had voted on (LC00256/84), she would have voted in the negative.

By unanimous consent, Representative Brien, seconded by Representatives Baldelli-Hunt offers a written motion to amend.

FLOOR AMENDMENT TO 2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

(1) In Article 7, page 50, line 10, by adding the following language immediately after the word "appropriated":

", provided however, that those communities that received state aid as so-called "distressed communities" in fiscal year 2009 shall receive one hundred percent (100%) of their respective apportionment of state aid as contained in the fiscal 2009 state budget".

Respectfully submitted,

REPRESENTATIVE BRIEN

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LC00256/69
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Representatives Brien, Loughlin, Costantino, Williamson, Watson, Lima, Gemma, Williams, and Fox 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 Baldelli-Hunt, Brien, Carnevale, Diaz, Fierro, Loughlin, McCauley, Petrarca, Segal, Ucci, Wasylyk, Williams, Winfield.

NAYS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Driver, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Watson, Williamson.

Representatives Watson and Ucci discuss Article 7aa.

The Article, as amended prevails on a roll call vote 41 members voting in the affirmative and 33 members voting in the negative as follows:

YEAS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Driver, Fox, Gablinske, Gallison, Gemma, Giannini, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Palumbo, Pollard, San Bento, Serpa, Silva, Slater, Vaudreuil, Williamson.

NAYS - 33: Representatives Brien, Carnevale, DaSilva, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Guthrie, Handy, Loughlin, MacBeth, McCauley, Menard, Newberry, Pacheco, Petrarca, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Sullivan, Trillo, Ucci, Walsh, Wasylyk, Watson, Williams, Winfield.

ARTICLE 8 RELATING TO PERSONNEL REFORM

Representative Fox moves passage of the Article, seconded by Representatives Pacheco, Sullivan, and Costantino.

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

FLOOR AMENDMENT TO 2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

In Article 8, on page 50, lines 12 through 31, inclusive, by deleting all of the language appearing thereon.

Respectfully submitted,

REPRESENTATIVE FOX

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LC00256/72
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The motion to amend prevails on a roll call vote 67 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 5: Representatives Ehrhardt, Loughlin, Newberry, Savage, Trillo.

By unanimous consent, Representative Trillo, seconded by Representative Loughlin offers an written motion to amend.

F F L O O R A M E N D M E N T
TO
2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE
FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

In Article 8, page 50, line 23, after the word "wages" by deleting the language "hours, and working conditions" and by inserting in place thereof the language "and benefits".

Respectfully submitted,

REPRESENTATIVE TRILLO

=====
LC00256/43
=====

Representative Trillo discusses the amendment.

The motion to amend fails on a roll call vote 5 members voting in the affirmative and 63 members voting in the negative as follows:

YEAS - 5: Representatives Ehrhardt, Newberry, Trillo, Watson, Winfield.

NAYS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Ucci, Wasyluk, Williams, Williamson.

By unanimous consent, Representative Driver seconded by Representative Segal offers a written motion to amend.

F L O O R A M E N D M E N T
T O
2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE
FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

1. In Article 8, page 50, between lines 30 and 31, by adding the following language:

“SECTION 2. Chapter 36-6 of the General Laws entitled “Public Officers and Employees” is hereby amended by adding thereto the following section:

36-6-22. Employee compensation reduction. – Notwithstanding any other provision of the general or public laws, or any regulation to the contrary, every classified or non-classified employee of the state whose base salary, exclusive of medical, dental or life insurance benefits, is one hundred thousand dollars (\$100,000) or more per annum shall have is or her salary reduced by five percent (5%) from May 1, 2009, through December 31, 2010.”

2. In Article 8, page 50, line 31, by deleting the numeral “2” and inserting in placed thereof the numeral “3”.

Respectfully submitted,

REPRESENTATIVE DRIVER

=====
LC00256/68
=====

Representatives Driver, Costantino and M. Rice discuss the amendment.

The motion to amend fails on a roll call vote 7 members voting in the affirmative and 64 members voting in the negative as follows:

YEAS - 7: Representatives Driver, Fellela, Kennedy, McCauley, Rice, A., Segal, Winfield.

NAYS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Ehrhardt, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

The Article, as amended prevails on a roll call vote 68 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

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

ARTICLE 9 RELATING TO ENERGY REVOLVING FUND

Representative Costantino moves passage of the Article, seconded by Representatives Fox, Silva and many other members of the House.

The Article prevails on a roll call vote 66 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 4: Representatives Menard, Newberry, Rice, A., Watson.

REQUESTS

Representatives Lima and M. Rice request the journal to reflect that if they had voted on Article 9 they would have voted in the affirmative.

ARTICLE 11 RELATING DEFERRED CONTRIBUTIONS

Representative Costantino moves passage of the Article, seconded by Representatives Silva, Fox, and many other members of the House.

Representative Ehrhardt, Costantino, Savage, Watson, and Marcello discuss the article.

The Article prevails on a roll call vote 71 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 2: Representatives Newberry, Winfield.

REQUEST

Representative Ucci requests the journal to reflect that if he had voted on Article 11, he would have voted in the affirmative.

ARTICLE 12 RELATING TO THE RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATIONS AND THE RHODE ISLAND INDUSTRIAL FACILITIES CORPORATION

Representative Costantino moves passage of the Article, seconded by Representatives Carter, Ucci and many other members of the House.

Representatives Dennigan and Costantino discuss the Article.

The Article prevails on a roll call vote 66 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carnevale, Carter, Corvese, Costantino, DaSilva, DeSimone, Diaz, Edwards, Ehrhardt,

Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 7: Representatives Baldelli-Hunt, Dennigan, Driver, Loughlin, Newberry, Pollard, Watson.

ARTICLE 13 RELATING TO TRANSPORTATION OF PUPILS

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 T O 2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

(1) In Article 13, on page 87, line 2, by deleting the word "and" and by inserting the word "or" in place thereof.

(2) In Article 13, on page 87, line 20, by deleting the word "and" and by inserting the word "or" in place thereof.

(3) In Article 13, on page 88, line 8, by deleting the word "and" and by inserting the word "or" in place thereof.

Respectfully submitted,

REPRESENTATIVE COSTANTINO

=====
LC00256/78
=====

The motion to amend 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin,

Lally, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative MacBeth.

Representatives Dennigan, Loughlin, Palumbo, Baldelli-Hunt, Lima, Costantino, MacBeth, Martin, and M. Rice discuss the Article, as amended.

REQUESTS

Representative Lima requests the journal to reflect that if she had voted on (LC00256/78), she would have voted in the affirmative.

Representative MacBeth requests the journal to reflect that she had voted incorrectly on (LC00256/78), she should have voted in the affirmative.

By unanimous consent, Representative M. Rice seconded by Representative Flaherty offers a written motion to amend.

FLOOR AMENDMENT TO 2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

1. In Article 13, page 88, line 24, by deleting the language "Should outsourcing".
2. In Article 13, page 88, by deleting lines 25 and 26.

Respectfully submitted,

REPRESENTATIVE M. RICE

=====
LC00256/74
=====

Representatives Costantino, Azzinaro, Ehrhardt, Trillo, Pollard, Driver, Savage, Handy, Newberry, M. Rice discuss the amendment.

The motion to amend fails on a roll call vote 22 members voting in the affirmative and 48 members voting in the negative as follows:

YEAS - 22: Representatives Ajello, Caprio, Ferri, Flaherty, Handy, Lally, Loughlin, MacBeth, Martin, Menard, Naughton, Rice, A., Rice, M., Ruggiero, Schadone, Segal, Trillo, Ucci, Vaudreuil, Walsh, Watson, Winfield.

NAYS - 48: The Honorable Speaker Murphy and Representatives Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Kennedy, Kilmartin, Lima, Malik, Marcello, Mattiello, McCauley, Melo, Newberry, O'Neill, Pacheco, Palumbo, Pollard, San Bento, Savage, Serpa, Silva, Slater, Sullivan, Wasylyk, Williamson.

REQUESTS

Representatives Jacquard and McNamara request the journal to reflect that if they had voted on (LC00256/74), they would have voted in the negative.

Representatives Carter, Trillo, Williams, Costantino, Gemma, Martin, Ucci, Jacquard, Gablinske, Baldelli-Hunt, and Malik discuss the Article as amended.

The article, as amended prevails on a roll call vote 54 members voting in the affirmative and 16 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Corvese, Costantino, DaSilva, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 16: Representatives Baldelli-Hunt, Brien, Carter, Dennigan, Driver, Ferri, Fierro, Flaherty, Guthrie, MacBeth, Menard, Newberry, Petrarca, Schadone, Trillo, Winfield.

REQUEST

Representative Watson requests the journal to reflect that if he had voted on Article 13, as amended, he would have voted in the affirmative.

NOW PRESIDING

At 6:43 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

ARTICLE 14 RELATING TO EDUCATION AID

Representative Costantino moves passage of the Article, seconded by Representatives Gemma, Jacquard, Slater, Almeida, and Giannini.

By unanimous consent, Representative Loughlin 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
2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE
FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

By deleting Article 14 in its entirety.

Respectfully submitted,

REPRESENTATIVE LOUGHLIN

=====
LC00256/36
=====

Representatives Loughlin, Palumbo, Costantino, Gemma, and Jacquard discuss the amendment.

The motion to amend fails on a roll call vote 8 members voting in the affirmative and 47 members voting in the negative as follows:

YEAS - 8: Representatives Baldelli-Hunt, Loughlin, MacBeth, Menard, Newberry, Rice, A., Wasyluk, Winfield.

NAYS - 47: Representatives Ajello, Almeida, Azzinaro, Carter, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Pacheco, Palumbo, Pollard, Rice, M., Ruggiero, Savage, Serpa, Silva, Slater, Sullivan, Vaudreuil, Walsh, Williams, Williamson.

REQUESTS

Representatives Caprio and Diaz request the journal to reflect that if they had voted on (LC 00256/36) they would have voted in the negative.

The Article prevails on a roll call vote 51 members in the affirmative and 9 members voting in the negative as follows:

YEAS - 51: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carter, Corvese, Costantino, DaSilva, Dennigan, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, Lima,

Malik, Marcello, Martin, Mattiello, McNamara, Melo, Pacheco, Palumbo, Pollard, Rice, M., Ruggiero, Savage, Schadone, Serpa, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasyluk, Williams, Williamson.

NAYS - 9 Representatives Driver, Flaherty, Loughlin, MacBeth, Menard, Newberry, Rice, A., Segal, Winfield.

REQUESTS

Representatives Caprio and Kennedy request the journal to reflect that if they had voted on Article 14 they would have voted in the affirmative.

ARTICLE 15 RELATING TO NURSING FACILITIES

Representative Costantino moves passage of the Article, seconded by Representatives Jacquard, McNamara, Martin, Gemma, Guthrie, Walsh and Slater.

By unanimous consent, Representative Costantino, seconded by Representatives Almeida, Gemma, Martin, Ruggiero, Kilmartin, DaSilva, Pacheco, Naughton, Giannini, Fellela, Kennedy, Corvese, Carnevale, Carter, Mattiello, A. Rice, Hearn, Melo, Marcello, Williams, San Bento, Ferri, Vaudreuil and Ehrhardt offers a written motion to amend.

FLOOR AMENDMENT TO 2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

In Article 15, page 65, line 15, by restoring the word "April" and deleting the word "July" as it appears after the word "April".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

=====
LC00256/79
=====

Representative Ehrhardt discusses 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, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Caprio requests the journal to reflect that if he had voted on (LC00256/79) he would have voted in the affirmative.

By unanimous consent, Representative Segal, seconded by Representative Fierro offers a written motion to amend.

FLOOR AMENDMENT TO 2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

1. In Article 15, page 96, by deleting lines 1 through 7.
2. In Article 17, page 97, by removing from the Article the language contained in lines 25 through 34.
3. In Article 17, page 98, by removing from the Article the language contained in lines 1 through 34.
4. In Article 17, page 99, by removing from the Article the language contained in lines 1 through 23 and inserting in place thereof the following language:

"ARTICLE 17

RELATING TO PERSONAL INCOME TAX

SECTION 1. Sections 44-30-2.6 and 44-30-2.10 of the General Laws in Chapter 44-30 entitled "Personal Income Tax" are hereby amended to read as follows:

44-30-2.6. Rhode Island taxable income -- Rate of tax. -- (a) "Rhode Island taxable income" means federal taxable income as determined under the Internal Revenue Code, 26 U.S.C. section 1 et seq., not including the increase in the basic standard deduction amount for married couples filing joint returns as provided in the Jobs and Growth Tax Relief Reconciliation Act of 2003 and the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA), and as modified by the modifications in section 44-30-12.

(b) Notwithstanding the provisions of sections 44-30-1 and 44-30-2, for tax years beginning on or after January 1, 2001, a Rhode Island personal income tax is imposed upon the Rhode Island taxable income of residents and nonresidents, including estates and trusts, at the rate of twenty-five and one-half percent (25.5%) for tax year 2001, and twenty-five percent (25%) for tax year 2002 and thereafter of the federal income tax rates, including capital gains rates and any other special rates for other types of income, except as provided in section 44-30-2.7, which were in effect immediately prior to enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA); provided, rate schedules shall be adjusted for inflation by the tax administrator beginning in taxable year 2002 and thereafter in the manner prescribed for adjustment by the commissioner of Internal Revenue in 26 U.S.C. section 1(f). However, for tax years beginning on or after January 1, 2006 and ending before January 1, 2009, a taxpayer may elect to use the alternative flat tax rate provided in section 44-30-2.10 to calculate his or her personal income tax liability.

(c) For tax years beginning on or after January 1, 2001, if a taxpayer has an alternative minimum tax for federal tax purposes, the taxpayer shall determine if he or she has a Rhode Island alternative minimum tax. The Rhode Island alternative minimum tax shall be computed by multiplying the federal tentative minimum tax without allowing for the increased exemptions under the Jobs and Growth Tax Relief Reconciliation Act of 2003 (as redetermined on federal form 6251 Alternative Minimum Tax-Individuals) by twenty-five and one-half percent (25.5%) for tax year 2001, and twenty-five percent (25%) for tax year 2002 and thereafter, and comparing the product to the Rhode Island tax as computed otherwise under this section. The excess shall be the taxpayer's Rhode Island alternative minimum tax.

(1) For tax years beginning on or after January 1, 2005 and thereafter the exemption amount for alternative minimum tax, for Rhode Island purposes, shall be adjusted for inflation by the tax administrator in the manner prescribed for adjustment by the commissioner of Internal Revenue in 26 U.S.C. section 1(f).

(2) For the period January 1, 2007 through December 31, 2007, and thereafter, Rhode Island taxable income shall be determined by deducting from federal adjusted gross income as defined in 26 U.S.C. section 62 as modified by the modifications in section 44-30-12 the Rhode Island itemized deduction amount and the Rhode Island exemption amount as determined in this section.

(A) Tax imposed.

(1) There is hereby imposed on the taxable income of married individuals filing joint returns and surviving spouses a tax determined in accordance with the following table:

If taxable income is:	The tax is:
Not over \$53,150	3.75% of taxable income
Over \$53,150 but not over \$128,500	\$1,993.13 plus 7.00% of the excess over \$53,150
Over \$128,500 but not over \$195,850	\$7,267.63 plus 7.75% of the excess over \$128,500
Over \$195,850 but not over \$349,700	\$12,487.25 plus 9.00% of the excess over \$195,850
Over \$349,700	\$26,333.75 plus 9.90% of the excess over \$349,700

(2) There is hereby imposed on the taxable income of every head of household a tax determined in accordance with the following table:

If taxable income is:	The tax is:
Not over \$42,650	3.75% of taxable income
Over \$42,650 but not over \$110,100	\$1,599.38 plus 7.00% of the excess over \$42,650
Over \$110,100 but not over \$178,350	\$6,320.88 plus 7.75% of the excess over \$110,100
Over \$178,350 but not over \$349,700	\$11,610.25 plus 9.00% of the excess over \$178,350
Over \$349,700	\$27,031.75 plus 9.90% of the excess over \$349,700

(3) There is hereby imposed on the taxable income of unmarried individuals (other than surviving spouses and heads of households) a tax determined in accordance with the following table:

If taxable income is:	The tax is:
Not over \$31,850	3.75% of taxable income
Over \$31,850 but not over \$77,100	\$1,194.38 plus 7.00% of the excess over \$31,850
Over \$77,100 but not over \$160,850	\$4,361.88 plus 7.75% of the excess over \$77,100
Over \$160,850 but not over \$349,700	\$10,852.50 plus 9.00% of the excess over \$160,850
Over \$349,700	\$27,849.00 plus 9.90% of the excess over \$349,700

(4) There is hereby imposed on the taxable income of married individuals filing separate returns and bankruptcy estates a tax determined in accordance with the following table:

If taxable income is:	The tax is:
Not over \$26,575	3.75% of taxable income
Over \$26,575 but not over \$64,250	\$996.56 plus 7.00% of the excess over \$26,575
Over \$64,250 but not over \$97,925	\$3,633.81 plus 7.75% of the excess over \$64,250
Over \$97,925 but not over \$174,850	\$6,243.63 plus 9.00% of the excess over \$97,925
Over \$174,850	\$13,166.88 plus 9.90% of the excess over \$174,850

(5) There is hereby imposed a taxable income of an estate or trust a tax determined in accordance with the following table:

If taxable income is:	The tax is:
Not over \$2,150	3.75% of taxable income
Over \$2,150 but not over \$5,000	\$80.63 plus 7.00% of the excess over \$2,150
Over \$5,000 but not over \$7,650	\$280.13 plus 7.75% of the excess over \$5,000
Over \$7,650 but not over \$10,450	\$485.50 plus 9.00% of the excess over \$7,650
Over \$10,450	\$737.50 plus 9.90% of the excess over \$10,450

(6) Adjustments for inflation. The dollars amount contained in paragraph (A) shall be increased by an amount equal to:

- Such dollar amount contained in paragraph (A) in the year 1993, multiplied by;
- The cost-of-living adjustment determined under section (J) with a base year of 1993;

(c) The cost-of-living adjustment referred to in subparagraph (a) and (b) used in making adjustments to the nine percent (9%) and nine and nine tenths percent (9.9%) dollar amounts shall be determined under section (J) by substituting "1994" for "1993."

(B) Maximum capital gains rates

(1) In general

If a taxpayer has a net capital gain for any taxable year, the tax imposed by this section for such taxable year shall not exceed the sum of:

(a) 2.5 % of the net capital gain as reported for federal income tax purposes under section 26 U.S.C. 1(h)(1)(a) and 26 U.S.C. 1(h)(1)(b).

(b) 5% of the net capital gain as reported for federal income tax purposes under 26 U.S.C. 1(h)(1)(c).

(c) 6.25% of the net capital gain as reported for federal income tax purposes under 26 U.S.C. 1(h)(1)(d).

(d) 7% of the net capital gain as reported for federal income tax purposes under 26 U.S.C. 1(h)(1)(e).

(C) Itemized deductions.

(1) In general

For the purposes of section (2) "itemized deductions" means the amount of federal itemized deductions as modified by the modifications in section 44-30-12.

(2) Individuals who do not itemize their deductions

In the case of an individual who does not elect to itemize his deductions for the taxable year, they may elect to take a standard deduction.

(3) Basic standard deduction. The Rhode Island standard deduction shall be allowed in accordance with the following table:

Filing status	Amount
Single	\$5,350
Married filing jointly or qualifying widow(er)	\$8,900
Married filing separately	\$4,450
Head of Household	\$7,850

(4) Additional standard deduction for the aged and blind. An additional standard deduction shall be allowed for individuals age sixty-five (65) or older or blind in the amount of \$1,300 for individuals who are not married and \$1,050 for individuals who are married.

(5) Limitation on basic standard deduction in the case of certain dependents. In the case of an individual to whom a deduction under section (E) is allowable to another taxpayer, the basic standard deduction applicable to such individual shall not exceed the greater of:

(a) \$850;

(b) The sum of \$300 and such individual's earned income;

(c) Certain individuals not eligible for standard deduction.

In the case of:

(a) A married individual filing a separate return where either spouse itemizes deductions;

(b) Nonresident alien individual;

(c) An estate or trust;

The standard deduction shall be zero.

(7) Adjustments for inflation.

Each dollars amount contained in paragraphs (3), (4) and (5) shall be increased by an amount equal to:

(a) Such dollar amount contained in paragraphs (3), (4) and (5) in the year 1988, multiplied by

(b) The cost-of-living adjustment determined under section (J) with a base year of 1988.

(D) Overall Limitation on Itemized Deductions

(1) General rule.

In the case of an individual whose adjusted gross income as modified by section 44-30-12 exceeds the applicable amount, the amount of the itemized deductions otherwise allowable for the taxable year shall be reduced by the lesser of:

(a) Three percent (3%) of the excess of adjusted gross income as modified by section 44-30-12 over the applicable amount; or

(b) Eighty percent (80%) of the amount of the itemized deductions otherwise allowable for such taxable year.

(2) Applicable amount.

(a) In general.

For purposes of this section, the term "applicable amount" means \$156,400 (\$78,200 in the case of a separate return by a married individual)

(b) Adjustments for inflation.

Each dollar amount contained in paragraph (a) shall be increased by an amount equal to:

(i) Such dollar amount contained in paragraph (a) in the year 1991, multiplied by

(ii) The cost-of-living adjustment determined under section (J) with a base year of 1991.

(3) Phase-out of Limitation.

(a) In general.

In the case of taxable year beginning after December 31, 2005, and before January 1, 2010, the reduction under section (1) shall be equal to the applicable fraction of the amount which would be the amount of such reduction.

(b) Applicable fraction.

For purposes of paragraph (a), the applicable fraction shall be determined in accordance with the following table:

For taxable years beginning in calendar year	The applicable fraction is
2006 and 2007	2/3
2008 and 2009	1/3

(E) Exemption Amount

(1) In general.

Except as otherwise provided in this subsection, the term "exemption amount" mean \$3,400.

(2) Exemption amount disallowed in case of certain dependents. In the case of an individual with respect to whom a deduction under this section is allowable to another taxpayer for the same taxable year, the exemption amount applicable to such individual for such individual's taxable year shall be zero.

(3) Adjustments for inflation.

The dollar amount contained in paragraph (1) shall be increased by an amount equal to:

(a) Such dollar amount contained in paragraph (1) in the year 1989, multiplied by

(b) The cost-of-living adjustment determined under section (J) with a base year of 1989.

(4) Limitation.

(a) In general.

In the case of any taxpayer whose adjusted gross income as modified for the taxable year

exceeds the threshold amount shall be reduced by the applicable percentage.

(b) Applicable percentage.

In the case of any taxpayer whose adjusted gross income for the taxable year exceeds the threshold amount, the exemption amount shall be reduced by two (2) percentage points for each \$2,500 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year exceeds the threshold amount. In the case of a married individual filing a separate return, the preceding sentence shall be applied by substituting "\$1,250" for "\$2,500." In no event shall the applicable percentage exceed one hundred percent (100%).

(c) Threshold Amount.

For the purposes of this paragraph, the term "threshold amount" shall be determined with the following table:

Filing status	Amount
Single	\$156,400
Married filing jointly of qualifying widow(er)	\$234,600
Married filing separately	\$117,300
Head of Household	\$195,500

(d) Adjustments for inflation.

Each dollars amount contain in paragraph (b) shall be increased by an amount equal to:

- (i) Such dollar amount contained in paragraph (b) in the year 1991, multiplied by
- (ii) The cost-of-living adjustment determined under section (J) with a base year of 1991.

(5) Phase-out of Limitation.

(a) In general.

In the case of taxable years beginning after December 31, 2005, and before January 1, 2010, the reduction under section 4 shall be equal to the applicable fraction of the amount which would be the amount of such reduction.

(b) Applicable fraction.

For the purposes of paragraph (a), the applicable fraction shall be determined in accordance with the following table:

For taxable years beginning in calendar year	The applicable fraction is
2006 and 2007	2/3
2008 and 2009	1/3

(F) Alternative Minimum Tax

(1) General rule. - There is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to the excess (if any) of:

- (a) The tentative minimum tax for the taxable year, over
- (b) The regular tax for the taxable year.

(2) The tentative minimum tax for the taxable year is the sum of:

- (a) 6.5 percent of so much of the taxable excess as does not exceed \$175,000, plus
- (b) 7.0 percent of so much of the taxable excess above \$175,000.

(3) The amount determined under the preceding sentence shall be reduced by the alternative minimum tax foreign tax credit for the taxable year.

(4) Taxable excess. - For the purposes of this subsection the term "taxable excess" means so much of the federal alternative minimum taxable income as modified by the modifications in section 44-30-12 as exceeds the exemption amount.

(5) In the case of a married individual filing a separate return, subparagraph (2) shall be applied by substituting "\$87,500" for \$175,000 each place it appears.

(6) Exemption amount. For purposes of this section "exemption amount" means:

Filing status	Amount
Single	\$39,150
Married filing jointly or qualifying widow(er)	\$53,700
Married filing separately	\$26,850
Head of Household	\$39,150
Estate or trust	\$24,650

(7) Treatment of unearned income of minor children

(a) In general.

In the case of a minor child, the exemption amount for purposes of section (6) shall not exceed the sum of:

- (i) Such child's earned income, plus
- (ii) \$6,000.

(8) Adjustments for inflation.

The dollar amount contained in paragraphs (6) and (7) shall be increased by an amount equal to:

(a) Such dollar amount contained in paragraphs (6) and (7) in the year 2004, multiplied by

(b) The cost-of-living adjustment determined under section (J) with a base year of 2004.

(9) Phase-out.

(a) In general.

The exemption amount of any taxpayer shall be reduced (but not below zero) by an amount equal to twenty-five percent (25%) of the amount by which alternative minimum taxable income of the taxpayer exceeds the threshold amount.

(b) Threshold amount.

For purposes of this paragraph, the term "threshold amount" shall be determined with the following table:

Filing status	Amount
Single	\$123,250
Married filing jointly or qualifying widow(er)	\$164,350
Married filing separately	\$82,175
Head of Household	\$123,250
Estate or Trust	\$82,150

(c) Adjustments for inflation

Each dollar amount contained in paragraph (9) shall be increased by an amount equal to:

- (i) Such dollar amount contained in paragraph (9) in the year 2004, multiplied by
- (ii) The cost-of-living adjustment determined under section (J) with a base year of 2004.

(G) Other Rhode Island Taxes

(1) General rule. - There is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to twenty-five percent (25%) of:

(a) The Federal income tax on lump-sum distributions.

(b) The Federal income tax on parents' election to report child's interest and dividends.

(c) The recapture of Federal tax credits that were previously claimed on Rhode Island return.

(H) Tax for children under 18 with investment income

(1) General rule. - There is hereby imposed a tax equal to twenty-five percent (25%) of:

(a) The Federal tax for children under the age of 18 with investment income.

(I) Averaging of farm income

(1) General rule. - At the election of an individual engaged in a farming business or fishing business, the tax imposed in section 2 shall be equal to twenty-five percent (25%) of:

(a) The Federal averaging of farm income as determined in IRC section 1301.

(J) Cost-of-Living Adjustment

(1) In general. The cost-of-living adjustment for any calendar year is the percentage (if any) by which:

(a) The CPI for the preceding calendar year exceeds

(b) The CPI for the base year.

(2) CPI for any calendar year. For purposes of paragraph (1), the CPI for any calendar year is the average of the Consumer Price Index as of the close of the twelve (12) month period ending on August 31 of such calendar year.

(3) Consumer Price Index

For purposes of paragraph (2), the term "consumer price index" means the last consumer price index for all urban consumers published by the department of labor. For purposes of the preceding sentence, the revision of the consumer price index which is most consistent with the consumer price index for calendar year 1986 shall be used.

(4) Rounding.

(a) In general.

If any increase determined under paragraph (1) is not a multiple of \$50, such increase shall be rounded to the next lowest multiple of \$50.

(b) In the case of a married individual filing a separate return, subparagraph (a) shall be applied by substituting "\$25" for \$50 each place it appears.

(K) Credits against tax. - For tax years beginning on or after January 1, 2001, a taxpayer entitled to any of the following federal credits enacted prior to January 1, 1996 shall be entitled to a credit against the Rhode Island tax imposed under this section:

(1) [Deleted by P.L. 2007, ch. 73, art. 7, section 5.

(2) Child and dependent care credit;

(3) General business credits;

(4) Credit for elderly or the disabled;

(5) Credit for prior year minimum tax;

(6) Mortgage interest credit;

(7) Empowerment zone employment credit;

(8) Qualified electric vehicle credit.

(L) Credit Against Tax for Adoption. - For tax years beginning on or after January 1, 2006, a taxpayer entitled to the federal adoption credit shall be entitled to a credit against the Rhode Island tax imposed under this section if the adopted child was under the care, custody, or supervision of the Rhode Island department of children, youth and families prior to the adoption.

(M) The credit shall be twenty-five percent (25%) of the aforementioned federal credits provided there shall be no deduction based on any federal credits enacted after January 1, 1996, including the rate reduction credit provided by the federal Economic Growth and Tax Reconciliation Act of 2001 (EGTRRA). In no event shall the tax imposed under this section be reduced to less than zero. A taxpayer required to recapture any of the above credits for federal tax purposes shall determine the Rhode Island amount to be recaptured in the same manner as prescribed in this subsection.

(N) Rhode Island Earned Income Credit

(1) In general. A taxpayer entitled to a federal earned income credit shall be allowed a Rhode Island earned income credit equal to twenty-five percent (25%) of the federal earned income credit. Such credit shall not exceed the amount of the Rhode Island income tax.

(2) Refundable portion. In the event the Rhode Island earned income credit allowed under section (J) exceeds the amount of Rhode Island income tax, a refundable earned income credit shall be allowed.

(a) For purposes of paragraph (2) refundable earned income credit means fifteen percent (15%) of the amount by which the Rhode Island earned income credit exceeds the Rhode Island income tax.

(O) The tax administrator shall recalculate and submit necessary revisions to paragraphs (A) through (J) to the general assembly no later than February 1, 2010 and every three (3) years thereafter for inclusion in the statute.

44-30-2.10. Alternative flat tax rate. -- (a) For tax years beginning on or after January 1, 2006, a taxpayer may elect to compute his or her Rhode Island personal income tax liability as provided in this section. If no election is made, the taxpayer's personal income tax liability shall be computed as otherwise provided in this chapter.

(b) For purposes of this section, "alternative Rhode Island taxable income" shall mean federal adjusted gross income as determined for federal income tax purposes as modified by sections 44-30-12 and 44-30-32 for residents and nonresidents, respectively. No other state or federal deductions or adjustments to income shall be available to the taxpayer.

(c) For purposes of this section, the "alternative tax rate" shall be eight percent (8.0%) for the tax year 2006; seven and one-half percent (7.5%) for tax year 2007; and seven percent (7%) for tax year 2008; ~~six and one-half percent (6.5%) for tax year 2009; six percent (6%) for tax year 2010; and five and one-half percent (5.5%) for tax years 2011 and thereafter;~~

(d) The alternative personal income tax shall be determined by multiplying the taxpayer's alternative Rhode Island taxable income by the alternative tax rate, less the following credits:

(1) Credit for income taxes paid to other states as provided for in section 44-30-18;

(2) Credit for Rhode Island personal income tax withheld as provided in section 44-30-74;

(3) Credit for Rhode Island payments of estimated tax as provided in section 44-30-56(e) and RI Reg. Sec. PIT 90-17;

(4) Credit for Rhode Island overpayment of taxes as provided in section 44-30-86(a); and

(5) Credit for Rhode Island amount remitted by a limited liability company on behalf of a nonresident member as provided in section 7-16-73(4).

No other state or federal tax credits shall be available to the taxpayer in computing the alternative personal income tax liability.

(e) The provisions of this section may apply regardless of the taxpayer's filing status.

SECTION 2. This Article shall take effect upon passage and shall apply to tax years beginning on or after January 1, 2009."

Respectfully submitted,

REPRESENTATIVE SEGAL

Representatives Segal, Costantino, Gemma, Menard, Handy and Ehrhardt discuss the amendment.

The motion to amend fails on a roll call vote 22 members voting in the affirmative and 44 members voting in the negative as follows:

YEAS - 22: Representatives Ajello, Almeida, Carnevale, DaSilva, Driver, Ferri, Fierro, Guthrie, Handy, Jacquard, Kennedy, MacBeth, Menard, Pacheco, Ruggiero, San Bento, Schadone, Segal, Sullivan, Walsh, Wasylyk, Williams.

NAYS - 44: The Honorable Speaker Murphy and Representatives Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Corvese, Costantino, Dennigan, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Hearn, Jackson, Kilmartin, Lally, Lima, Loughlin, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, Newberry, Palumbo, Pollard, Rice, M., Savage, Serpa, Silva, Slater, Vaudreuil, Williamson, Winfield.

REQUEST

Representative Diaz requests the journal to reflect that she had voted incorrectly on (LC00256/55), she should have voted in the affirmative.

Representative Gemma discusses the Article, as amended.

NOW PRESIDING

At 7:12 o'clock P.M. the Honorable Speaker Pro Tempore Lima yields the rostrum to the Honorable Speaker Murphy

The Article, as amended prevails on a roll call vote 56 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, Pacheco, Palumbo, Pollard, Rice, M., Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williamson, Winfield.

NAYS - 8: Representatives Diaz, Loughlin, MacBeth, Menard, Newberry, Rice, A., Schadone, Segal.

ARTICLE 16 RELATING TO MEDICAL ASSISTANCE – OUT OF STATE HOSPITALS

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

Representative Loughlin discusses the Article.

The Article prevails on a roll call vote 64 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Corvese, Costantino, DaSilva, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

NAYS - 1: Representative Newberry.

ARTICLE 10 RELATING TO REVENUES

Representative Costantino moves passage of the Article, seconded by Representative Fox.

By unanimous consent, Representative Costantino, seconded by Representatives Malik, Fox, San Bento, McNamara, Slater and Gablinske offers a written motion to amend.

F F L O O R A M E N D M E N T T O 2009 -- H 5019 SUBSTITUT E A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUT E A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

(1) In Article 10, on page 56, line 16, by deleting the word "or" after the figure "31-27-2" and by inserting in place thereof a comma "(,)"

(2) In Article 10, on page 56, line 16, after the comma and before the word "the" by inserting in place thereof the numerals and punctuation "31-27-2.2, or 31-27-2.6".

(3) In Article 10, page 65, lines 30 through 34, by removing Section 12 and all language therein from the Article.

(4) In Article 10, page 66, lines 1 through 16, by removing Section 13 and all language therein from the Article.

(5) In Article 10, page 66, lines 17 through 34, by removing Section 14 and all language therein from the Article.

(6) In Article 10, page 67, lines 1 through 34, by removing all the language therein from Section 14 of the Article.

(7) In Article 10, page 68, lines 1 through 25, by removing all the language from Section

14 from the Article.

(8) In Article 10, page 68, line 26, by deleting the numeral "15" and inserting in place thereof the numeral "12".

(9) In Article 10, page 71, line 32, by deleting the numeral "16" and inserting in place thereof the numeral "13".

(10) In Article 10, page 72, line 10, by deleting the numeral "17" and inserting in place thereof the numeral "14".

(11) In Article 10, page 72, line 18, by deleting the numeral "18" and inserting in place thereof the numeral "15".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC00256/88
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Representatives Driver, Costantino, Gablinske, Gemma, Newberry, Watson, Driver, Williamson, Malik, Ajello and Martin discuss 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 Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, Palumbo, Pollard, Rice, A., Rice, M., San Bento, Savage, Schadone, Serpa, Shallcross, Silva, Sullivan, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 8: Representatives Ajello, Driver, Handy, Martin, Pacheco, Ruggiero, Segal, Slater.

Representatives Costantino, Savage and Gemma discusses Article 10, as amended.

Minority Leader Watson requests to vote Article 10, sections 1-17 separately.

By unanimous consent, Representative Pacheco, seconded by Representative Ajello offers a written motion to amend.

**F F L O O R A M E N D M E N T
T O
2 0 0 9 -- H 5 0 1 9 S U B S T I T U T E A**

**AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE
FOR THE FISCAL YEAR ENDING JUNE 30, 2009**

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

1. In Article 10, page 68, by deleting the language contained in lines 26 and 27 and inserting in place thereof the following language:

“SECTION 15. Sections 44-30-2.10 and 44-30-12 of the General Laws in Chapter 44-30 entitled “Personal Income Tax” are hereby amended to read as follows:”

2. In Article 10, page 68, by inserting the following language between lines 27 and 28:

“44-30-2.10. Alternative flat tax rate. -- (a) For tax years beginning on or after January 1, 2006, a taxpayer may elect to compute his or her Rhode Island personal income tax liability as provided in this section. If no election is made, the taxpayer's personal income tax liability shall be computed as otherwise provided in this chapter.

(b) For purposes of this section, "alternative Rhode Island taxable income" shall mean federal adjusted gross income as determined for federal income tax purposes as modified by sections 44-30-12 and 44-30-32 for residents and nonresidents, respectively. No other state or federal deductions or adjustments to income shall be available to the taxpayer.

(c) For purposes of this section, the "alternative tax rate" shall be eight percent (8.0%) for the tax year 2006; seven and one-half percent (7.5%) for tax year 2007; seven percent (7%) for tax years 2008; ~~six and one-half percent (6.5%) for tax year 2009; six percent (6%) for tax year 2010; and five and one-half percent (5.5%) for tax years 2011 and thereafter;~~

(d) The alternative personal income tax shall be determined by multiplying the taxpayer's alternative Rhode Island taxable income by the alternative tax rate, less the following credits:

(1) Credit for income taxes paid to other states as provided for in section 44-30-18;

(2) Credit for Rhode Island personal income tax withheld as provided in section 44-30-74;

(3) Credit for Rhode Island payments of estimated tax as provided in section 44-30-56(e) and RI Reg. Sec. PIT 90-17;

(4) Credit for Rhode Island overpayment of taxes as provided in section 44-30-86(a); and

(5) Credit for Rhode Island amount remitted by a limited liability company on behalf of a nonresident member as provided in section 7-16-73(4).

No other state or federal tax credits shall be available to the taxpayer in computing the alternative personal income tax liability.

(e) The provisions of this section may apply regardless of the taxpayer's filing status.”

3. In Article 10, page 70, by deleting lines 3 and 4.

4. In Article 10, page 70, line 5, by deleting the number “7” and inserting in place thereof the number “6”.

5. In Article 10, page 72, line 19, by deleting the language “Section 9” and inserting in place thereof the language “Sections 9 and 15”.

Respectfully submitted,

REPRESENTATIVE PACHECO

Representatives Pacheco, Costantino, Ehrhardt, Loughlin, Lima, Watson and Newberry discuss the amendment.

The motion to amend fails on a roll call vote 22 members voting in the affirmative and 48 members voting in the negative as follows:

YEAS - 22: Representatives Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Gemma, Handy, MacBeth, , McCauley, Menard, Pacheco, A. Rice, M. Rice, Ruggiero, Schadone, Segal, Sullivan, Ucci, Walsh, Wasyluk, Winfield.

NAYS – 48: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Ehrhardt, Fox, Gallison, Giannini, Guthrie, Hearn, Jackson, Kilmartin, Lally, Lima, Loughlin, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, Newberry, O'Neill, Palumbo, Petrarca, Pollard, San Bento, Savage, Serpa, Shallcross, Silva, Slater, Vaudreuil, Watson, Williamson.

REQUEST

Representative Baldelli-Hunt requests the journal to reflect that she had voted incorrectly on (LC00256/61), she should have voted in the affirmative.

Representatives Watson, Ucci, Driver, Newberry, Loughlin, Costantino, Walsh, and Kilmartin discuss the Article, as amended.

Minority Leader Watson rises on a point of order regarding identification of sections. The Honorable Speaker rules all sections were discussed and identified previously.

Representative Costantino, Majority Leader Fox , Honorable Speaker Murphy, Minority Leader Watson, and Representative Lima discuss the Ruling of the Chair.

Representative Lima moves to Uphold the Ruling of the Chair, seconded by Representative Jacquard.

The motion to Uphold the Ruling of the Chair prevails on a roll call vote 68 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Serpa, Shallcross , Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

NAYS - 7: Representatives Ehrhardt, Loughlin, Newberry, Savage, Segal, Ucci, Watson.

Article 10, Section 1 prevails on a roll call vote 58 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasyluk, Williamson.

NAYS - 13: Representatives Edwards, Ehrhardt, Fellela, Flaherty, Loughlin, MacBeth, Menard, Newberry, Pollard, Savage, Schadone, Watson, Winfield.

REQUEST

Representative Ucci requests the journal to reflect that if he had voted on Article 10, Section 1, he would have voted in the affirmative.

Article 10, Section 2 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Wasyluk, Williamson.

NAYS - 14: Representatives Edwards, Ehrhardt, Fellela, Flaherty, Loughlin, MacBeth, Menard, Newberry, Rice, A., Savage, Schadone, Segal, Watson, Winfield.

Representative Ucci requests Section 3, page 56, line 9 to be voted separately. The Honorable Speaker Murphy rules Section 3, page 55, line 33 to page 56, line 11 will be voted separately.

Section 3, page 55, line 33 to page 56, line 11, prevails on a roll call vote 52 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Ferri, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Marcello, Martin, Mattiello, McCauley, McNamara, Melo,

Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., San Bento, Serpa, Shallcross , Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Williamson.

NAYS - 22: Representatives Baldelli-Hunt, Caprio, Edwards, Ehrhardt, Fellela, Flaherty, Gemma, Handy, Loughlin, MacBeth, Malik, Menard, Newberry, Petrarca, Ruggiero, Savage, Schadone, Segal, Sullivan, Ucci, Watson, Winfield.

Section 3, Sub-Section C, lines 15-17 on page 56 prevails on a roll call vote 60 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Segal, Serpa, Shallcross , Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williamson.

NAYS - 13: Representatives Edwards, Ehrhardt, Fellela, Flaherty, Loughlin, MacBeth, Menard, Newberry, Savage, Schadone, Trillo, Watson, Winfield.

Section 3, as amended, of Article 10 prevails on a roll call vote 59 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Serpa, Shallcross , Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williamson.

NAYS - 15: Representatives Edwards, Ehrhardt, Fellela, Flaherty, Loughlin, MacBeth, Menard, Newberry, Pollard, Savage, Schadone, Segal, Trillo, Watson, Winfield.

Article 10, Section 4 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross , Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williamson.

NAYS - 14: Representatives Edwards, Ehrhardt, Fellela, Flaherty, Loughlin, MacBeth, Menard, Newberry, Pollard, Savage, Schadone, Trillo, Watson, Winfield.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Jon D. Brien, State Representative, District 50, 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: (09-H 5019 SUB Aaa, Article 10, Sections 5-8)
- 2. (Nature of the potential conflict) I have the following interest in the matter:
- 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.

JON D. BRIEN
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 1st day of April, 2009.

MICHAEL EGAN
NOTARY PUBLIC

Representative Brien 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 10, Sections 5-7 prevails on a roll call vote 52 members voting in the affirmative and 21 members voting in the negative as follows

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard,

Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Wasylyk, Williamson.

NAYS - 21: Representatives Baldelli-Hunt, Carnevale, Diaz, Edwards, Ehrhardt, Flaherty, Gemma, Kennedy, Loughlin, MacBeth, Menard, Newberry, Petrarca, Rice, A., Rice, M., Savage, Schadone, Trillo, Walsh, Watson, Winfield.

Article 10, Section 8 prevails on a roll call vote 52 members voting in the affirmative and 21 members voting in the negative as follows

YEAS - 52: The Honorable Speaker Murphy and Representatives Almeida, Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Fellela, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Wasylyk, Williamson.

NAYS - 21: Representatives Ajello, Baldelli-Hunt, Carnevale, Edwards, Ehrhardt, Ferri, Flaherty, Gemma, Kennedy, Loughlin, MacBeth, Menard, Newberry, Petrarca, Rice, M., Savage, Schadone, Trillo, Walsh, Watson, Winfield.

Article 10, Section 9 prevails on a roll call vote 50 members voting in the affirmative and 23 members voting in the negative as follows

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Palumbo, Petrarca, Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Wasylyk, Williamson.

NAYS - 23: Representatives Baldelli-Hunt, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Loughlin, MacBeth, Menard, Newberry, Pacheco, Pollard, Rice, A., Savage, Schadone, Segal, Trillo, Ucci, Walsh, Watson, Winfield.

Article 10, Sections 10+11 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Wasylyk, Williamson.

NAYS - 16: Representatives Edwards, Ehrhardt, Flaherty, Gemma, Loughlin, MacBeth, Menard, Newberry, Rice, A., Savage, Schadone, Trillo, Ucci, Walsh, Watson, Winfield.

Article 10, Section 15 prevails on a roll call vote 50 members voting in the affirmative and 24 members voting in the negative as follows

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Driver, Ferri, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Palumbo, Petrarca, Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Wasylyk, Williamson.

NAYS - 24: Representatives Baldelli-Hunt, Brien, DaSilva, Edwards, Ehrhardt, Fellela, Fierro, Flaherty, Gemma, Loughlin, MacBeth, Menard, Newberry, Pacheco, Pollard, Rice, A., Savage, Schadone, Segal, Trillo, Ucci, Walsh, Watson, Winfield.

REQUESTS

Representatives Wasylyk, Ruggiero and Handy request the journal to reflect that they had voted incorrectly on Article 10, Section 15, they should have voted in the negative.

Article 10, Sections 16+17 prevails on a roll call vote 57 members voting in the affirmative and 17 members voting in the negative as follows

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williamson.

NAYS - 17: Representatives Edwards, Ehrhardt, Flaherty, Loughlin, MacBeth, Malik, Marcello, Menard, Newberry, Pollard, Rice, A., Savage, Schadone, Trillo, Ucci, Watson, Winfield.

Article 10, Sections 18 prevails on a roll call vote 65 members voting in the affirmative and 8 members voting in the negative as follows

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage,

Segal, Serpa, Shallcross , Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williamson, Winfield.

NAYS - 8: Representatives Loughlin, MacBeth, Menard, Newberry, Schadone, Trillo, Ucci, Watson.

ARTICLE 17 RELATING TO HOSPITAL PAYMENTS

Representative Costantino moves passage of the Article, seconded by Representatives Williamson, Fox, San Bento and many other members of the House.

Representatives Kennedy, Gemma, Petrarca, Azzinaro, M. Rice, Ehrhardt, Fierro, and Kennedy discuss the Article.

The Article fails on a roll call vote 37 members voting in the affirmative and 37 members voting in the negative as follows:

YEAS - 37: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carnevale, Coderre, Corvese, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Fox, Gablinske, Gallison, Giannini, Hearn, Jacquard, Kilmartin, Lima, Malik, Marcello, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Palumbo, Petrarca, Pollard, San Bento, Serpa, Shallcross , Silva, Slater, Vaudreuil, Williamson.

NAYS - 37: Representatives Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Costantino, Driver, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gemma, Guthrie, Handy, Jackson, Kennedy, Lally, Loughlin, MacBeth, Martin, Menard, Newberry, Pacheco, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Sullivan, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

Representative Costantino moves to reconsider Article 17, seconded by Representative Fox. The motion to reconsider prevails on a voice vote.

Representative Costantino moves passage of Article 17, seconded by Representatives Fox, San Bento and many other members of the House.

The Article prevails on a roll call vote 41 members voting in the affirmative and 33 members voting in the negative as follows:

YEAS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Ferri, Fox, Gablinske, Gallison, Giannini, Hearn, Jacquard, Kilmartin, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, San Bento, Serpa, Shallcross , Silva, Slater, Vaudreuil, Williamson.

NAYS - 33: Representatives Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Driver, Ehrhardt, Fellela, Fierro, Flaherty, Gemma, Guthrie, Handy, Jackson, Kennedy, Lally, Loughlin, MacBeth,

Menard, Newberry, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Sullivan, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

Representatives Costantino and Ehrhardt discuss New Articles.

ARTICLE 1 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2009

Representative Costantino moves passage of the Article, seconded by Representatives Gallison, Kilmartin, Wasylyk, Carter and many other members of the House.

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

FLOOR AMENDMENT TO 2009 -- H 5019 SUBSTITUTE A

AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUTE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

(1) In Article 1, page 5, line 22, by deleting the figure "(55,111,876)" and inserting in place thereof the figure "(30,111,876)".

(2) In Article 1, page 5, line 22, by deleting the figure "0" and inserting in place thereof the figure "25,000,000".

(3) In Article 1, page 6, line 25, by deleting the figure "(65,007,774)" and inserting in place thereof the figure "(40,007,774)".

(4) In Article 1, page 6, line 25, by deleting the figure "230,359,815" and inserting in place thereof the figure "255,359,815".

(5) In Article 1, page 8, line 3, by deleting the figure "(4,609,000)" and inserting in place thereof the figure "(8,309,000)".

(6) In Article 1, page 8, line 3, by deleting the second figure "(4,609,000)" and inserting in place thereof the figure "(8,309,000)".

(7) In Article 1, page 8, line 4, by deleting the figure "31,655,283" and inserting in place thereof the figure "52,955,283".

(8) In Article 1, page 8, line 4, by deleting the figure "592,539,288" and inserting in place thereof the figure "613,839,288".

(9) In Article 1, page 11, line 29, by deleting the figure "4,698,679" and inserting in place thereof the figure "4,498,679".

(10) In Article 1, page 16, line 8, by deleting the figure "(24,175,543)" and inserting in place thereof the figure "(23,007,492)".

(11) In Article 1, page 16, line 8, by deleting the figure "107,047,946" and inserting in

place thereof the figure "108,215,997".

(12) In Article 1, page 16, line 16, by deleting the figure "11,507,316" and inserting in place thereof the figure "13,339,265".

(13) In Article 1, page 16, line 16, by deleting the figure "155,430,991" and inserting in place thereof the figure "157,262,940".

(14) In Article 1, page 16, line 25, by deleting the figure "(25,708,451)" and inserting in place thereof the figure "(22,708,451)".

(15) In Article 1, page 16, line 25, by deleting the figure "1,328,080,569" and inserting in place thereof the figure "1,331,080,569".

(16) In Article 1, page 17, line 7, by deleting the figure "42,453" and inserting in place thereof the figure "3,042,453".

(17) In Article 1, page 17, line 7, by deleting the figure "1,775,224,489" and inserting in place thereof the figure "1,778,224,489".

(18) In Article 1, page 17, line 23, by deleting the figure "(15,158,716)" and inserting in place thereof the figure "(14,080,837)".

(19) In Article 1, page 17, line 23, by deleting the figure "91,507,395" and inserting in place thereof the figure "92,585,274".

(20) In Article 1, page 17, line 25, by deleting the figure "4,821,728" and inserting in place thereof the figure "6,512,252".

(21) In Article 1, page 17, line 25, by deleting the figure "127,879,766" and inserting in place thereof the figure "129,570,290".

(22) In Article 1, page 17, line 33, by deleting the figure "8,943,922" and inserting in place thereof the figure "11,712,325".

(23) In Article 1, page 17, line 33, by deleting the figure "244,067,501" and inserting in place thereof the figure "246,835,904".

(24) In Article 1, page 18, line 28, by deleting the figure "6,712,035" and inserting in place thereof the figure "9,480,438".

(25) In Article 1, page 18, line 28, by deleting the figure "464,202,544" and inserting in place thereof the figure "466,970,947".

(26) In Article 1, page 27, line 31, by deleting the figure "(11,990,025)" and inserting in place thereof the figure "(31,990,025)".

(27) In Article 1, page 27, line 31, by deleting the figure "42,538,628" and inserting in place thereof the figure "22,538,628".

(28) In Article 1, page 27, line 33, by deleting the figure "10,000,000" and inserting in place thereof the figure "30,000,000".

(29) In Article 1, page 27, line 33, by deleting the second figure "10,000,000" and inserting in place thereof the figure "30,000,000".

(30) In Article 1, page 30, line 26, by deleting the figure "(247,403,005)" and inserting in place thereof the figure "(243,857,075)".

(31) In Article 1, page 30, line 26, by deleting the figure "3,028,753,216" and inserting in place thereof the figure "3,032,299,146".

(32) In Article 1, page 30, line 27, by deleting the figure "391,404,281" and inserting in place thereof the figure "414,926,754".

(33) In Article 1, page 30, line 27, by deleting the figure "2,389,331,462" and inserting in place thereof the figure "2,412,853,935".

(34) In Article 1, page 30, line 30, by deleting the figure "304,160,808" and inserting in

place thereof the figure "331,229,211".

(35) In Article 1, page 30, line 30, by deleting the figure "7,223,215,010" and inserting in place thereof the figure "7,250,283,413".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC00256/86
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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 7 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasylyk, Williamson.

NAYS - 7: Representatives Diaz, Flaherty, Loughlin, Newberry, Ucci, Watson, Winfield.

Representative Costantino moves passage of Article 1, as amended, seconded by Representatives Gallison, Fox, Palumbo, Giannini, O'Neill, Slater and many other members of the House.

Representative Menard requests Article 1, as amended to be divided separately. The Honorable Speaker Murphy rules it is not divisible.

Article 1, as amended prevails on a roll call vote 62 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williamson.

NAYS - 10: Representatives Diaz, Ehrhardt, Flaherty, Loughlin, Newberry, Savage, Trillo, Ucci, Watson, Winfield.

ARTICLE 18 RELATING TO EFFECTIVE DATE

Representative Costantino moves passage of the Article, seconded by Representatives Naughton, Lally, Edwards, Fierro and many other members of the House.

The Article prevails on a roll call vote, 71 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Williamson, Winfield.

NAYS - 3: Representatives Loughlin, Newberry, Watson.

By unanimous consent, Representative Costantino, seconded by Representatives Naughton, Gemma, Slater, Lally, DeSimone, Martin, A. Rice 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
2009 -- H 5019 SUBSTITUTE A

**AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE
FOR THE FISCAL YEAR ENDING JUNE 30, 2009**

Mr. Speaker:

I hereby move to amend 2009 -- H 5019 SUBSTITUE A, entitled "AN ACT MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2009", as follows:

(1) By renumbering articles 9 through 18, sequentially, beginning with article number 8 and ending with article number 17.

(2) By deleting the index in its entirety and substituting therefore the following:

ARTICLE 1	RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2009
ARTICLE 2	RELATING TO INTERFUND BORROWING
ARTICLE 3	RELATING TO CLEAN WATER FINANCE AGENCY
ARTICLE 4	RELATING TO RETIREE HEALTH CARE TRUST FUND
ARTICLE 5	RELATING TO UNEMPLOYMENT INSURANCE BENEFITS
ARTICLE 6	RELATING TO TELECOMMUNICATIONS TAX
ARTICLE 7	RELATING TO STATE AID
ARTICLE 8	RELATING TO ENERGY REVOLVING FUND

ARTICLE 9	RELATING TO REVENUES
ARTICLE 10	RELATING DEFERRED CONTRIBUTIONS
ARTICLE 11	RELATING TO THE RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATIONS AND THE RHODE ISLAND INDUSTRIAL FACILITIES CORPORATION
ARTICLE 12	RELATING TO TRANSPORTATION OF PUPILS
ARTICLE 13	RELATING TO EDUCATION AID
ARTICLE 14	RELATING TO NURSING FACILITIES
ARTICLE 15	RELATING TO MEDICAL ASSISTANCE – OUT OF STATE HOSPITALS
ARTICLE 16	RELATING TO HOSPITAL PAYMENTS
ARTICLE 17	RELATING TO EFFECTIVE DATE

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC00256/85
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The motion to amend prevails on a roll call vote 69 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williamson, Winfield.

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

Representative Costantino moves passage of the (09-H 5019 SUB Aaa), seconded by Representatives Carter, Naughton, Coderre, Fox, Mattiello, Sullivan, Fierro, Handy, Lally, Caprio, DeSimone, Slater, Giannini, M. Rice, Kilmartin, Gemma, Jacquard, Almeida, Lima, Williamson and Guthrie.

Representatives Ehrhardt, Palumbo, Trillo, Gemma, Lima, Newberry, Watson and Costantino discuss the act, as amended.

The bill marked Substitute "A" is read and passed, as amended and the original bill indefinitely postponed, on a roll call vote, 58 members voting in the affirmative and 16 members voting in the negative as follows.

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca,

Pollard, Rice, M., Ruggiero, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasyluk, Williamson.

NAYS - 16: Representatives Carnevale, Diaz, Ehrhardt, Flaherty, Loughlin, MacBeth, Menard, Newberry, Rice, A., Savage, Schadone, Trillo, Ucci, Watson, Williams, Winfield.

TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to the Honorable Secretary of State and to the Honorable Senate, forthwith.

ANNOUNCEMENTS

Representative Winfield congratulates Michael Cronan and his wife Lisa on the birth of a baby boy.

Representative Costantino announces there will be a staff briefing on the 2010 budget bill at 1 o'clock P.M. tomorrow in Room 35 of the State House.

GUESTS

Representative Lima welcomes to the House Chamber as guests Jullian Pope from Bishop Hendricken; Dennis DeJesus, VP of Advancement-Bishop Hendricken; Peter Thomas; Assistant Director Advancement- Bishop Hendricken; Christopher Conti, student at Bishop Hendricken.

Representative Mattiello also welcomes to the Chamber Dennis DeJesus and Peter Thomas.

Representative Malik welcomes to the House as guests a group from the Rhode Island Scholarship Advocates.

The Honorable Speaker Murphy and Representative McNamara welcome back to the House Chamber former Representative Peter Ginaitt.

PERSONAL PRIVILEGE

Representative Williams rises on a point of personal privilege.

ADJOURNMENT

At 10:05 o'clock P.M. on motion of Representatives Carter and Dennigan, and as a further mark of respect to the memory of Dr. Francis Karl Machata; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JOSEPH S. ALMEIDA

Open our minds, Lord, to the wisdom in others. Help us to work in a unified effort towards harmony and peace for all the people of our State. Amen.

APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, APRIL 7, 2009:

1 2009-H 5451**BY Pacheco****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - NEW ENGLAND PATRIOTS CHARITABLE FOUNDATION

Committee on Constituent Services recommends passage.

2 2009-H 5599**BY Kennedy****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES -- BOSTON RED SOX/JIMMY FUND LICENSE PLATES

Committee on Constituent Services recommends passage.

3 2009-H 5600 SUB A**BY Naughton****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES

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

4 2009-H 6031**BY Ferri****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. MARY'S CHURCH

Committee on Corporations recommends passage.

5 2009-H 5990**BY Kilmartin****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

6 2009-H 6020**BY Lally****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

7 2009-S 12**BY Miller****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

8 2009-S 41**BY Walaska****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

9 2009-S 163**BY Connors****ENTITLED, AN ACT RELATING SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

10 2009-S 197**BY Perry****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

11 2009-S 265**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

12 2009-S 266**BY Paiva-Weed****ENTITLED, AN ACT RELATING SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

13 2009-S 577**BY DiPalma****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

14 2009-S 609**BY Levesque C****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

15 2009-S 615

BY Bates

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

IN ORDER FOR WEDNESDAY, APRIL 8, 2009:

1 2009-H 5340

BY Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- CEMETERIES
-- VETERAN HEADSTONE MEMORIALS

Committee on Veterans' Affairs recommends passage.

2 2009-H 5237 SUB A

BY Carter

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

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

Francis P. McCabe
Clerk of the House

Wednesday, April 1, 2009