

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. 64

Wednesday, June 24, 2009

Sixty-fourth Day

The House of Representatives meets at the State House in Providence, Wednesday, June 24, 2009 and is called to order at 3:22 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 Fellela who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

CORRECTIONS

By unanimous consent, the House Journal of Tuesday, June 23, 2009 is hereby corrected on page 39, after line 2 by inserting the following

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Mary Ann Shallcross Smith, State Representative, District 46, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (09-S 954)
2. (Nature of the potential conflict) I have the following interest in the matter:
I run a Day Care Center.
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.

MARY ANN SHALLCROSS SMITH
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 23rd day of June, 2009.

JOHN FLYNN
NOTARY PUBLIC

Representative Shallcross Smith 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

APPROVAL OF RECORD

By unanimous consent, the House Journal of Tuesday, June 23, 2009 is approved as corrected.

NEW BUSINESS

House Bill No. 6313

BY McCauley, Menard, Pacheco

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- SMOKE AND CARBON MONOXIDE DETECTORS {LC2749/1}

06/24/2009 Introduced, referred to House Corporations

House Bill No. 6314**BY** McNamara**ENTITLED**, AN ACT RELATING TO PROPERTY -- LEASED LAND DWELLINGS
{LC2825/1}

06/24/2009 Introduced, referred to House Judiciary

House Bill No. 6315**BY** Lally, Caprio D**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO FINANCE
THE ACQUISITION OF REAL ESTATE AND/OR DEVELOPMENT RIGHTS THERETO
AND TO ISSUE NOT MORE THAN \$2,000,000 BONDS AND NOTES THEREFOR
{LC2856/1}

06/24/2009 Introduced, referred to House Municipal Government

House Bill No. 6316**BY** Gallison, Gablinske, Malik, Rice A, Martin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
NEWPORT CONVENTION AND VISITORS' BUREAU {LC2853/1}

06/24/2009 Introduced, referred to House Municipal Government

House Bill No. 6317**BY** Martin, Rice A, Edwards**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- HISTORICAL AREA
ZONING {LC2876/1}

06/24/2009 Introduced, referred to House Municipal Government

RULE 17**The following bills were received pursuant to Rule 17:**

Representative Gallison -An Act relating to State Affairs and Government

COMMUNICATION FROM THE SENATEA message from the Honorable Senate transmits with announcement of passage, of the following
measures:**Senate Bill No. 229 SUB A****BY** Walaska, Bates**ENTITLED**, AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT (would
create comprehensive standards in the establishment and administration of life settlements
contracts.) {LC1017/1/A}

06/24/2009 Referred to House Corporations

Senate Bill No. 387 as amended (Business Regulation)

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- EXAMINATIONS (would update the insurance laws to the most recent revision to the National Association of Insurance Commissioner Model Act and would add additional clarification to the financial analysis process) {LC1423/1}

06/24/2009 Referred to House Corporations

Senate Bill No. 461 SUB A (Business Regulation)

BY Bates, Blais, Walaska

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS (would amend existing requirements for the licensing of mortgage loan originators in order to effect the provisions of the Secure & Fair Enforcement for Mortgage Licensing Act.) {LC1503/1/A}

06/24/2009 Referred to House Corporations

Senate Bill No. 462 SUB A (Business Regulation)

BY Blais, Connors

ENTITLED, AN ACT RELATING TO INSURANCE - RHODE ISLAND LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT {LC1326/1/A}

06/24/2009 Referred to House Corporations

Senate Bill No. 475

BY Walaska

ENTITLED, AN ACT RELATING TO FIDUCIARIES - UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS (would update Rhode Island's "Uniform Management of Institutional Funds Act" which was enacted in 1972.) {LC1283/1}

06/24/2009 Referred to House Corporations

Senate Bill No. 953

BY Fogarty P, Gallo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - HOME PROPANE GAS SALES (regulate retail contracts for the home sale of propane gas that offer guaranteed price plans/It would require that the contract clearly define in plain language the terms and conditions of the price plans and not cover a period longer than 12 months) {LC2675/1}

06/24/2009 Referred to House Corporations

Senate Bill No. 968

BY Walaska, Connors, Miller

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- BROADBAND DEPLOYMENT AND INVESTMENT ACT (would create the broadband deployment and investment act designed to implement proper regulations and oversight thereof.) {LC2715/1}

06/24/2009 Referred to House Corporations

Senate Bill No. 974**BY** Blais, Connors**ENTITLED**, AN ACT RELATING TO THE RHODE ISLAND HOUSING AND MORTGAGE FINANCE CORPORATION {LC2712/1}

06/24/2009 Referred to House Corporations

Senate Bill No. 948**BY** DiPalma**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Jay Tanzman to join Jodie Paglia and Glenn Tanzman in marriage within the City of Newport, Rhode Island on or about August 1, 2009.) {LC2664/1}

06/23/2009 Referred to House Judiciary

Senate Bill No. 949**BY** Miller**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Sarah Elisabeth Paquet to join Lee Ann Scotto and Robert G. Adams, Jr. in marriage within the Town of Tiverton, Rhode Island on or about August 1, 2009.) {LC2656/1}

06/23/2009 Referred to House Judiciary

Senate Bill No. 950**BY** Maher, Blais, Algieri**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Benjamin Joseph Reddish, III to join Karen Grimes and Craig Carrigan in marriage within the Town of Narragansett, Rhode Island on or about June 27, 2009.) {LC2661/1}

06/23/2009 Referred to House Judiciary

Senate Bill No. 568 as amended**BY** McCaffrey, Levesque C**ENTITLED**, AN ACT RELATING TO ELECTIONS -- BALLOT ARRANGEMENT {LC1970/1}

06/24/2009 Referred to House Judiciary

Senate Bill No. 450 as amended**BY** Goodwin**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - AUTOMOBILE BODY REPAIR SHOPS (would provide that body shop licensees must perform repairs to the vehicle indoors.) {LC1353/1}

06/24/2009 Referred to House Finance

Senate Bill No. 973**BY** Algieri, Maher**ENTITLED**, AN ACT RELATING TO THE CHARLESTOWN FIRE DISTRICT (would make certain changes to the charter of the Charlestown fire district.) {LC2646/1}

06/24/2009 Referred to House Municipal Government

CALENDAR

From the Calendar is taken:

SPECIAL ORDER OF BUSINESS FOR WEDNESDAY, JUNE 24, 2009 AT 2:00 PM:**1 2009-H 5983 SUB A****BY Watson****ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010**

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

ARTICLE 1 RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2010

ARTICLE 2 RELATING TO BORROWING IN ANTICIPATION OF RECEIPTS FROM TAXES AND INTERFUND BORROWING

ARTICLE 3 RELATING TO EDUCATION AID

ARTICLE 4 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2009

ARTICLE 5 RELATING TO GOVERNMENTAL ORGANIZATION

ARTICLE 6 RELATING TO COMMUNITY SUPPORT OF SCHOOLS AND LIBRARIES AND STATE AID

ARTICLE 7 RELATING TO PENSIONS

ARTICLE 8 RELATING TO EMPLOYMENT SECURITY TRUST FUND AND CONTRIBUTIONS

ARTICLE 9 RELATING TO MUNICIPAL TIPPING FEES

ARTICLE 10 RELATING TO JUDICIAL ARBITRATION FEES

ARTICLE 11 RELATING TO CRIMINAL RECORDS EXPUNGEMENT FEES

ARTICLE 12 RELATING TO LICENSES AND FEES

ARTICLE 13 RELATING TO BUDGET STABILIZATION ACCOUNT

ARTICLE 14 RELATING TO DEPARTMENT OF HEALTH LEGAL FEES

ARTICLE 15 RELATING TO PUBLIC UTILITY REGULATORY ASSESSMENT

ARTICLE 16 RELATING TO REVENUES

ARTICLE 17 RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

ARTICLE 18 RELATING TO PUBLIC ASSISTANCE ACT

ARTICLE 19 RELATING TO HOSPITAL UNCOMPENSATED CARE

ARTICLE 20 RELATING TO CASH ASSISTANCE

ARTICLE 21 RELATING TO GENERAL PUBLIC ASSISTANCE – HARDSHIP
CONTINGENCY FUND

ARTICLE 22 RELATING TO CENTERS FOR MEDICARE AND MEDICAID SERVICES
WAIVER AND EXPENDITURE AUTHORITY

ARTICLE 23 RELATING TO MEDICAL ASSISTANCE

ARTICLE 24 RELATING TO THE EFFECTIVE DATE

Representative Costantino moves passage of the act, seconded by Representatives Naughton, Dennigan, Silva, Slater, Williams, Kilmartin, Melo, Carter, Fox, Mattiello, Almeida, McCauley and Williamson.

Representative Carter and Watson discuss the act.

ARTICLE 1 RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2010

Representative Costantino moves passage of the article, seconded by Representatives Fox Caprio, Slater, Gemma, Carter, Mattiello, Naughton, Dennigan, Coderre, Kilmartin, Silva, Almeida and many other members of the House.

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 5983 SUBSTITUTE A**

**AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) By deleting Article 1 in its entirety and inserting in place thereof the following language:

"ARTICLE 1 RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY
2010

SECTION 1. Subject to the conditions, limitations and restrictions hereinafter contained in this act, the following general revenue amounts are hereby appropriated out of any money in the treasury not otherwise appropriated to be expended during the fiscal year ending June 30, 2010. The amounts identified for federal funds and restricted receipts shall be made available pursuant to section 35-4-22 and Chapter 41 of Title 42 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her orders upon the general treasurer for the payment of such sums or such portions thereof as may be required from time to time upon receipt by him or her of properly authenticated vouchers.

Administration

Central Management	
General Revenues	1,653,123
Federal Funds	41,246
Total - Central Management	1,694,369
Legal Services	
General Revenues	1,088,274
Other Funds	
Legal Support/DOT	25,595
Total – Legal Services	1,113,869
Accounts and Control	
General Revenues	3,814,166
Stimulus – Accounts and Control	140,000
Total – Accounts and Control	3,954,166
Budgeting General Revenues	2,003,345
Purchasing	
General Revenues	2,050,754
Stimulus – Purchasing	570,000
Total – Purchasing	2,620,754
Auditing	
General Revenues	1,465,588
Stimulus – Auditing	70,000
Total – Auditing	1,535,588
Human Resources	
General Revenues	9,872,296
Federal Funds	726,665
Restricted Receipts	437,675
Other Funds	1,379,919
Total - Human Resources	12,416,555
Personnel Appeal Board General Revenues	84,090
Facilities Management	
General Revenues	37,680,174
Federal Funds	1,214,588

Restricted Receipts	1,038,271
Other Funds	4,443,003
Total – Facilities Management	44,376,036
Capital Projects and Property Management	
General Revenues	2,613,613
Restricted Receipts	1,113,397
Stimulus – Capital Projects and Property Management	80,000
Total – Capital Projects and Property Management	3,807,010
Information Technology	
General Revenues	18,637,302
Federal Funds	6,458,209
Stimulus – Information Technology	390,000
Restricted Receipts	985,163
Other Funds	1,698,714
Total – Information Technology	28,169,388
Library and Information Services	
General Revenues	884,607
Federal Funds	1,025,116
Restricted Receipts	6,000
Total – Library and Information Services	1,915,723
Planning	
General Revenues	3,466,719
Federal Funds	
Federal Funds	14,196,840
Federal Funds – Stimulus	3,681,730
Federal Highway - PL Systems Planning	2,002,192
Air Quality Modeling	10,000
Total - Planning	23,357,481
General	
General Revenues	
Economic Development Corporation	5,500,807
EDC-RI Airport Corporation Impact Aid	1,025,000

Sixty percent (60%) of the first \$1,000,000 appropriated funds shall be distributed to each airport serving more than 1,000,000 passengers based upon its percentage of the total passengers served by all airports serving more than 1,000,000 passengers. Forty percent (40%) of the first \$1,000,000 shall be distributed to North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport, TF Green Airport, and Westerly Airport based on the share of landings during the calendar year 2006, respectively. No airport shall receive less than \$25,000. Each airport receiving any portion of the amount appropriated shall make an impact payment to the towns or cities in which the airport is located in the full amounts received from the Corporation within thirty (30) days of the payment from the Corporation.

Each community upon which any parts of the above airports are located shall receive at least \$25,000.

EDC EPSCore (Research Alliance)	1,500,000
Miscellaneous Grants	395,956
Slater Centers of Excellence	2,000,000

Torts – Court	400,000
Transfer to the RI Capital Plan Fund	22,000,000
State Employees/Teachers Retiree Health Subsidy	2,344,502
Motor Vehicle Excise Tax Payment	135,306,888
Property Valuation	1,843,500
Payment in Lieu of Tax Exempt Properties	27,580,409
Distressed Communities Relief Program	10,384,458
Station Fire	10,000,000
Resource Sharing and State Library Aid	8,773,398
Library Construction Aid	2,844,547
Federal Funds - Stimulus	
Restricted Receipts	1,378,997
Rhode Island Capital Plan Funds	
Statehouse Renovations	2,500,000
Lead Mitigation Group Homes	85,338
Cranston Street Armory	300,000
Cannon Building	275,000
Pastore Center Rehab. DOA	800,000
Zambarano Building Rehabilitation	900,000
Old State House	250,000
State Office Building	1,350,000
Old Colony House	270,000
Neighborhood Opportunities Program	2,500,000
William Powers Building	500,000
Fire Code Compliance State Buildings	400,000
Pastore Center Fire Code Compliance	550,000
Pastore Center Utility System	415,000
Ladd Center Water System	350,000
Pastore Center Power Plant	1,000,000
Replacement of Fueling Tanks	725,000
Environmental Compliance	250,000
Pastore Utilities Upgrade	1,500,000
Pastore Center Building Demolition	200,000
McCoy Stadium	407,500
Washington County Government Center	75,000
Hazard Building Renovations	650,000
DoIT Computer Center	3,968,224
Total - General	253,499,524
Debt Service Payments	
General Revenues	157,553,100
Federal Funds	809,471
Restricted Receipts	6,309,696
Other Funds	
RIPTA Debt Service	826,370
Transportation Debt Service	41,350,022
Investment Receipts – Bond Funds	100,000

RIRBA - DLT – Temporary Disability Insurance	45,586
COPS - DLT Building – TDI	279,166
Total - Debt Service Payments	207,273,411
Energy Resources	
Federal Funds	
Federal Funds	41,107,828
Federal Funds – Stimulus	6,800,000
Restricted Receipts	
Overcharge Interest Earnings	222,040
Energy Efficiency and Resources Mgmt. Council	58,801
Regional Greenhouse Gas Initiative	4,900,000
Renewable Energy Fund Administration	123,804
Demand Side Management Grants	2,026,726
Total – Energy Resources	55,239,199
Sheriffs General Revenues	17,240,788
Undistributed Statewide Savings General Revenue	(67,881,345)
Pension Changes	
General Revenues	5,474,761
Federal Funds	2,862,204
Restricted Receipts	337,944
Other Funds	769,799
Total – Pension Changes	9,444,708
Grand Total - Administration	601,864,659
Business Regulation	
Central Management General Revenues	1,084,422
Banking Division	
General Revenues	1,749,677
Restricted Receipts	125,000
Total – Banking Division	1,874,677
Securities Division	
General Revenues	823,110
Restricted Receipts	15,000
Total – Securities Division	838,110
Commercial Licensing, Racing and Athletics	
General Revenues	795,557
Restricted Receipts	449,196
Total - Commercial Licensing, Racing and Athletics	1,244,753
Insurance Regulation	
General Revenues	4,645,367
Restricted Receipts	1,165,615
Total - Insurance Regulation	5,810,982
Board of Accountancy General Revenues	164,526
Boards for Design Professionals General Revenues	314,575
Grand Total - Business Regulation	11,332,045
Labor and Training	

Central Management	
General Revenues	310,311
Restricted Receipts	832,687
Rhode Island Capital Plan Funds	
Center General Roof	793,001
Total - Central Management	1,935,999
Workforce Development Services	
General Revenues	95,409
Federal Funds	
Federal Funds	18,189,313
Federal Funds - Stimulus	12,836,684
Restricted Receipts	11,793,736
Total - Workforce Development Services	42,915,142
Workforce Regulation and Safety General Revenues	2,254,033
Income Support	
General Revenues	3,581,636
Federal Funds	
Federal Funds	19,170,615
Federal Funds – Stimulus	164,170,000
Restricted Receipts	1,301,331
Other Funds	
Temporary Disability Insurance Fund	182,191,509
Employment Security Fund	500,700,000
Total - Income Support	871,115,091
Injured Workers Services Restricted Receipts	11,387,196
Labor Relations Board General Revenues	426,605
Grand Total - Labor and Training	930,034,066
Department of Revenue	
Director of Revenue Office General Revenues	562,988
Office of Revenue Analysis General Revenues	598,055
Lottery Division Lottery Funds	187,710,749
Municipal Finance General Revenues	1,173,544
Taxation	
General Revenues	17,028,276
Federal Funds	1,292,658
Restricted Receipts	830,192
Motor Fuel Tax Evasion	105,149
Temporary Disability Insurance	948,004
Total - Taxation	20,204,279
Registry of Motor Vehicles	
General Revenues	16,828,201
Federal Funds	1,312,271
Restricted Receipts	15,100
Rhode Island Capital Plan Funds – Registry	11,400,000
Total – Registry of Motor Vehicles	29,555,572

Grand Total – Revenue	239,805,187
Legislature	
General Revenues	35,874,012
Restricted Receipts	1,556,712
Grand Total - Legislature	37,430,724
Lieutenant Governor General Revenues	973,262
Secretary of State	
Administration General Revenues	1,904,137
Corporations General Revenues	1,782,133
State Archives	
General Revenues	80,084
Restricted Receipts	474,338
Total - State Archives	554,422
Elections	
General Revenues	878,262
Federal Funds	500,000
Total – Elections	1,378,262
State Library General Revenues	575,937
Office of Civics and Public Information General Revenues	300,688
Grand Total - State	6,495,579
General Treasurer	
Treasury	
General Revenues	2,367,841
Federal Funds	249,523
Temporary Disability Insurance Fund	202,290
Total – Treasury	2,819,654
State Retirement System	
Restricted Receipts	
Administrative Expenses - State Retirement System	9,097,737
Retirement - Treasury Investment Operations	1,109,132
Total - State Retirement System	10,206,869
Unclaimed Property Restricted Receipts	15,051,045
RI Refunding Bond Authority General Revenues	41,641
Crime Victim Compensation Program	
General Revenues	90,817
Federal Funds	
Federal Funds	858,017
Federal Funds – Stimulus	186,000
Restricted Receipts	1,482,589
Total - Crime Victim Compensation Program	2,617,423
Grand Total - General Treasurer	30,736,632
Board of Elections	
General Revenues	1,600,141
Federal Funds	250,000
Grand Total – Board of Elections	1,850,141
Rhode Island Ethics Commission General Revenues	1,437,730

Office of Governor	
General Revenues	4,856,754
Contingency Fund	250,000
Federal Funds – Stimulus Office of Economic Recovery & Reinvestment	630,630
Grand Total – Office of Governor	5,737,384

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

Commission for Human Rights	
General Revenues	1,016,242
Federal Funds	408,505
Grand Total – Commission for Human Rights	1,424,747
Public Utilities Commission	
Federal Funds	103,600
Restricted Receipts	7,308,931
Grand Total - Public Utilities Commission	7,412,531
Rhode Island Commission on Women General Revenues	109,462
Office of Health and Human Services	
General Revenues	3,621,896
Federal Funds	4,484,003
Restricted Receipts	1,284,790
Total – Health and Human Services	9,390,689
Children, Youth, and Families	
Central Management	
General Revenues	5,077,434
Federal Funds	2,274,715
Total - Central Management	7,352,149
Children's Behavioral Health Services	
General Revenues	10,687,390
Federal Funds	
Federal Funds	9,494,176
Federal Funds – Stimulus	758,871
Rhode Island Capital Plan Funds	
Grodan Center Mt. Hope	50,000
NAFI Center	584,224
Total - Children's Behavioral Health Services	21,574,661
Juvenile Correctional Services	
General Revenues	34,117,789
Federal Funds	
Federal Funds	1,706,512

Federal Funds – Stimulus	310,257
Restricted Receipts	23,059
Total - Juvenile Correctional Services	36,157,617
Child Welfare	
General Revenues	
General Revenues	99,526,633
18 to 21 Year Olds	9,213,181
Federal Funds	
Federal Funds	60,445,770
18 to 21 Year Olds	3,095,672
Federal Funds – Stimulus	7,418,972
Restricted Receipts	2,180,000
Rhode Island Capital Plan Funds	
Camp E-Hun-Tee	85,000
Youth Group Home	500,000
Total - Child Welfare	182,465,228
Higher Education Incentive Grants General Revenues	200,000
Grand Total - Children, Youth, and Families	247,749,655
Elderly Affairs	
General Revenues	
General Revenues	8,776,624
RIPAE	1,142,763
Safety and Care of the Elderly	1,300
Federal Funds	
Federal Funds	13,842,956
Federal Funds – Stimulus	1,367,408
Restricted Receipts	392,115
Total - Elderly Affairs	25,523,166
Health	
Central Management	
General Revenues	1,811,914
Federal Funds	9,260,272
Restricted Receipts	2,504,304
Total - Central Management	13,576,490
State Medical Examiner	
General Revenues	2,439,972
Federal Funds	135,017
Total - State Medical Examiner	2,574,989
Environmental and Health Services Regulation	
General Revenues	8,914,730
Federal Funds	3,811,915
Restricted Receipts	3,332,067
Total - Environmental and Health Services Regulation	16,058,712
Health Laboratories	
General Revenues	7,079,007
Federal Funds	900,905

Total - Health Laboratories	7,979,912
Public Health Information	
General Revenues	1,945,787
Federal Funds	2,348,236
Total – Public Health Information	4,294,023
Community and Family Health & Equity	
General Revenues	5,089,737
Federal Funds	
Federal Funds	56,830,511
Federal Funds – Stimulus	2,343,752
Restricted Receipts	18,857,066
Walkable Communities Initiative	46,263
RI Airport Corporation Funds	185,149
Total – Community and Family Health & Equity	83,352,478
Infectious Disease and Epidemiology	
General Revenues	2,273,425
Federal Funds	2,200,762
Total – Infectious Disease and Epidemiology	4,474,187
Grand Total - Health	132,310,791
Human Services	
Central Management	
General Revenues	5,980,973
Federal Funds	
Federal Funds	5,255,506
Federal Funds – Stimulus	3,176,247
Restricted Receipts	601,715
Total - Central Management	15,014,441
Child Support Enforcement	
General Revenues	2,373,898
Federal Funds	
Federal Funds	5,924,700
Federal Funds – Stimulus	2,300,000
Total – Child Support Enforcement	10,598,598
Individual and Family Support	
General Revenues	22,152,850
Federal Funds	
Federal Funds	57,876,042
Federal Funds – Stimulus	2,350,000
Restricted Receipts	134,150
Rhode Island Capital Plan Funds-Blind Vending Facilities	125,000
Intermodal Surface Transportation Fund	4,400,000
Total - Individual and Family Support	87,038,042
Veterans' Affairs	
General Revenues	17,852,470
Federal Funds	5,933,514
Restricted Receipts	2,273,637

Total - Veterans' Affairs	26,059,621
Health Care Quality, Financing and Purchasing	
General Revenues	21,771,668
Federal Funds	44,871,085
Restricted Receipts	60,000
Total - Health Care Quality, Financing & Purchasing	66,702,753
Medical Benefits	
General Revenues	
Managed Care	205,075,368
Hospitals	97,221,709
Long Term Care	
Nursing Facilities	105,152,488
Home and Community Based Services	24,491,324
Other	28,303,764
Pharmacy	48,704,880
Rhody Health	53,398,400
Federal Funds	
Managed Care	307,580,071
Hospitals	117,144,752
Long Term Care	
Nursing Facilities	153,952,160
Home and Community Based Services	35,718,777
Other	47,823,829
Pharmacy	5,840,820
Rhody Health	77,877,600
Special Education	20,733,240
Federal Funds – Stimulus	138,618,537
Restricted Receipts	5,246,911
Total - Medical Benefits	1,472,884,630
Supplemental Security Income Program General Revenues	20,706,354
Family Independence Program	
General Revenues	
Child Care	6,500,000
Federal Funds	
Federal Funds	85,172,800
Federal Funds – Stimulus	4,700,000
Total - Family Independence Program	96,372,800
State Funded Programs	
General Revenues	
General Public Assistance	2,395,456
Federal Funds	
Federal Funds	130,737,444
Federal Funds – Stimulus	35,000,000
Total - State Funded Programs	168,132,900
Grand Total - Human Services	1,963,510,139
Mental Health, Retardation, and Hospitals	

Central Management	
General Revenues	1,035,453
Federal Funds	131,287
Total - Central Management	1,166,740
Hospital and Community System Support	
General Revenues	2,655,402
Federal Funds	
Federal Funds	849,939
Federal Funds – Stimulus	182,290
Rhode Island Capital Plan Funds	
Medical Center Rehabilitation	1,000,000
Community Facilities Fire Code	1,050,000
DD Private Waiver Community Facility/Fire Code	965,669
Total - Hospital and Community System Support	6,703,300
Services for the Developmentally Disabled	
General Revenues	80,278,072
Federal Funds	
Federal Funds	118,998,274
Federal Funds – Stimulus	25,799,627
Restricted Receipts	2,813,044
Rhode Island Capital Plan Funds	
Regional Center Repair/Rehabilitation	500,000
MR Community Facilities/Access to Independence	770,000
Developmental Disability Group Homes	860,000
Total - Services for the Developmentally Disabled	230,019,017
Integrated Mental Health Services	
General Revenues	28,312,837
Federal Funds	
Federal Funds	45,139,838
Federal Funds – Stimulus	8,200,103
Rhode Island Capital Plan Funds	
MH Community Facilities Repairs	200,000
MH Housing Development-Thresholds	500,000
MH Residences Furniture	26,000
Total - Integrated Mental Health Services	82,378,778
Hospital and Community Rehabilitation Services	
General Revenues	40,770,397
Federal Funds	
Federal Funds	50,477,112
Federal Funds – Stimulus	10,798,682
Restricted Receipts	2,300,000
Rhode Island Capital Plan Funds	
Zambarano Buildings and Utilities	500,000
Hospital Consolidation	4,470,000
Eleanor Slater HVAC/Elevators	555,000
Total - Hospital and Community Rehabilitation Services	109,871,191

Substance Abuse	
General Revenues	12,963,619
Federal Funds	
Federal Funds	18,807,689
Federal Funds – Stimulus	673,397
Restricted Receipts	90,000
Rhode Island Capital Plan Funds	
Asset Protection	200,000
Total - Substance Abuse	32,734,705
Grand Total - Mental Health, Retardation, and Hospitals	462,873,731
Office of the Child Advocate	
General Revenues	547,048
Federal Funds	41,100
Grand Total – Office of the Child Advocate	588,148
Commission on the Deaf and Hard of Hearing General Revenues	370,146
Governor's Commission on Disabilities	
General Revenues	366,450
Federal Funds	174,949
Restricted Receipts	10,001
Rhode Island Capital Plan Funds-Facility Renovation - Handicapped Accessibility	175,000
Total - Governor's Commission on Disabilities	726,400
Mental Health Advocate General Revenues	448,423
Elementary and Secondary Education	
Administration of the Comprehensive Education Strategy	
General Revenues	20,387,006
Federal Funds	
Federal Funds	192,228,874
Federal Funds – Stimulus	47,202,040
Restricted Receipts	
Restricted Receipts	878,114
HRIC Adult Education Grants	4,640,000
Rhode Island Capital Plan Funds	
State Owned Schools – Chariho Repairs	200,000
Total – Administration of the Comprehensive Education Strategy	265,536,034
Davies Career and Technical School	
General Revenues	14,056,193
Federal Funds	
Federal Funds	1,379,313
Federal Funds – Stimulus	718,226
Rhode Island Capital Plan Funds	
Davies HVAC	925,000
Davies Asset Protection	125,000
Davies Roof Repair	1,000,000
Total - Davies Career and Technical School	18,203,732

RI School for the Deaf	
General Revenues	5,947,646
Federal Funds	
Federal Funds	319,863
Federal Funds – Stimulus	348,107
Restricted Receipts	603,540
Total - RI School for the Deaf	7,219,156
Metropolitan Career and Technical School	
General Revenues	12,187,381
Federal Funds – Stimulus	571,386
Rhode Island Capital Plan Funds	
MET School East Bay	4,000,000
Total - Metropolitan Career and Technical School	16,758,767
Education Aid	
General Revenues	623,428,385
Federal Funds - Stimulus	33,410,743
Restricted Receipts	1,379,423
Total – Education Aid	658,218,551
Central Falls School District	
General Revenues	42,428,937
Federal Funds – Stimulus	2,167,539
Permanent School Fund – Central Falls	183,624
Total - Central Falls School District	44,780,100
Housing Aid General Revenues	61,538,663
Teachers’ Retirement General Revenues	77,752,559
Grand Total - Elementary and Secondary Education	1,150,007,562
Public Higher Education	
Board of Governors/Office of Higher Education	
General Revenues	7,364,037
Federal Funds	3,757,508
Total – Board of Governors/Office of Higher Education	11,121,545
University of Rhode Island	
General Revenues	
General Revenues	61,485,106
Debt Service	14,299,321
Federal Funds	
RI Developmental Disabilities Council	474,013
Stabilization Funds – Fire Safety	7,171,090
University and College Funds	
University and College Funds	478,515,279
Debt - Dining Services	1,141,724
Debt - Educational and General	5,136,539
Debt - Health Services	130,411
Debt - Housing Loan Funds	7,605,889
Debt - Memorial Union	150,716
Debt - Ryan Center	2,797,945

Debt - Alton Jones Services	149,425
Debt - Parking Authority	1,257,596
Debt - Sponsored Research	100,589
Debt - URI Vehicle Lease Payments	71,080
Debt - URI Energy Conservation	2,133,127
Rhode Island Capital Plan Funds	
Asset Protection	4,444,640
Total – University of Rhode Island	587,064,490

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpected or unencumbered balances as of June 30, 2010 relating to the University of Rhode Island are hereby reappropriated to fiscal year 2011.

Rhode Island College

General Revenues	
General Revenues	40,818,151
Debt Service	1,368,648
Federal Stabilization Funds – Fire Safety	5,695,093
University and College Funds	
University and College Funds	101,997,361
Debt - Education and General	295,196
Debt - Housing	3,629,430
Debt - Student Center and Dining	172,639
Debt - Student Union	231,856
Debt – RIC Vehicle Lease Payments	12,002
Rhode Island Capital Plan Funds-Asset Protection	1,929,910
Total – Rhode Island College	156,150,286

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpected or unencumbered balances as of June 30, 2010 relating to the Rhode Island College are hereby reappropriated to fiscal year 2011.

Community College of Rhode Island

General Revenues	
General Revenues	46,527,444
Debt Service	1,444,137
Federal Stabilization Funds – Fire Safety	3,240,712
Restricted Receipts	667,543
University and College Funds	
University and College Funds	77,374,247
Debt – Bookstore	102,718
Rhode Island Capital Plan Funds	
Asset Protection	1,228,125
Fire Code and HVAC	1,848,485
Total – Community College of Rhode Island	132,433,411

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpected or unencumbered balances as of June 30, 2010 relating to the Community College of Rhode Island are hereby reappropriated to fiscal year 2011.

Grand Total – Public Higher Education	886,769,732
RI State Council on the Arts	

General Revenues	
Operating Support	663,261
Grants	1,320,725
Federal Funds	
Federal Funds	855,840
Arts for Public Facilities	435,000
Grand Total - RI State Council on the Arts	3,274,826
RI Atomic Energy Commission	
General Revenues	775,346
Federal Funds	107,000
URI Sponsored Research	284,769
Rhode Island Capital Plan Funds-RINSC Asset Protection	50,000
Grand Total - RI Atomic Energy Commission	1,217,115
RI Higher Education Assistance Authority	
General Revenues	
Needs Based Grants and Work Opportunities	6,382,700
Authority Operations and Other Grants	923,041
Federal Funds	14,575,320
Tuition Savings Program – Needs Based Grants & Work Op.	6,750,277
Grand Total – RI Higher Education Assistance Authority	28,631,338
RI Historical Preservation and Heritage Commission	
General Revenues	1,285,100
Federal Funds	819,367
Restricted Receipts	509,037
Grand Total - RI Historical Pres. and Heritage Comm.	2,613,504
RI Public Telecommunications Authority	
General Revenues	1,142,702
Corporation for Public Broadcasting	765,656
Grand Total – RI Public Telecommunications Authority	1,908,358
Attorney General	
Criminal	
General Revenues	13,010,243
Federal Funds	1,218,040
Restricted Receipts	344,298
Total - Criminal	14,572,581
Civil	
General Revenues	4,385,190
Restricted Receipts	588,632
Total - Civil	4,973,822
Bureau of Criminal Identification	
General Revenues	1,000,244
Federal Funds	56,500
Total – Bureau of Criminal Identification	1,056,744
General	
General Revenues	2,704,066
Rhode Island Capital Plan Funds Building-Renovations and Repairs	200,000

Total - General	2,904,066
Grand Total - Attorney General	23,507,213
Corrections	
Central Management General Revenues	8,021,430
Parole Board	
General Revenues	1,269,396
Federal Funds	24,300
Total - Parole Board	1,293,696
Institutional Corrections	
General Revenues	153,293,213
Federal Funds	1,948,122
Rhode Island Capital Plan Funds	
General Renovations – Maximum	434,705
Women’s Bathroom Renovations	650,000
Bernadette Guay Building Roof	1,290,000
Asset Protection	2,500,000
Reintegration Center Match	188,571
General Renovations – Women’s	705,000
Total - Institutional Corrections	161,009,611
Community Corrections	
General Revenues	14,806,523
Federal Funds	224,246
Total – Community Corrections	15,030,769
Grand Total - Corrections	185,355,506
Judiciary	
Supreme Court	
General Revenues	
General Revenues	24,678,116
Defense of Indigents	3,365,689
Federal Funds	102,440
Restricted Receipts	1,302,005
Rhode Island Capital Plan Funds	
Judicial HVAC	300,000
Judicial Complexes Asset Protection	525,000
Total - Supreme Court	30,273,250
Superior Court	
General Revenues	19,861,308
Federal Funds	90,000
Restricted Receipts	287,000
Total - Superior Court	20,238,308
Family Court	
General Revenues	18,151,560
Federal Funds	1,253,012
Total - Family Court	19,404,572
District Court	
General Revenues	10,175,958

Restricted Receipts	639,193
Total - District Court	10,815,151
Traffic Tribunal General Revenues	7,545,676
Workers' Compensation Court Restricted Receipts	7,578,922
Judicial Tenure and Discipline General Revenues	128,922
Grand Total - Judiciary	95,984,801
Military Staff	
National Guard	
General Revenues	1,517,828
Federal Funds	11,008,369
Restricted Funds	190,000
Rhode Island Capital Plan Funds	
AMC Roof Replacement	1,100,000
State Armories Fire Code Comp.	50,000
Federal Armories Fire Code	12,500
Asset Protection	250,000
Logistics/Maintenance Fac. Fire Code	6,250
Woonsocket Building Demolition	63,340
Total - National Guard	14,198,287
Emergency Management	
General Revenues	1,762,151
Federal Funds	10,933,246
Restricted Receipts	147,449
Total - Emergency Management	12,842,846
Grand Total - Military Staff	27,041,133
Public Safety	
Central Management	
General Revenues	770,605
Federal Funds	
Federal Funds	4,531,428
Restricted Receipts	133,000
Total - Central Management	5,435,033
E-911 Emergency Telephone System	
General Revenues	4,831,572
Rhode Island Capital Plan Funds-E-911 PSAP Building Renovations	55,000
Grand Total - E-911 Emergency Telephone System	4,886,572
State Fire Marshal	
General Revenues	2,631,162
Federal Funds	376,000
Grand Total - State Fire Marshal	3,007,162
Capitol Police General Revenues	3,310,591
Municipal Police Training Academy	
General Revenues	349,696
Federal Funds	186,505
Grand Total - Municipal Police Training Academy	536,201
State Police	

General Revenues	42,852,283
Federal Funds	12,133,313
Restricted Receipts	476,000
Rhode Island Capital Plan Funds	
Barracks and Training	750,000
State Police New Headquarters	13,000,000
State Microwave Upgrade	2,300,000
Headquarters Repairs/Rehabilitation	50,000
Parking Area Improvements	225,000
Traffic Enforcement - Municipal Training	107,150
Lottery Commission Assistance	170,708
Airport Corporation	167,171
Road Construction Reimbursement	2,020,300
Grand Total - State Police	74,251,925
Grand Total - Public Safety	91,427,484
Office of Public Defender	
General Revenues	9,583,189
Federal Funds	225,898
Grand Total - Office of Public Defender	9,809,087
Environmental Management	
Office of the Director	
General Revenues	5,185,950
Federal Funds	791,315
Restricted Receipts	2,668,020
Total - Office of the Director	8,645,285
Natural Resources	
General Revenues	18,222,294
Federal Funds	18,203,843
Restricted Receipts	3,586,240
DOT Recreational Projects	71,354
Blackstone Bikepath Design	980,601
Rhode Island Capital Plan Funds	
Dam Repair	1,910,000
Recreational Facilities Improvements	1,100,000
Fort Adams Rehabilitation	250,000
Galilee Piers Upgrade	750,000
Newport Piers	500,000
Total - Natural Resources	45,574,332
Environmental Protection	
General Revenues	12,076,125
Federal Funds	
Federal Funds	12,660,714
Federal Funds - Stimulus	2,025,000
Retrofit Heavy-Duty Diesel Vehicles	1,000,000
Restricted Receipts	8,991,789
Total - Environmental Protection	36,753,628

Grand Total - Environmental Management	90,973,245
Coastal Resources Management Council	
General Revenues	2,027,574
Federal Funds	1,608,438
Restricted Receipts	250,000
Rhode Island Capital Plan Funds	
Providence River Dredging	1,655,509
Grand Total – Coastal Resources Management Council	5,541,521
Water Resources Board	
General Revenues	1,370,785
Rhode Island Capital Plan Funds	
Big River Management Area	103,000
Grand Total – Water Resources Board	1,473,785
Transportation	
Central Management	
Federal Funds	17,203,537
Gasoline Tax	1,905,734
Total - Central Management	19,109,271
Management and Budget Gasoline Tax	1,186,330
Infrastructure – Engineering – Garvee/Motor Fuel Tax Bonds	
Federal Funds	
Federal Funds	266,742,846
Federal Funds – Stimulus	97,402,000
Restricted Receipts	1,500,000
Gasoline Tax	56,395,537
State Infrastructure Bank	1,387,984
Land Sale Revenue	3,199,768
Highway Logo Program	100,000
Rhode Island Capital Plan Funds	
RIPTA Land and Buildings	2,602,609
Pawtucket/Central Falls Train Station	40,267
Total - Infrastructure – Engineering – Garvee/Motor Fuel Tax Bonds	429,371,011
Infrastructure Maintenance	
Gasoline Tax	36,749,879
Non-land Surplus Property	25,000
Outdoor Advertising	200,000
Rhode Island Capital Plan Funds	
Cherry Hill/Lincoln Facility	950,000
Maintenance Facility Improvements	325,000
Salt Storage Facilities	1,000,000
DOT Maintenance Facilities – Fire Alarms	150,000
Total - Infrastructure Maintenance	39,399,879
Grand Total - Transportation	489,066,491
Statewide Totals	
General Revenues	3,000,341,114

Federal Funds	2,828,214,952
Restricted Receipts	162,397,115
Other Funds	1,823,784,957
Statewide Grand Total	7,814,738,138

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

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

SECTION 4. Notwithstanding any provisions of Chapter 38 in Title 45 of the Rhode Island General Laws, the Rhode Island Health and Educational Building Corporation shall transfer to the State Controller the sum of one million dollars (\$1,000,000) on June 30, 2010.

SECTION 5. Extension of previous authorizations. -- The general assembly, pursuant to the provisions of section 35-8-25 of the general laws, hereby extends to the termination date contained herein the authority to issue the following general obligation bond authorization in the amount stated. The original authorization enacted by public law and approved by the people that remains unissued as of March 1, 2009 is as follows:

Purpose Date	Statutory Reference	Unissued Amt	Termination
			to be Extended
Preservation, Recreation and Heritage	Ch. 65-P.L. of 2002	\$1,200,000	June 30, 2011

SECTION 6. The general assembly authorizes the state controller to establish the internal service accounts shown below, and no other, to finance and account for the operations of state agencies that provide services to other agencies, institutions and other governmental units on a cost reimbursed basis. The purpose of these accounts is to ensure that certain activities are managed in a businesslike manner, promote efficient use of services by making agencies pay the full costs associated with providing the services, and allocate the costs of central administrative services across all fund types, so that federal and other non-general fund programs share in the costs of general government support. The controller is authorized to reimburse these accounts for the cost of work or services performed for any other department or agency subject to the following expenditure limitations:

Account	Expenditure Limit
State Assessed Fringe Benefit Internal Service Fund	31,824,722
Administration Central Utilities Internal Service Fund	24,525,696
State Central Mail Internal Service Fund	82,779
State Telecommunications Internal Service Fund	3,508,119
State Automotive Fleet Internal Service Fund	14,408,646
State Fleet Replacement Revolving Loan Fund	2,500,000
Capital Police Internal Service Fund	763,874
Health Insurance Internal Service Fund	306,132,044
Corrections General Services & Warehouse Internal Service Fund	6,766,198
Correctional Industries Internal Service Fund	7,205,297
Secretary of State Record Center Internal Service Fund	814,696

SECTION 7. The General Assembly may provide a written "statement of legislative

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

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

SECTION 8. Appropriation of Temporary Disability Insurance Funds -- There is hereby appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2010.

SECTION 9. Appropriation of Employment Security Funds -- There is hereby appropriated pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2010.

SECTION 10. Appropriation of Lottery Division Funds -- There is hereby appropriated to the Lottery Division any funds required to be disbursed by the Lottery Division for the purposes of paying commissions or transfers to the prize fund for the fiscal year ending June 30, 2010.

SECTION 11. Departments and agencies listed below may not exceed the number of full-time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do not include seasonal or intermittent positions whose scheduled period of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor do they include individuals engaged in training, the completion of which is a prerequisite of employment. Provided, however, that the Governor or designee, Speaker of the House of Representatives or designee, and the President of the Senate or designee may authorize an adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a detailed written recommendation to the Governor, the Speaker of the House, and the President of the Senate. A copy of the recommendation and authorization to adjust shall be transmitted to the chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor and the Senate Fiscal Advisor.

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

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

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

FTE POSITION AUTHORIZATION

Departments and Agencies

Full-Time Equivalent

Administration	895.6
Business Regulation	91.0
Labor and Training	436.3
Revenue	424.0
Legislature	297.9
Office of the Lieutenant Governor	8.0
Office of the Secretary of State	57.0
Office of the General Treasurer	83.0
Board of Elections	12.0
Rhode Island Ethics Commission	12.0
Office of the Governor	43.0
Commission for Human Rights	14.5
Public Utilities Commission	44.0
Rhode Island Commission on Women	1.0
Office of Health and Human Services	74.1
Children, Youth, and Families	700.0
Elderly Affairs and Advocacy	31.0
Health	414.6
Human Services	954.6
Mental Health, Retardation, and Hospitals	1,398.4
Office of the Child Advocate	5.7
Commission on Deaf and Hard of Hearing	3.0
Governor's Commission on Disabilities	4.0
Office of the Mental Health Advocate	3.7
Elementary and Secondary Education	134.4
School for the Deaf	60.0
Davies Career and Technical School	133.0
Office of Higher Education	20.4
Provided that 1.0 of the total authorization would be available only for a position that is supported by third-party funds.	
University of Rhode Island	2,453.5
Provided that 602.0 of the total authorization would be available only for positions that are supported by third-party funds.	
Rhode Island College	895.1
Provided that 82.0 of the total authorization would be available only for positions that are supported by third-party funds.	
Community College of Rhode Island	813.1
Provided that 100.0 of the total authorization would be available only for positions that are supported by third-party funds.	
Rhode Island State Council on the Arts	8.6
RI Atomic Energy Commission	8.6
Higher Education Assistance Authority	42.6
Historical Preservation and Heritage Commission	16.6
Public Telecommunications Authority	18.0
Office of the Attorney General	231.1
Corrections	1,423.0

Judiciary	729.3
Military Staff	111.0
Public Safety	432.1
Office of the Public Defender	91.0
Environmental Management	417.0
Coastal Resources Management Council	30.0
Water Resources Board	6.0
Transportation	780.2
Total	14,863.0

SECTION 12. The amounts reflected in this Article include the appropriation of Rhode Island Capital Plan funds for fiscal year 2010 and supersede appropriations provided for FY 2010 within Section 12 of Article 1 of Chapter 100 of the P.L. of 2008.

The following amounts are hereby appropriated out of any money in the State's Rhode Island Capital Plan Fund not otherwise appropriated to be expended during the fiscal years ending June 30, 2011, June 30, 2012, and June 30, 2013. These amounts supersede appropriations provided within Section 12 of Article 1 of Chapter 100 of the P.L. of 2008. For the purposes and functions hereinafter mentioned, the State Controller is hereby authorized and directed to draw his or her orders upon the General Treasurer for the payment of such sums and such portions thereof as may be required by him or her upon receipt of properly authenticated vouchers.

Project	Fiscal Yr Ending June 30, 2011	Fiscal Yr Ending June 30, 2012	Fiscal Yr Ending June 30, 2013	Fiscal Yr Ending June 30, 2014
DOA-Statehouse Renovations	3,000,000	6,000,000	2,700,000	-
DOR-Registry of Motor Vehicles Bldg	5,300,000	-	-	-
El./Sec. Met School East Bay	6,000,000	-	-	-
Higher Ed-CCRI Asset Protection	1,264,970	1,407,101	1,450,000	1,493,500
Higher Ed-RIC Asset Protection	1,987,800	2,211,160	2,275,000	2,343,250
Higher Ed-RIC Asset Protection	1,987,800	2,211,160	2,275,000	2,343,250
Higher Ed- URI Asset Protection	4,577,980	5,092,364	5,250,000	5,407,500
Higher Ed-RIC Academic Bldg	-	8,300,000	8,800,000	-
Higher Ed-CCRI Knight Campus Renewal	-	-	-	125,000
Higher Ed-CCRI Flanagan Campus Addition	-	-	-	2,000,000
Higher Ed- RIC Campus Entrance	-	8,525,000	-	-

Higher Ed-RIC Infra-structure Modernization	-	-	-	5,000,00
Higher Ed-URI Nursing Program Building	-	-	-	3,000,000
Higher Ed-URI Chemistry Building	-	4,550,000	16,925,000	43,125,000
Higher Ed-URI Fine Arts Center Renovation	-	-	-	6,000,000
DOC- Corrections Asset Protection	2,625,000	2,750,000	2,900,000	3,050,000
Judiciary-Judicial Complexes Asset Protection	550,000	600,000	625,000	650,000
Military Staff-Asset Protection	260,000	270,000	280,000	300,000
DEM-Dam Repairs	250,000	1,350,000	750,000	-
DEM-Recreational Facilities Improvements	1,200,000	1,260,000	1,325,000	1,390,000
State Police-HQ/Training Facility	4,750,000	-	-	-
State Police-Microwave/IT Upgrade	2,300,000	-	-	-

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

SECTION 14. There is hereby appropriated \$22,000,000 from the Budget Reserve and Cash Stabilization Account for FY 2009.

SECTION 15. Notwithstanding any provisions of Chapter 102 in Title 42 of the Rhode Island General Laws, the Human Resource Investment Council shall transfer to the State Controller the sum of one million five hundred thousand dollars (\$1,500,000) on June 30, 2010.

SECTION 16. Section 14 shall take effect on June 30, 2009. The remainder of the article shall take effect on July 1, 2009.

Respectfully submitted,

 REPRESENTATIVE COSTANTINO

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 LC02229/10
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Representatives Costantino discusses the amendment.

Representative Ucci requests a separate vote on line 8, page 17.

Representatives Savage, Trillo, Guthrie, Gemma, Mattiello discuss the amendment.

Representative DaSilva requests a separate vote on line 5, page 18.

Representatives Vaudreuil, Brien, Menard, Fox and Gemma discuss the amendment.

Representative Costantino moves an oral amendment to the amendment, seconded by Representatives Ucci and Brien. Representative Ucci withdraws his previous request to vote separately.

Representatives Driver and Costantino discuss the oral amendment to amend the amendment.

The oral amendment 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, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Williamson, Winfield.

NAYS - 4: Representatives Ferri, MacBeth, Menard, Wasylyk.

Representative Gablinske discusses the amendment, as amended. Representatives Menard and Savage rise on points of order for Representative Gablinske to speak germane to the amendment, as amended. The Honorable Speaker Murphy rules for Representative Gablinske to speak germane to the amendment, as amended.

Representative Baldelli-Hunt discusses the amendment, as amended. Representative Petrarca moves the question, seconded by Representatives Marcello and Kilmartin.

The motion prevails on a roll call vote, 47 members voting in the affirmative and 23 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Almeida, Baldelli-Hunt, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Edwards, Fellela, Ferri, Fox, Gablinske, Gallison, Gemma, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Ruggiero, Schadone, Shallcross-Smith, Silva, Slater, Ucci, Vaudreuil, Walsh, Williams, Williamson.

NAYS - 23: Representatives Azzinaro, Brien, Carnevale, Diaz, Ehrhardt, Fierro, Giannini, Guthrie, Lima, Loughlin, MacBeth, Melo, Menard, Naughton, Newberry, Rice, M., Savage, Serpa, Sullivan, Trillo, Wasylyk, Watson, Winfield.

Representatives Trillo, Segal, Savage, Vaudreuil, Williams, Brien and Almeida continue discussion on the amendment, as amended.

Line 5, page 18, prevails on a roll call vote, 47 members voting in the affirmative and 26 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Almeida, Baldelli-Hunt, Brien, Carter, Coderre, Corvese, Costantino, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fierro, Fox, Gablinske, Gallison, Gemma, Hearn, Jackson, Kilmartin, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Newberry, O'Neill, Palumbo, Petrarca, Pollard, Ruggiero, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Vaudreuil, Watson, Williams, Williamson, Winfield.

NAYS - 26: Representatives Ajello, Azzinaro, Caprio, Carnevale, DaSilva, DeSimone, Fellela, Ferri, Giannini, Guthrie, Handy, Jacquard, Lally, Lima, MacBeth, Melo, Menard, Naughton, Pacheco, Rice, A., Rice, M., San Bento, Savage, Ucci, Walsh, Wasylyk.

REQUEST

Representative Segal requests the journal to reflect that he had voted incorrectly on (line 5, page 18), he should have voted in the negative.

The balance of the amendment, as amended 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, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 3: Representatives Guthrie, MacBeth, Menard.

The article, as amended, is read and prevails on a roll call vote, 68 members voting in the affirmative and 5 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, 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-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Williamson.

NAYS - 5: Representatives Loughlin, MacBeth, Newberry, Trillo, Watson.

**ARTICLE 2 RELATING TO BORROWING IN ANTICIPATION OF RECEIPTS
FROM TAXES AND INTERFUND BORROWING**

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

The article is read and prevails on a roll call vote, 72 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, 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, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representatives Newberry.

ARTICLE 3 RELATING TO EDUCATION AID

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

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

**FLOOR AMENDMENT
TO
2009 -- H 5983 SUBSTITUTE A**

**AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

In Article 3, by deleting Article 3 in its entirety, and inserting in place thereof the following language:

"ARTICLE 3

RELATING TO EDUCATION AID

SECTION 1. Sections 16-7.1-10 and 16-7.1-15 of the General Laws in Chapter 16-7.1 entitled "The Paul W. Crowley Rhode Island Student Investment Initiative" are hereby amended to read as follows:

16-7.1-10. Professional development investment fund. -- (a) In order to continue developing the skills of Rhode Island's teachers, administrators and staff, the general assembly establishes a Professional Development Investment Fund. The general assembly shall annually appropriate some sum and distribute it based on a pupil-teacher ratio that shall be adjusted annually by the commissioner of elementary and secondary education. School districts, including collaboratives established pursuant to chapter 3.1 of this title, may use funds received under this category of education aid to replace up to, but no more than, fifty percent (50%) of the amount the school district spent for professional development programs in the previous fiscal year. The expenditure of these funds shall be determined by a committee at each school consisting of the school principal, two (2) teachers selected by the teaching staff of the school, and two (2) parents of students attending the school. Schools that enroll students in the early grades (kindergarten through grade three (3)) must expend these funds on the development of scientific research based, as described in the No Child Left Behind Act of 2001, Title 1, Part B, Section 1208 [20 U.S.C. section 6368], reading instruction to improve students reading performance.

Schools that have met their performance targets in reading for the current academic year and are not designated as a school in need of improvement, may expend their Professional Development Investment Funds on professional development in the core academic subjects of mathematics, writing, or reading to improve student performance.

Collaborative programs between schools are encouraged. These resources shall be used to close student performance gaps in accordance with the school's and district's strategic plan pursuant to section 16-7.1-2. Additional funds shall be allocated to the department of elementary and secondary education to support teacher and administrator professional development in all districts, including, but not limited to:

- (1) Supporting mentoring systems;
- (2) Providing school districts with program support to assist teachers in local school districts to improve reading instruction and enhance the integration of reading throughout the curriculum with the goal of improving student performance to high standards;
- (3) Support for the design and implementation of leadership development for the teacher to assume leadership roles or ultimately prepare for administrator;
- (4) Development of a plan for formal training of school leaders in standards based instruction, school improvement planning, effective use of data in the decision-making process, community involvement and creation of governance structures;
- (5) Support for national board certification of teachers, application fees for a certificate of clinical competence issued by the American speech-language hearing association, and grants

for coordination and support of school based teacher professional development; and

(6) The practice of scientific research based reading instruction to improve reading performance.

(b) In FY 2003, the additional funds allocated to the department of elementary and secondary education pursuant to this section shall be used only to support the activities described in subdivisions (a)(2) and (a)(5) of this section.

(c) Out of the funds appropriated by the general assembly for professional development in subsection (a) of this section, twenty-five percent (25%) shall be set aside for district-wide professional development activities. The expenditure of this district-wide professional development set-aside shall be determined by a committee in each district consisting of the superintendent or his or her designee, three (3) teachers appointed by the collective bargaining agent, and one member of the Rhode Island department of elementary and secondary education field service team servicing that school district designated by the commissioner of elementary and secondary education. The expenditure must be aligned with the district strategic plan as well as ongoing professional development programs approved by the department of elementary and secondary education. Collaborative programs between school districts are permissible.

(d) Beginning in FY 2006, professional development funds shall only be spent with the prior approval of the commissioner of elementary and secondary education upon submission of a district level plan which incorporates the school level plans and which details the use of the funds. These plans shall to the extent possible call for professional development activities that are embedded or do not otherwise encroach upon student instruction time. The requirements of this paragraph shall apply to both district-wide professional development activities and professional development activities determined by the school-level committees.

(e) In FY 2009 payments from the professional development investment fund are hereby suspended through June 30, 2009. Notwithstanding, school districts may continue to maintain professional development programs and may reduce other education programs to achieve savings.

(f) In FY 2010 payments from the professional development investment fund are hereby suspended through June 30, 2010. Notwithstanding, school districts may continue to maintain professional development programs and may reduce other education programs to achieve savings.

16-7.1-15. The Paul W. Crowley Rhode Island student investment initiative. -- (a) Each locally or regionally operated school district shall receive as a base the same amount of school aid as each district received in fiscal year 1997-1998, adjusted to reflect the increases or decreases in aid enacted to meet the minimum and maximum funding levels established for FY 2000 through FY 2008. Each school district shall also receive school aid through each investment fund for which that district qualifies pursuant to sections 16-7.1-8, 16-7.1-9, 16-7.1-10, 16-7.1-11, 16-7.1-12, 16-7.1-16 and 16-7.1-19. These sums shall be in addition to the base amount described in this section. For FY 2009 and FY 2010, the reference year for the data used in the calculation of aid pursuant to section 16-7.1-8, section 16-7.1-9, section 16-7.1-10, section 16-7.1-11, section 16-7.1-11.1, section 16-7.1-12, section 16-7.1-16, section 16-7.1-19 and 16-7.1-2(b) shall be FY 2004. Calculation and distribution of education aid under sections 16-5-31, 16-5-32, 16-7-20, 16-7-20.5, 16-7-34.2, 16-7-34.3, 16-24-6, 16-54-4, and 16-67-4 is hereby suspended. Provided, however, calculation and distribution of education aid under §16-7.1-10 is suspended for FY 2009 and FY 2010. School districts may continue to maintain professional development programs and may reduce other education programs to achieve savings during FY

2009 and FY 2010. The funding of the purposes and activities of chapter 67 of this title, the Rhode Island Literacy and Dropout Prevention Act of 1967, shall be the same amount of the base amount of each district funded for that purpose in fiscal year 1997-1998. In addition each district shall expend three percent (3%) of its student equity and early childhood funds under the provisions of chapter 67 of this title.

(b) Funding for full day kindergarten programs in accordance with section 16-7.1-11.1 shall be in addition to funding received under this section.

(c) Funding distributed under sections 16-77.1-2(b) and 16-64-1.1 shall be in addition to funding distributed under this section.

(d) For FY 2009, aid to school districts shall be reduced by the equivalent savings that are realized due to a reduction of payments to the teachers' retirement system. The reduction for the Chariho regional school district shall be prorated among the member communities. In addition, for FY 2009 aid to school districts shall be reduced by any amount of previously appropriated school housing aid determined to be ineligible for reimbursement in accordance with section 16-7-44.2. For FY 2009 aid shall also be reduced by the amount of projected revenue for the period December 1, 2008 through June 30, 2009 from the permanent school fund. The projected revenue shall be determined by annualizing actual earnings from the period May 12, 2008 through November 30, 2008. The department of elementary and secondary education shall reduce aid in two equal installments, payable in May and June; provided however, that East Providence shall receive one payment of reduced aid in May.

For FY 2009, aid to school districts shall include thirty eight million, three hundred twenty-four thousand, eight hundred twenty-two dollars (\$38,324,822) from federal fiscal stabilization funds offset by a like reduction from general revenues. The distribution shall be in the same proportion as general operating aid.

(e) For FY 2010, aid to school districts shall be reduced by the equivalent savings that are realized due to a reduction of payments to the teachers' retirement system. The reduction for the Chariho regional school district shall be prorated among the member communities. For FY 2010, aid to school districts shall be reduced by thirty-three million nine hundred twenty-eight thousand two hundred sixteen dollars (\$33,928,216) based on the school district's share of total FY 2009 enacted education aid, including state schools and charter schools. For FY 2010, a distribution of stabilization funds per the American Recovery and Reinvestment Act (ARRA) totaling thirty-four million one hundred seven thousand one hundred ninety-five dollars (\$34,107,195) shall be allocated to school districts proportionately based on their share of total FY 2009 enacted education aid, including state schools and charter schools. Districts shall comply with the assurances and reporting requirements provided in the federal guidance for the (ARRA) allocation and by the commissioner of elementary and secondary education.

~~(e)~~(f) There shall be an appropriation to ensure that total aid distributed to communities in FY 2009 2010 under this section and sections 16-7.1-11.1, 16-64-1.1 and 16-77.1-2(b) shall be as follows:

	<u>General Revenues</u>	<u>Stimulus Fiscal Stabilization</u>
Barrington	<u>1,277,920 1,863,090</u>	<u>251,083 128,427</u>
Burrillville	<u>12,416,932 12,928,167</u>	<u>751,100 684,478</u>
Charlestown	<u>1,667,853 1,697,497</u>	<u>135,786 98,948</u>
Coventry	<u>16,998,821 18,056,601</u>	<u>1,166,987 991,787</u>
Cranston	<u>29,591,104 31,662,364</u>	<u>2,090,303 1,752,647</u>
Cumberland	<u>11,038,431 11,829,002</u>	<u>823,601 654,948</u>

East Greenwich	992,445 <u>1,503,975</u>	185,222 <u>96,326</u>
East Providence	23,380,338 <u>24,499,858</u>	1,497,450 <u>1,328,384</u>
Foster	1,223,700 <u>1,286,565</u>	80,345 <u>69,979</u>
Glocester	2,793,626 <u>2,927,940</u>	180,413 <u>158,776</u>
Hopkinton	5,346,048 <u>5,677,786</u>	346,643 <u>308,347</u>
Jamestown	295,372 <u>398,901</u>	54,277 <u>26,278</u>
Johnston	8,990,856 <u>9,596,568</u>	632,253 <u>531,110</u>
Lincoln	5,697,378 <u>6,363,969</u>	483,059 <u>365,750</u>
Little Compton	218,957 <u>296,650</u>	34,414 <u>18,221</u>
Middletown	9,010,090 <u>9,533,084</u>	597,011 <u>518,598</u>
Narragansett	1,141,871 <u>1,467,137</u>	154,558 <u>93,727</u>
Newport	10,327,939 <u>10,744,683</u>	665,740 <u>586,477</u>
New Shoreham	10,061 <u>64,987</u>	10,457 <u>5,254</u>
North Kingstown	9,857,889 <u>10,631,113</u>	733,791 <u>592,155</u>
North Providence	11,404,679 <u>12,081,507</u>	761,356 <u>661,166</u>
North Smithfield	3,964,895 <u>4,344,329</u>	301,153 <u>238,830</u>
Pawtucket	60,456,639 <u>62,176,676</u>	3,533,129 <u>3,311,223</u>
Portsmouth	5,429,639 <u>5,923,071</u>	427,374 <u>331,008</u>
Providence	173,513,330 <u>178,309,944</u>	10,213,530 <u>9,577,917</u>
Richmond	5,305,023 <u>5,652,344</u>	341,512 <u>305,742</u>
Scituate	2,616,104 <u>2,926,243</u>	228,213 <u>168,328</u>
Smithfield	4,526,164 <u>4,992,643</u>	373,470 <u>283,754</u>
South Kingstown	8,420,480 <u>9,224,287</u>	656,514 <u>521,147</u>
Tiverton	4,898,786 <u>5,271,861</u>	363,307 <u>293,067</u>
Warwick	31,136,499 <u>33,468,879</u>	2,224,260 <u>1,858,870</u>
Westerly	5,056,525 <u>5,774,932</u>	467,083 <u>338,074</u>
West Warwick	17,994,252 <u>18,738,108</u>	1,109,170 <u>1,009,842</u>
Woonsocket	42,914,456 <u>44,074,702</u>	2,490,378 <u>2,342,811</u>
Bristol-Warren	18,047,696 <u>18,764,456</u>	1,101,467 <u>1,009,726</u>
Exeter-West Greenwich	6,406,468 <u>6,814,331</u>	438,869 <u>374,779</u>
Chariho	369,091 <u>378,758</u>	18,752 <u>19,679</u>
Foster-Glocester	4,930,835 <u>5,194,804</u>	335,529 <u>283,077</u>
Central Falls	40,523,665 <u>42,507,399</u>	2,065,263 <u>2,167,539</u>

In addition to the amounts listed above, the department of elementary and secondary education shall allocate monthly to each school district all funds received into the permanent school fund pursuant to section 42-61.2-7, as amended by chapter 13 of the 2008 Public Laws entitled "An Act Relating to State Affairs and Government", up to \$14.1 million, in the same proportion as the aid distribution in the FY 2009 enacted appropriations act.

This special provision shall not limit entitlements as determined by application of other formula provisions in this section.

(f)(g) For FY 2009 payments to charter public schools shall be reduced by the equivalent savings that are realized due to a reduction of payments to the teachers' retirement system. The reduction for district sponsored charter schools shall be incorporated in the sponsoring school district's aid as noted in subsection (e)(f). Aid to charter public schools shall be reduced in the April quarterly payment. For FY 2009, charter public school funding is as follows:

Beacon Charter School 1,512,785

Blackstone Academy 1,469,349
 Compass 614,485
 Paul Cuffee 4,449,006
 CVS Highlander 2,596,782
 International 2,863,818
 Kingston Hill Academy 736,784
 Learning Community 3,669,529
 NE Laborer's 1,508,866
 Textron 2,361,370
 Times 2 Academy 6,870,410

(h) For FY 2010, payments to charter public schools shall be reduced by the equivalent savings that are realized due to a deferment of payments to the teachers' retirement system. The reduction for district sponsored charter schools shall be incorporated in the sponsoring schools district's aid as noted in subsection (f). For FY 2010, payments to charter public schools shall be reduced by one million four hundred sixty-three thousand three hundred sixty seven dollars (\$1,463,367) based on the charter schools' share of total FY 2009 enacted education aid, including school districts and state schools. For FY 2010, a distribution of stabilization funds per the American Recovery and Reinvestment Act (ARRA) totaling one million four hundred seventy-one thousand eighty seven dollars (\$1,471,087) shall be allocated to charter public schools proportionately based on their share of total FY 2009 enacted education aid, including school districts and state schools. Public charter schools shall comply with the assurances and reporting requirements provided in the federal guidance for the (ARRA) allocation and by the commissioner of elementary and secondary education.

~~(g)~~(i) Children with disabilities. (1) Based on its review of special education within the context of Rhode Island school reform, the general assembly recommends addressing the needs of all children and preventing disability through scientific research based, as described in the No Child Left Behind Act of 2001, Title 1, Part B, Section 1208 [20 U.S.C. § 6368], reading instruction and the development of Personal Literacy Programs for students in the early grades performing below grade level in reading and implement a system of student accountability that will enable the state to track individual students over time. Additionally, the department of elementary and secondary education must provide districts with rigorous criteria and procedures for identifying students with learning disabilities and speech/language impairments. Additional study is required of factors that influence programming for students with low incidence disabilities; those with disabilities that severely compromise life functions; and programming for students with disabilities through urban special education. Alternatives for funding special education require examination.

(2) All departments and agencies of the state shall furnish any advice and information, documentary and otherwise, to the general assembly and its agents that is deemed necessary or desirable by the study to facilitate the purposes of this section.

SECTION 2. This article shall take effect on July 1, 2009."

Respectfully submitted,

 REPRESENTATIVE COSTANTINO

Representative Costantino discusses the amendment.

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

YEAS - 74: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, 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, 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-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Menard, Costantino and Watson discuss the Article, as amended.

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

Representatives Baldelli-Hunt, Jacquard, A. Rice, Gemma, Brien and Fox discuss the amendment.

Representative Baldelli-Hunt withdraws her amendment.

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

**FLOOR AMENDMENT
TO
2009 -- H 5983 SUBSTITUTE A**

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 3, page 7, between lines 14 and 15, by inserting the following language:
“(j)(1) For the 2011 fiscal year, the financial aid for education created by this section for districts receiving the regionalization bonus pursuant to section 16-7-20.5 shall be reduced by thirty-three percent (33%) of the calculated bonus.

(2) For the 2012 fiscal year, the financial aid for education created by this section for districts receiving the regionalization bonus pursuant to section 16-7-20.5 shall be reduced by sixty-six percent (66%) of the calculated bonus.

(3) For the 2013 fiscal year, the financial aid for education created by this section for districts receiving the regionalization bonus pursuant to section 16-7-20.5 shall be reduced by one hundred percent (100%) of the calculated bonus.

(4) The regionalization bonus fund percentage identified above shall be proportionately distributed to all of the non-regionalized school districts.

(i) No school district experiencing a total decrease in resident average daily number greater than twelve percent (12%) for the fiscal year 1999 through 2009 shall receive any of these redirected regionalization bonus funds.

(ii) No school district reporting a budget surplus greater than five percent (5%) in any two (2) fiscal year between 2005 and 2009 shall receive any of the redirected regionalization bonus funds.

(iii) Any school district experiencing an increase in enrollment greater than five percent (5%) in the resident average daily membership shall receive additional aid from the redirected regionalization bonus funds in proportion to their increase in enrollment.”

Respectfully submitted,

REPRESENTATIVE AJELLO

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LC02231/5
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Representatives Ajello, Malik, Jacquard, and Gallison discuss the amendment.

Representative Gallison moves to lay the motion on the table seconded by Representative Malik.

Representative Ajello continues the discussion on the amendment.

The motion to lay the amendment on the table 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 Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Driver, Edwards, Ferri, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Martin, Mattiello, McNamara, Menard, Naughton, O'Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., San Bento, Schadone, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams, Williamson.

NAYS - 23: Representatives Ajello, Almeida, Baldelli-Hunt, Brien, DaSilva, Diaz, Ehrhardt, Fellela, Fierro, Flaherty, Handy, Hearn, Marcello, Melo, Newberry, Pacheco, Ruggiero, Savage, Segal, Shallcross-Smith, Wasyluk, Watson, Winfield.

The article, as amended, is read and prevails on a roll call vote, 70 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Murphy and Representatives 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, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Ajello, Flaherty, Newberry.

ARTICLE 4 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2009

Representative Costantino moves passage of the article, seconded by Representatives Sullivan, Slater, and many other members of the House.

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

**FLOOR AMENDMENT
TO
2009 -- H 5983 SUBSTITUTE A**

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 4, page 5, between lines 14 and 15, by inserting the following language:
"Undistributed Pension Changes

General Revenues	0	1,542,447	1,542,447
Federal Funds	0	749,782	749,782
Restricted Receipts	0	92,501	92,501
Other Funds	0	434,240	434,240
Total – Undistributed Pension Changes	0	2,818,970	2,818,970"

2. In Article 4, page 5, line 20 by deleting the number "7,786,737" and inserting in place there of the number "10,605,707".

3. In Article 4, page 5, line 20, by deleting the number "621,626,025" and inserting in place thereof the number "624,444,995".

4. In Article 4, page 10, line 29, by deleting the number "(2,266,000)" and inserting in

place thereof the number "234,000".

5. In Article 4, page 10, line 29, by deleting the number "55,317,049" and inserting in place thereof the number "57,817,049".

6. In Article 4, page 10, line 30, by deleting the number "0" and inserting in place thereof the number "(2,500,000)".

7. In Article 4, page 10, line 30, by deleting the number "5,454,766" and inserting in place thereof the number "2,954,766".

8. In Article 4, page 17, line 3, by deleting all the language thereon.

9. In Article 4, page 18, line 2, by deleting the number "(21,800,000)" and inserting in place thereof the number "(27,500,000)".

10. In Article 4, page 18, line 2, by deleting the number "19,300,000" and inserting in its place thereof the number "13,600,000".

11. In Article 4, page 18, line 9, by deleting the number ("21,800,000)" and inserting in its place thereof the number "(27,500,000)".

12. In Article 4, page 18, line 9, by deleting the number "662,723,337" and inserting in its place thereof the number "657,023,337".

13. In Article 4, page 18, line 21, by deleting the number "(14,500,000)" and inserting in its place thereof the number "(18,500,000)".

14. In Article 4, page 18, line 21, by deleting the number "13,700,000" and inserting in its place thereof the number "9,700,000".

15. In Article 4, page 18, line 22 by deleting the number "(14,500,000)" and inserting in its place thereof the number "(18,500,000)".

16. In Article 4, page 18, line 22, by deleting the number "80,286,018" and inserting in its place thereof the number "76,286,018".

17. In Article 4, page 18, line 23, by deleting the number "(36,717,858)" and inserting in its place thereof the number "(46,417,858)".

18. In Article 4, page 18, line 23, by deleting the number "1,132,304,449" and inserting in its place thereof the number "1,122,604,449".

19. In Article 4, page 28, line 1, by deleting the number "(23,016,442)" and inserting in its place thereof the number "(31,173,995)".

20. In Article 4, page 28, line 1, by deleting the number "3,009,282,704" and inserting in its place thereof the number "3,001,125,151".

21. In Article 4, page 28, line 2, by deleting the number "22,131,530" and inserting in its place thereof the number "22,881,312".

22. In Article 4, page 28, line 2, by deleting the number "2,434,985,465" and inserting in its place thereof the number "2,435,735,247".

23. In Article 4, page 28, line 3, by deleting the number "1,679,985" and inserting in its place thereof the number "1,772,486".

24. In Article 4, page 28, line 3, by deleting the number "154,915,820" and inserting in its place thereof the number "155,008,321".

25. In Article 4, page 28, line 4, by deleting the number "142,584,406" and inserting in its place thereof the number "143,018,646".

26. In Article 4, page 28, line 4, by deleting the number "1,794,478,903" and inserting in its place thereof the number "1,794,913,143".

27. In Article 4, page 28, line 5, by deleting the number "143,379,479" and inserting in its place thereof the number "136,498,449".

28. In Article 4, page 28, line 5, by deleting the number "7,393,662,892" and inserting in its place thereof the number "7,386,781,862".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

=====
LC02232/4
=====

Representative Costantino discusses the amendment.

The amendment prevails on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, 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, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Gablinske requests the journal to reflect that if he had voted on (LC02232/4), he would have voted in the affirmative.

Representatives Loughlin and Costantino discuss the article, as amended.

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

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, 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, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 2: Representatives Loughlin, Newberry.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Michael Rice State Representative, District 35, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: Article 5
2. (Nature of the potential conflict) I have the following interest in the matter:
URI mentioned and affected.
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.

MICHAEL A. RICE
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 24th day of June, 2009.

MICHAEL EGAN
NOTARY PUBLIC

Representative M. Rice 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 5 RELATING TO GOVERNMENTAL ORGANIZATION

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

By unanimous consent, Representative Costantino seconded by Representatives Dennigan, Ehrhardt, Wasylyk, Watson, Ruggiero, Kilmartin, San Bento, Hearn, Martin, Melo, Newberry, Ferri, Giannini, Kennedy, and many other members of the House, offer a written motion to amend.

F L O O R A M E N D M E N T
T O
2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 5, on page 6, line 5, by deleting the date "December 1, 2009" and inserting in place thereof the date "January 1, 2011".

2. In Article 5, on pages 21 through 26, by deleting the language on line 34 on page 21, by deleting lines 1 through 34 on page 22, by deleting lines 1 through 34 on page 23, by deleting lines 1 through 34 on page 24, by deleting lines 1 through 34 on page 25, and by deleting lines 1 through 26 on page 26 and by inserting in place thereof the following language:

"SECTION 13. Section 42-14.5-3 of the General Laws in Chapter 42-14.5 entitled "The Rhode Island Health Care Reform Act of 2004 - Health Insurance Oversight" is hereby amended to read as follows:

42-14.5-3. Powers and duties. [Contingent effective date; see notes under section 42-14.5-1.] -- The health insurance commissioner shall have the following powers and duties:

(a) To conduct ~~an annual~~ quarterly public ~~meeting or meetings~~ throughout the state, separate and distinct from rate hearings pursuant to section 42-62-13, regarding the rates, services and operations of insurers licensed to provide health insurance in the state the effects of such rates, services and operations on consumers, medical care providers, ~~and~~ patients, and the market environment in which such insurers operate and efforts to bring new health insurers into the Rhode Island market. Notice of not less than ten (10) days of said hearing(s) shall go to the general assembly, the governor, the Rhode Island Medical Society, the Hospital Association of Rhode Island, the director of health, ~~and~~ the attorney general and the chambers of commerce. Public notice shall be posted on the department's web site and given in the newspaper of general circulation, and to any entity in writing requesting notice.

(b) To make recommendations to the governor and the ~~joint legislative committee on health care oversight~~ house of representatives and senate finance committees regarding health care insurance and the regulations, rates, services, administrative expenses, reserve requirements, and operations of insurers providing health insurance in the state, and to prepare or comment on, ~~upon the request of the co chairs of the joint committee on health care oversight or~~ upon the request of the governor, or chairpersons of the house or senate finance committees, draft legislation to improve the regulation of health insurance. In making such recommendations, the commissioner shall recognize that it is the intent of the legislature that the maximum disclosure be provided regarding the reasonableness of individual administrative expenditures as well as total administrative costs. The commissioner shall also make recommendations on the levels of reserves including consideration of: targeted reserve levels; trends in the increase or decrease of reserve levels; and insurer plans for distributing excess reserves.

(c) To establish a consumer/business/labor/medical advisory council to obtain information and present concerns of consumers, business and medical providers affected by

health insurance decisions. The council shall develop proposals to allow the market for small business health insurance to be affordable and fairer. The council shall be involved in the planning and conduct of the quarterly public meeting meetings in accordance with subsection (a) above. The advisory council shall ~~assist in the design~~ develop measures to inform small businesses of an insurance complaint process to ensure that small businesses that experience ~~extraordinary~~ rate increases in a given year ~~could~~ may request and receive a formal review by the department. The advisory council shall assess views of the health provider community relative to insurance rates of reimbursement, billing and reimbursement procedures, and the insurers' role in promoting efficient and high quality health care. The advisory council shall issue an annual report of findings and recommendations to the governor and the ~~joint legislative committee on health care oversight~~ general assembly and present their findings at hearings before the house and senate finance committees. The advisory council is to be diverse in interests and shall include representatives of community consumer organizations; small businesses, other than those involved in the sale of insurance products; and hospital, medical, and other health provider organizations. Such representatives shall be nominated by their respective organizations. The advisory council shall be co-chaired by the health insurance commissioner and a community consumer organization or small business member to be elected by the full advisory council.

(d) To establish and provide guidance and assistance to a subcommittee ("The Professional Provider-Health Plan Work Group") of the advisory council created pursuant to subsection (c) above, composed of health care providers and Rhode Island licensed health plans. This subcommittee shall ~~develop a plan to implement the following activities~~ include in its annual report and presentation before the house and senate finance committees the following information:

(i) ~~By January 1, 2006, a~~ A method whereby health plans shall disclose to contracted providers the fee schedules used to provide payment to those providers for services rendered to covered patients;

(ii) ~~By April 1, 2006, a~~ A standardized provider application and credentials verification process, for the purpose of verifying professional qualifications of participating health care providers;

(iii) ~~By September 1, 2006, a~~ The uniform health plan claim form ~~to be~~ utilized by participating providers;

(iv) ~~By March 15, 2007, a report to the legislature on proposed methods~~ Methods for health maintenance organizations as defined by section 27-41-1, and nonprofit hospital or medical service corporations as defined by chapters 27-19 and 27-20, to make facility-specific data and other medical service-specific data available in reasonably consistent formats to patients regarding quality and costs. This information would help consumers make informed choices regarding the facilities and/or clinicians or physician practices at which to seek care. Among the items considered would be the unique health services and other public goods provided by facilities and/or clinicians or physician practices in establishing the most appropriate cost comparisons.

(v) ~~By December 1, 2006,~~ All activities related to contractual disclosure to participating providers of the mechanisms for resolving health plan/provider disputes; and

(vi) ~~By February 1, 2007, a~~ The uniform process being utilized for confirming in real time patient insurance enrollment status, benefits coverage, including co-pays and deductibles.

(vii) ~~By December 1, 2007, a report to the legislature on the temporary~~ Information related to temporary credentialing of providers seeking to participate in the plan's network and

the impact of said activity on health plan accreditation;

(viii) ~~By February 1, 2008, a report to the legislature on the~~ The feasibility of occasional regular contract renegotiations between plans and the providers in their networks.

(ix) ~~By May 1, 2008, a report to the legislature~~ Efforts conducted related to reviewing impact of silent PPOs on physician practices.

~~A report on the work of the subcommittee shall be submitted by the health insurance commissioner to the joint legislative committee on health care oversight on March 1, 2006, March 1, 2007, and March 1, 2008.~~

(e) To enforce the provisions of Title 27 and Title 42 as set forth in section 42-14-5(d).

(f) ~~There is hereby established~~ To provide analysis of the Rhode Island Affordable Health Plan Reinsurance Fund. The fund shall be used to effectuate the provisions of sections 27-18.5-8 and 27-50-17.

(g) ~~To examine and study~~ analyze the impact of changing the rating guidelines and/or merging the individual health insurance market as defined in chapter 27-18.5 and the small employer health insurance market as defined in chapter 27-50 in accordance with the following:

(i) The study analysis shall forecast the likely rate increases required to effect the changes recommended pursuant to the preceding subsection (g) in the direct pay market and small employer health insurance market over the next five (5) years, based on the current rating structure, and current products.

(ii) The study analysis shall include examining the impact of merging the individual and small employer markets on premiums charged to individuals and small employer groups.

(iii) The study analysis shall include examining the impact on rates in each of the individual and small employer health insurance markets and the number of insureds in the context of possible changes to the rating guidelines used for small employer groups, including: community rating principles; expanding small employer rate bonds beyond the current range; increasing the employer group size in the small group market; and/or adding rating factors for broker and/or tobacco use.

(iv) The study analysis shall include examining the adequacy of current statutory and regulatory oversight of the rating process and factors employed by the participants in the proposed new merged market.

(v) The study analysis shall include assessment of possible reinsurance mechanisms and/or federal high-risk pool structures and funding to support the health insurance market in Rhode Island by reducing the risk of adverse selection and the incremental insurance premiums charged for this risk, and/or by making health insurance affordable for a selected at-risk population.

(vi) The health insurance commissioner shall ~~establish work with~~ an insurance market merger task force to assist with the study analysis. The task force shall be chaired by the health insurance commissioner and shall include, but not be limited to, representatives of the general assembly, the business community, small employer carriers as defined in section 27-50-3, carriers offering coverage in the individual market in Rhode Island, health insurance brokers and members of the general public.

(vii) For the purposes of conducting this study analysis, the commissioner may contract with an outside organization with expertise in fiscal analysis of the private insurance market. In conducting its study, the organization shall, to the extent possible, obtain and use actual health plan data. Said data shall be subject to state and federal laws and regulations governing confidentiality of health care and proprietary information.

(viii) ~~The task force shall meet no later than October 1, 2007 and the commissioner shall file a report with the speaker of the house of representatives and the president of the senate no later than January 1, 2008 as necessary and include their findings in the annual report and the commissioner shall include the information in the annual presentation before the house and senate finance committees."~~

3. In Article 5, on page 26 through 27, by deleting in their entirety lines 27 through 34 on page 26 and by deleting in their entirety lines 1 through 15 on page 27.

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC02233/12
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Representatives Ruggiero, Kennedy, Marcello, Gemma, McNamara, Dennigan, Ferri, Martin, Segal, Lima, Watson, and Costantino discuss the amendment.

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

YEAS - 74: The Honorable Speaker Murphy and Representatives Ajello, Almeida, 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, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

By unanimous consent, Representative Ajello seconded by Representatives Handy, Costantino, and Fox offer a written motion to amend.

**F L O O R A M E N D M E N T
T O
2009 -- H 5983 SUBSTITUTE A**

**AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 5, on page, lines 2 through 11, inclusive by deleting all the language appearing on said lines.

(2) In Article 5, on page 7, line 12, by deleting the language "SECTION 3.", and inserting in place thereof the language "SECTION 2." and by renumbering the remaining sections in the article accordingly.

Respectfully submitted,

REPRESENTATIVE AJELLO

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LC02233/2
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Representative Ajello offers an oral amendment to the amendment, seconded by Fox.

The oral amendment to the amendment prevails with 75 members in the affirmative and 0 members voting in the negative as follows.

YEAS - 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, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Loughlin and Costantino discuss the amendment, as amended.

The amendment, as amended prevails on a roll call vote, 72 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, 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., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

The article, as amended, is read and prevails on a roll call vote, 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, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Malik, Newberry, Watson.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Brian C. Newberry, State Representative, District 48, 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: 2009- H 5983 Sub A Article 6 Section 1 Lines 8-14.
- 2. (Nature of the potential conflict) I have the following interest in the matter: I am a member of the Board of Trustees of the North Smithfield Public Library and although I do not think it is a conflict of interest, I wish to avoid any appearance of impropriety.
- 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.

Brian C. Newberry
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 24th day of June, 2009.

Michael Egan
NOTARY PUBLIC

Representative Newberry 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 6 RELATING TO COMMUNITY SUPPORT OF SCHOOLS AND
LIBRARIES AND STATE AID**

Representative Costantino moves passage of the article, seconded by Representatives Dennigan, Slater, and many other members of the House.

Representatives Malik and Costantino discuss the article.

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

**FLOOR AMENDMENT
TO
2009 -- H 5983 SUBSTITUTE A
AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 6, page 7, between lines 3 and 4, by inserting the following language:

"(h) Provided further, that any moneys, funds, or savings realized and/or collected by the amendment and/or restriction of the alternative flat tax rate in section 44-30-2.10 for all tax years after the tax year 2008 shall be distributed to communities by appropriation by the legislature as general revenue sharing pursuant to this section.

SECTION 4. Section 44-30-2.10 of the General Laws in Chapter 44-30 entitled "Personal Income Tax" is hereby amended to read as follows:

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.”

2. In Article 6, page 7, by deleting line 4 in its entirety and inserting in place thereof the following:

“SECTION 5. This Article shall take effect on July 1, 2009, and the provisions regarding the repeal of the alternative flat tax rate shall be applied retroactively to January 1, 2009.”

Respectfully submitted,

REPRESENTATIVE GUTHRIE

=====
LC02234/17
=====

Representatives Guthrie, Costantino, Watson, Brien, Serpa, Slater, Sullivan, Williamson, Trillo, Palumbo, Segal, Gemma, Williams, Hearn, A. Rice, Loughlin, Ehrhardt, Mattiello, Handy, Dennigan, Wasylyk, Marcello, DaSilva, and M. Rice discuss the amendment.

The amendment fails on a roll call vote, 23 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 23: Representatives Ajello, Carnevale, DaSilva, Diaz, Driver, Ferri, Fierro, Flaherty, Guthrie, Handy, Jacquard, Kennedy, MacBeth, Menard, O'Neill, Pacheco, Rice, A., Ruggiero, Schadone, Segal, Sullivan, Wasylyk, Williams.

NAYS - 52: The Honorable Speaker Murphy and Representatives Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Edwards, Ehrhardt, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Hearn, Jackson, Kilmartin, Lally, Lima, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, Newberry, Palumbo, Petrarca, Pollard, Rice, M., San Bento, Savage, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williamson, Winfield.

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

**F L O O R A M E N D M E N T
T O
2 0 0 9 -- H 5 9 8 3 S U B S T I T U T E A**

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 6, page 7, lines 2 and 3, by deleting the language after the word and punctuation "thereafter," and inserting in place thereof the following language "the total amount of aid shall be fifty-five millions dollars (\$55,000,000) with such distribution allocated proportionately on the same basis as the original enactment of general revenue sharing of FY 2009. The department of administration is hereby directed to adjust funding in any and all departments in such proportions necessary to distribute the aforementioned sum."

Respectfully submitted,

REPRESENTATIVE LOUGHLIN

=====
LC02234/7
=====

Representative Loughlin discusses the amendment.

Representative Williamson moves to lay the motion on the table seconded by Representative Mattiello.

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

Representatives Costantino, Lima, Ucci, Gemma, Loughlin, Trillo, and Watson continue to discuss the amendment.

The amendment fails on a roll call vote, 17 members voting in the affirmative and 58 members voting in the negative as follows:

YEAS - 17: Representatives Baldelli-Hunt, Carnevale, Ehrhardt, Guthrie, Loughlin, Menard, Newberry, Petrarca, Rice, A., Savage, Schadone, Segal, Sullivan, Ucci, Wasylyk, Watson, Williams.

NAYS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, M., Ruggiero, San Bento, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Vaudreuil, Walsh, Williamson, Winfield.

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

**FLOOR AMENDMENT
TO
2009 -- H 5983 SUBSTITUTE A**

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 6, on page 7, between lines 3 and 4, by inserting the following new language:

"(h) Due to the loss of general revenue sharing for the municipalities from the state, in the fiscal year beginning July 1, 2009, and ending June 30, 2010, all "prevailing-wage" mandates contained in chapter 37-13 of the general laws as they apply to public works projects shall be suspended for any project within any city or town during said fiscal year, provided that the total cost of said project is less than fifty thousand dollars (\$50,000)."

Respectfully submitted,

REPRESENTATIVE DRIVER

=====
LC02234/5
=====

Representative Driver discusses the amendment.

Representative Costantino requests a ruling from the Chair on whether the amendment is germane to Article 6.

The Honorable Speaker rules that the amendment is not germane to Article 6.

Representative Driver challenges the Ruling of the Chair.

The Ruling of the Chair is upheld on a roll call vote, 58 members voting in the affirmative and 12 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Wasyluk, Williams, Williamson, Winfield.

NAYS - 12: Representatives Ajello, Coderre, Driver, Ehrhardt, Handy, Loughlin, Naughton, Newberry, Pollard, Savage, Trillo, Watson.

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

FLOOR AMENDMENT
TO
2009 -- H 5983 SUBSTITUTE A
AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

In Article 6, page 7, line 4, after the language "SECTION 4." by inserting the following language:

"Chapter 45-13 of the General Laws entitled "State Aid" is hereby amended by adding thereto the following section:

45-13-1.3. Relief from unfunded mandates. – Notwithstanding any provision to the contrary, contained in the appropriations for the support of the state for the fiscal year ending June 30, 2010, any general or public law, rule or regulation, the general assembly hereby relieves the school committee of any city or town from any unfunded mandates with the exception of those mandates pertaining to transportation, transportation safety and fire safety.

SECTION 5."

Respectfully submitted,

REPRESENTATIVE LOUGHLIN

=====
LC02234/6
=====

Representatives Loughlin, Marcello, Pacheco, Watson, Trillo, Ajello, and Costantino discuss the amendment.

The amendment fails on a roll call vote, 21 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 21: Representatives Azzinaro, Baldelli-Hunt, Brien, Driver, Edwards, Ehrhardt, Fierro, Loughlin, Malik, Newberry, O'Neill, Petrarca, Pollard, Rice, A., Rice, M., Schadone, Sullivan, Trillo, Ucci, Watson, Winfield.

NAYS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Marcello, Martin, Mattiello, McNamara,

Melo, Menard, Naughton, Pacheco, Palumbo, Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

Representatives Schadone, Ucci, Mattiello discuss the article.

Representative Ucci requests to vote separately on Page 6, lines 28 and 29.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Brian C. Newberry, State Representative, District 48, 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 5923 SUB A Article 6, Section 1 Lines 8-14)

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

I am a member of the Board of Trustees of the North Smithfield Public Library and although I do not think it is a conflict of interest, I wish to avoid any appearance of impropriety

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.

BRIAN NEWBERRY
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 24th day of June, 2009.

MICHAEL EGAN
NOTARY PUBLIC

Representative Newberry 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

Page 6, Lines 28 and 29 prevails on a roll call vote, 51 members voting in the affirmative and 23 members voting in the negative as follows:

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Ferri, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Rice, A., Rice, M., Ruggiero, San Bento, Serpa, Shallcross-Smith, Silva, Slater, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 23: Representatives Baldelli-Hunt, Carnevale, Driver, Ehrhardt, Fellela, Fierro, Flaherty, Guthrie, Jackson, Loughlin, MacBeth, Menard, Newberry, Petrarca, Pollard, Savage, Schadone, Segal, Sullivan, Trillo, Ucci, Watson, Winfield.

The article, is read and 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, 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, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williamson, Winfield.

NAYS - 8: Representatives Carnevale, Flaherty, Loughlin, Newberry, Segal, Trillo, Ucci, Watson.

ARTICLE 7 RELATING TO PENSIONS

Representative Costantino moves passage of the article, seconded by Representatives Slater, Fox, Kilmartin, and many other members of the House.

By unanimous consent, Representative Costantino seconded by Representative Fox and many other members of the House offer a written motion to amend.

F L O O R A M E N D M E N T T O 2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING

APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 7, page 11, line 30, after the word "service" by inserting the following language: "; provided, however, for employees retiring on or after October 1, 2009 who were not eligible to retire as of September 30, 2009 the calculation shall be based on the average highest five (5) consecutive years of compensation".

2. In Article 7, page 11, line 33, by deleting all of the language after the word and punctuation "retirement."

3. In Article 7, page 11, line 34, by deleting all of the language therein.

4. In Article 7, page 12, line 1, by deleting all of the language therein.

5. In Article 7, page 12, line 7, after the word "service" by deleting the punctuation and word ". For" and inserting in place thereof the language and punctuation as follows "; provided, however, for".

6. In Article 7, page 16, line 2, by striking all of the language after the word and punctuation "adjustment."

7. In Article 7, page 16, line 3, by striking all of the language therein.

8. In Article 7, page 16, line 4, by striking all of the language therein.

9. In Article 7, page 22, line 18, after the word "service" by deleting the punctuation and word ". For" and inserting in place thereof the following language and punctuation " ; provided, however, for".

10. In Article 7, page 22, line 26, after the word "service" by deleting the word and punctuation ". For" and inserting in place thereof the following language and punctuation " ; provided, however, for".

11. In Article 7, page 25, line 24, by striking all of the language after the word and punctuation "adjustment."

12. In Article 7, page 25, line 25, by striking all of the language therein.

13. In Article 7, page 25, line 26, by striking all of the language therein.

14. In Article 7, page 26, line 16, after the words and punctuation "family court," by deleting the words and punctuation, "the district court,".

15. In Article 7, page 27, line 28, after the words and punctuation "family court," by deleting the words and punctuation, "the district court,".

16. In Article 7, page 28, line 20, by deleting all of the language therein through line 30 and inserting in place thereof the following language:

"SECTION 6. Section 8-8-10 of the General Laws in Chapter 8-8 entitled "District Court" is hereby repealed.

~~8-8-10. Retirement of judges.—Whenever any person has served as a judge in the court for twenty (20) years and has reached the age of sixty five (65) years or has so served for fifteen (15) years and has reached the age of seventy (70) years, he or she may resign his or her office and thereafter he or she shall receive annually during his or her life a sum equal to three-fourths (3/4) of the annual salary that he or she was receiving at the time of resignation. For the purposes of eligibility for retirement under this section, service as a justice on any predecessor district court prior to September 15, 1969 shall be included as if that service had been on the district court created by this chapter."~~

17. In Article 7, page 36, line 15, after the numeral "2009" by inserting the following language: ", and prior to July 1, 2009".

18. In Article 7, page 36, line 23, after the word "age" by inserting the following

language: "provided, however, for any justice engaged on or after July 1, 2009, the reduction shall be based on the average of the highest five (5) consecutive years annual compensation".

19. In Article 7, page 37, line 5, after the word "has" by inserting the word "not".

20. In Article 7, page 37, line 30, after the number "2009" by inserting the language ", and prior to July 1, 2009".

21. In Article 7, page 38, line 4, after the word "age" by inserting the following language: "; provided, however, for any judge engaged on or after July 1, 2009, the reduction shall be based upon the average of the highest five (5) years consecutive annual compensation".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

=====
LC02235/24
=====

Representative Costantino discusses the amendment.

The amendment prevails on a roll call vote, 60 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Costantino, DaSilva, Dennigan, Diaz, Driver, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Williams, Williamson, Winfield.

NAYS - 8: Representatives Carnevale, Corvese, Edwards, Loughlin, MacBeth, Menard, Newberry, Walsh.

Representatives Costantino, Watson, and Williamson discuss the article.

By unanimous consent, Representative Corvese seconded by Representative Schadone offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2009 -- H 5983 SUBSTITUTE A

**AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR

ENDING JUNE 30, 2010", as follows:

In Article 7, page 5, line 23, by deleting the word "upon" and inserting in place thereof the language "prior to retirement and after".

Respectfully submitted,

REPRESENTATIVE CORVESE

=====
LC02235/7
=====

Representatives Corvese, Costantino and Mattiello discuss the amendment.

The amendment fails on a roll call vote, 20 members voting in the affirmative and 45 members voting in the negative as follows:

YEAS - 20: Representatives Carnevale, Corvese, DaSilva, Edwards, Fellela, Fierro, Flaherty, Giannini, Guthrie, Jacquard, Lima, McNamara, Menard, San Bento, Schadone, Segal, Trillo, Ucci, Walsh, Winfield.

NAYS - 45: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Caprio, Carter, Coderre, Costantino, Dennigan, DeSimone, Diaz, Driver, Ehrhardt, Ferri, Fox, Gablinske, Gallison, Gemma, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Loughlin, Malik, Martin, Mattiello, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Wasyluk.

REQUESTS

Representative Newberry requests the journal to reflect that if he had voted on (LC02235/7), he would have voted in the negative.

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

FLOOR AMENDMENT TO 2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 7, page 6, line 26, by deleting the language "sixty (60)" and inserting in

place thereof the language "sixty-five (65)".

(2) In Article 7, page 6, line 32, by deleting the language "sixty-two (62)" and inserting in place thereof the language "sixty-five (65)".

(3) In Article 7, pages 6 and 7 by deleting all the language and figures in their entirety beginning on line 33, page 6, with the word "For" and ending on page 7, line 9, with the language and number "sixty-two (62)".

(4) In Article 7, page 7, line 16, by deleting the language and figure "fifty-nine (59)" and inserting in place thereof the language and figure "sixty-five (65)".

(5) In Article 7, page 7 and 8, by deleting the all the language and figures in their entirety beginning on line 18 with the word "or" ending on line 3 of page 7, with the language and number sixty-two (62)".

(6) In Article 7, page 9, by deleting the language and number "fifty (50)" and inserting in place thereof the language and figure "sixty-five (65)".

(7) In Article 7, page 9 and 10, by deleting all the language and figures beginning on line 25 with the word "and" and ending on page 10, line 6, with the language and number "fifty-five (55)".

(8) In Article 7, page 10, line 10, by deleting the language and figure "fifty (50)" and inserting in place thereof the language and figure "sixty-five (65)".

(9) In Article 7, page 10, by deleting all the language and figures beginning on line 13, with the word "and" and ending on line 28, with the language and number "fifty-five (55)".

(10) In Article 7, page 18, line 28, by deleting the language and number "sixty (60)" and inserting in place thereof the language and figure "sixty-five (65)".

(11) In Article 7, page 18 and 19, by deleting all the language and numbers beginning on line 31, with the word ",and" ending on page 19, line 11, with the language and number "sixty-two (62)".

(12) In Article 7, page 19, line 18, by deleting the language and number "fifty-nine (59)" and inserting in place thereof the language and number "sixty-five (65)".

(13) In Article 7, page 19 and 20, by deleting all the language and figures in their entirety beginning on line 20, with the word "and" ending on page 20, line 6 with the language and figure "sixty-two (62)".

Respectfully submitted,

REPRESENTATIVE TRILLO

=====
LC02235/14
=====

Representatives Trillo, Mattiello, Costantino, McNamara, and Caprio discuss the amendment.

The amendment fails on a roll call vote, 1 member voting in the affirmative and 73 members voting in the negative as follows:

YEAS - 1: Representative Trillo.

NAYS - 73: 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, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

By unanimous consent, Representative Carnevale seconded by Representative DaSilva offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 7, page 1, line 20, by deleting the language "five (5)" and inserting in place thereof the language "three (3)".

(2) In Article 7, page 22, line 20, by deleting the language "five (5)" and inserting in place thereof the language "three (3)".

(3) In Article 7, page 28, line 27, by deleting the language "five (5)" and inserting in place thereof the language "three (3)".

Respectfully submitted,

REPRESENTATIVE CARNEVALE

=====
LC02235/10
=====

Representatives Carnevale, Costantino, Savage, and Williamson discuss the amendment.

The amendment fails on a roll call vote, 35 members voting in the affirmative and 38 members voting in the negative as follows:

YEAS - 35: Representatives Almeida, Baldelli-Hunt, Caprio, Carnevale, Corvese, DaSilva, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Flaherty, Giannini, Guthrie, Handy, Jacquard, Kilmartin, Lally, Lima, MacBeth, Martin, McNamara, Menard, Petrarca, Rice, M., Ruggiero, Savage, Schadone, Segal, Shallcross-Smith, Sullivan, Ucci, Walsh, Wasylyk.

NAYS - 38: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Brien, Carter, Coderre, Costantino, Dennigan, Driver, Ehrhardt, Fox, Gablinske, Gallison, Gemma,

Hearn, Jackson, Kennedy, Loughlin, Malik, Marcello, Mattiello, McCauley, Melo, Naughton, Newberry, O'Neill, Palumbo, Pollard, Rice, A., San Bento, Serpa, Silva, Slater, Trillo, Vaudreuil, Watson, Williamson, Winfield.

REQUESTS

Representatives Pacheco and Williams request the journal to reflect that if they had voted on (LC02235/10), they would have voted in the affirmative.

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

F L O O R A M E N D M E N T
T O
2009 -- H 5983 SUBSTITUTE A
AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

In Article 7, on page 30, line 31, by deleting the date "June 30, 1999" and inserting in place thereof the date "June 30, 2009".

Respectfully submitted,

REPRESENTATIVE MICHAEL RICE

=====
LC02235/15
=====

Representatives M. Rice, Costantino, A. Rice, Mattiello, Gemma, Fox Watson, Kilmartin, Jacquard and Watson, discuss the amendment.

The amendment fails on a roll call vote, 11 members voting in the affirmative and 64 members voting in the negative as follows:

YEAS - 11: Representatives Carnevale, Fellela, Fierro, Guthrie, MacBeth, Menard, Rice, A., Segal, Ucci, Walsh, Wasylyk.

NAYS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa,

Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Vaudreuil, Watson, Williams, Williamson, Winfield.

By unanimous consent, Representative Ucci seconded by Representative Menard offers a written motion to amend.

F L O O R A M E N D M E N T
T O
2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 7, on page 2, line 31, by deleting the word "June" and inserting in place thereof the word "September".

2. In Article 7, on page 2, line 32, by deleting the first numeral "16" and inserting in place thereof the numeral "30".

3. In Article 7, on page 2, line 33 after the language "value." by inserting the following language:

"All service credit purchases requested on or before September 30, 2009 shall be made in accordance with the provisions of sections 36-9-20, 36-9-20.5, 36-9-25.1, 36-9-26, 36-9-31.1, 16-16-5, 16-16-7.2 and 16-16-8 in effect prior to the effective date of this article."

Respectfully submitted,

REPRESENTATIVE UCCI

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LC02235/8
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Representatives Ucci and Costantino discuss the amendment.

The amendment fails on a roll call vote, 12 members voting in the affirmative and 63 members voting in the negative as follows:

YEAS - 12: Representatives Carnevale, DaSilva, Fellela, Flaherty, Lima, MacBeth, Menard, Savage, Segal, Ucci, Walsh, Wasylk.

NAYS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, Newberry, O'Neill, Pacheco,

Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Vaudreuil, Watson, Williams, Williamson, Winfield.

By unanimous consent, Representative Edwards seconded by Representative Petrarca offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

In Article 7, page 38, in between lines 32 and 33, by inserting language as follows:

"SECTION 15. Judicial and State Police Pension Reform. Notwithstanding any provision to the contrary, contained in the appropriations for the support of the state for the fiscal year ending June 30, 2010, any general or public law, rule or regulation, the general assembly hereby declares that pensions for all judges and members of the division of state police shall be distributed in accordance with the appropriate general laws pertaining to the distribution of pensions to state employees and teachers."

In Article 7, page 38, line 33, by deleting the numeral "15" and inserting in place thereof the numeral "16".

Respectfully submitted,

REPRESENTATIVE EDWARDS

=====
LC02235/26
=====

Representatives Edwards and Costantino discuss the amendment.

The amendment fails on a roll call vote, 5 members voting in the affirmative and 67 members voting in the negative as follows:

YEAS - 5: Representatives Driver, Edwards, Rice, A., Walsh, Winfield.

NAYS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Ehrhardt, 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, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Wasylyk, Watson, Williams, Williamson.

Representative Walsh, Schadone, Costantino, Gemma, Malik, and Driver discuss the Article 7 as amended.

Representative Costantino seconded by Representative Driver offers an oral amendment.

The oral amendment prevails on a roll call vote, 69 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, 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, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Loughlin, Newberry, Watson.

Representative Fellela discusses Article 7 as amended.

The article, as amended, is read and 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, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Costantino, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Williams, Williamson.

NAYS - 24: Representatives Carnevale, Corvese, DaSilva, DeSimone, Fellela, Ferri, Flaherty, Guthrie, Handy, Jacquard, Loughlin, MacBeth, McNamara, Menard, Newberry, San Bento, Savage, Schadone, Segal, Ucci, Walsh, Wasylyk, Watson, Winfield.

ARTICLE 8 RELATING TO EMPLOYMENT SECURITY TRUST FUND AND CONTRIBUTIONS

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

The article is read and prevails on a roll call vote, 68 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Coderre, Corvese, DaSilva, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, 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-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Newberry.

REQUEST

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

ARTICLE 9 RELATING TO MUNICIPAL TIPPING FEES

Representative Naughton moves passage of the article, seconded by Representatives Malik, Dennigan, Slater, Gemma, Carter, Fox, and Costantino.

Representative Loughlin discusses the article.

The article is read and prevails on a roll call vote, 72 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 72: 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, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 2: Representatives Newberry, Watson.

ARTICLE 10 RELATING TO JUDICIAL ARBITRATION FEES

Representative Carter moves passage of the article, seconded by Representatives Slater, Silva, Gallison, Williamson, and many other members of the House.

The article is read and prevails on a roll call vote, 72 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 72: 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, 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, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Newberry.

ARTICLE 11 RELATING TO CRIMINAL RECORDS EXPUNGEMENT FEES

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

By unanimous consent, Representative Ajello seconded by Representatives Handy, Petrarca, O'Neill, Diaz, Fox, Pacheco, and many other members of the House, offers a written motion to amend.

FLOOR AMENDMENT TO 2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 11, on page 1, line 20, after the word "shall" by inserting the following language " , after payment by the petitioner of a one hundred dollar (\$100) fee to be paid to the court by check or money order,".

2. In Article 11, on page 1, line 24, after the language "court." by deleting the word "The".

3. In Article 11, on page 1, lines 25 and 26, by deleting all of the language.

Respectfully submitted,

REPRESENTATIVE AJELLO

=====
LC02239/2
=====

Representatives Watson and O'Neill discuss the amendment.

Representative Ajello seconded by Representatives O'Neill and Petrarca offers an oral amendment to the amendment on Page 1, Lines 5 and 6.

The oral amendment to the amendment 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-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Watson.

The amendment, as amended 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, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 7: Representatives Baldelli-Hunt, Brien, Fellela, Malik, Menard, Pollard, Watson.

Representatives Costantino and Flaherty discuss the Article, as amended.

RECESS

At 8:28 o'clock P.M. the Honorable Speaker Murphy declares the House to be in recess.

ORDER

At 9:28 o'clock P.M. the Honorable Speaker Murphy calls the House to order.

The article, as amended, is read and prevails on a roll call vote, 41 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 41: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jacquard, Lima, Marcello, Martin, Mattiello, Naughton, Pacheco, Ruggiero, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Walsh, Williamson.

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

REQUESTS

Representatives Brien, Baldelli-Hunt and Kilmartin request the journal to reflect that if they had voted on (Article 11, as amended), they would have voted in the affirmative.

ARTICLE 12 RELATING TO LICENSES AND FEES

Representative Giannini moves passage of the article, seconded by Representatives Slater.

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

FLOOR AMENDMENT TO 2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) Article 12, page 8, line 31, by inserting the word "license" between the word "a" and the word "fee".

(2) Article 12, page 8, line 31, by inserting the following language after the number and parentheses (120) " plus an application fee established by the commissioner,".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

The amendment prevails on a roll call vote, 56 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 4: Representatives Edwards, Loughlin, MacBeth, Watson.

Representative Trillo and Watson discuss the article, as amended.

The article, as amended, is read and prevails on a roll call vote, 50 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, Pacheco, Pollard, Rice, M., Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 13: Representatives Baldelli-Hunt, Brien, Driver, Edwards, Ehrhardt, Flaherty, Loughlin, MacBeth, Newberry, Petrarca, Ruggiero, Trillo, Watson.

REQUEST

Representative Kilmartin requests the journal to reflect that if he had voted on Article 12, he would have voted in the affirmative.

ARTICLE 13 RELATING TO BUDGET STABILIZATION ACCOUNT

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

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

FLOOR AMENDMENT TO 2009 -- H 5983 SUBSTITUTE A

**AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 13, page 1, line 8, by striking the word "required" and inserting in place thereof the word "appropriated".

2. In Article 13, page 1, lines 9 and 10, by inserting a period "." after the word "shortfall" and by deleting the following language "as identified by the state controller at the close of any fiscal year as provided in subsection (d)."

3. In Article 13, page 1, line 25, by deleting the language "(1)".

4. In Article 13, page 1, line 27, by deleting the word "original".

5. In Article 13, page 2, lines 3 through 12, by deleting the language after the word and punctuation "conference." up to and including the word and punctuation "based."

6. In Article 13, page 2, line 18, by deleting all the underlined language and restoring the word "year".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC02241/4
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The amendment 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, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasyluk, Watson, Williams.

NAYS - 0.

The article, as amended, is read and prevails on a roll call vote, 63 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, 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, Lima, Loughlin, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasyluk, Williams, Williamson.

NAYS - 3: Representatives MacBeth, Newberry, Watson.

ARTICLE 14 RELATING TO DEPARTMENT OF HEALTH LEGAL FEES

Representative Naughton moves passage of the article, seconded by Representatives Fox and many other members of the House.

Representative Watson, Naughton, Dennigan, Petrarca, Trillo, Costantino, Newberry, Wasylyk, Loughlin, and M. Rice discuss the article.

The article is read and prevails on a roll call vote, 63 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Edwards, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 7: Representatives Driver, Ehrhardt, Loughlin, Newberry, O'Neill, Trillo, Watson.

ARTICLE 15 RELATING TO PUBLIC UTILITY REGULATORY ASSESSMENT

Representative Giannini moves passage of the article, seconded by Representatives Kilmartin, Slater, and many other members of the House.

The article is read and prevails on a roll call vote, 65 members voting in the affirmative and 5 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, Dennigan, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, 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, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 5: Representatives Driver, Loughlin, Newberry, Trillo, Watson.

ARTICLE 16 RELATING TO REVENUES

Representative Costantino moves passage of the article, seconded by Representatives Dennigan, Naughton, Giannini, Slater, and Kilmartin.

By unanimous consent, Representative Costantino seconded by Representatives Kilmartin, Naughton and many other members of the House offers a written motion to amend.

**FLOOR AMENDMENT
TO
2009 -- H 5983 SUBSTITUTE A**

**AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 16, on page 2, line 27, by deleting the language "and thereafter" and inserting in place thereof the language "through fiscal year 2009".

(2) In Article 16, on page 4, lines 18 and 19, by deleting the language "four and seventy-eight hundredths percent (4.78%)" and inserting in place thereof the language "five and two hundred thirty-seven thousandths percent (5.237%)".

(3) In Article 16, on page 4, line 20, by deleting the figure "2007" and inserting in place thereof the figure "2008".

(4) In Article 16, on page 25, line 11, by deleting the word "Retirement" and inserting in place thereof the word "Reporting".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC02244/49
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Representative Costantino discusses the amendment.

The amendment 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, Carter, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, 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, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Winfield.

NAYS - 5: Representatives Loughlin, Newberry, Schadone, Trillo, Watson.

Representative Costantino discusses the article, as amended.

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

Representative Trillo discusses the amendment. Representative Trillo withdraws his amendment.

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

F L O O R A M E N D M E N T
TO
2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 16, page 21, line 22, by deleting the language "ten (10)" and inserting in place thereof the language "fifty (50)".

2. In Article 16, page 21, line 24, after the language "system." by adding the following language: "Any cost attributable to this subsection shall be taken from appropriations to the joint committee on legislative services."

Respectfully submitted,

REPRESENTATIVE TRILLO

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LC02244/35
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Representatives Trillo, Costantino, Newberry, Ferri, Petrarca and Loughlin discuss the amendment.

The amendment fails on a roll call vote, 21 members voting in the affirmative and 48 members voting in the negative as follows:

YEAS - 21: Representatives Baldelli-Hunt, Brien, Dennigan, Driver, Ehrhardt, Hearn, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Menard, Newberry, Rice, A., Schadone, Serpa, Trillo, Walsh, Wasylyk, Watson.

NAYS - 48: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Jackson, Kennedy, Kilmartin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Segal, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williamson, Winfield.

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

F L O O R A M E N D M E N T
T O
2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 16, page 2, lines 9 and 10, by deleting the words and numbers nine and seventy-five hundred cents "(0.0975)" and inserting in place thereof the words and numbers eight and seventy-five hundredths cents "(0.875)".

(2) In Article 16, page 2, line 11, by inserting the following language after the number "46-12.9-11":

"one cent (\$0.01) per gallon to the cities and towns via the pothole fund. Fifty percent (50%) of said funds shall be proportionally distributed on the basis of population and the remaining fifty percent (50%) shall be proportionally distributed on the basis of the number of miles of local roads and streets not designated as part of the federal aid highway system as determined by the director of the department of transportation."

Respectfully submitted,

REPRESENTATIVE KENNEDY

=====
LC02244/51
=====

Representatives Kennedy, Costantino, Gemma, Ehrhardt and Gallison discuss the amendment.

The amendment fails on a roll call vote, 16 members voting in the affirmative and 56 members voting in the negative as follows:

YEAS - 16: Representatives Baldelli-Hunt, Brien, Carter, Driver, Gablinske, Gemma, Guthrie, Kennedy, Menard, Newberry, Petrarca, Savage, Ucci, Walsh, Wasylyk, Watson.

NAYS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Giannini, Handy, Hearn, Jackson, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Vaudreuil, Williams, Williamson, Winfield.

By unanimous consent, Representative Baldelli-Hunt seconded by Representative Brien 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 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 16, page 2, line 9, following the numeral "11" by deleting all of the language therein and inserting in place thereof the following language: "For the fiscal year 2010, the allocation shall be eight and seventy-five hundredth cents (\$0.0875), of which one-half cent (\$0.005) shall be derived from the one cent (\$0.01) per gallon environmental protection fee pursuant to section 46-12.9-11. For fiscal years 2011 and thereafter, the allocation shall be nine and seventy-five hundredth cents (\$0.0975), of which one-half cent (\$0.005) shall be derived from the one cent (\$0.01) per gallon environmental protection fee pursuant to section 46-12.9-11."

2. In Article 16, page 2, line 10, by deleting all the language therein.

3. In Article 16, page 2, line 11, by deleting all of the underlined language therein.

4. In Article 16, page 2, line 27, after the word "revenue" by inserting the following language: "For fiscal year 2010, one cent (\$0.01) shall be appropriated for state aid to cities and towns."

Respectfully submitted,

REPRESENTATIVE BALDELLI-HUNT

=====
LC02244/50
=====

Representatives Baldelli-Hunt, Costantino, Fox and Brien discuss the amendment.

The amendment fails on a roll call vote, 20 members voting in the affirmative and 54 members voting in the negative as follows:

YEAS - 20: Representatives Baldelli-Hunt, Brien, Carnevale, DaSilva, Fierro, Flaherty, Gablinske, Gemma, Kennedy, Loughlin, MacBeth, Menard, Newberry, Savage, Schadone, Trillo, Ucci, Wasylyk, Williamson, Winfield.

NAYS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fox, Gallison, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Walsh, Williams.

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

**FLOOR AMENDMENT
TO**

2009 -- H 5983 SUBSTITUTE A

**AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

- 1. In Article 16, page 30, line 6, by reinstating the deleted language and by deleting the new language "tax years ending prior to January"
- 2. In Article 16, page 30, line 7, by deleting the new language "1, 2010,"
- 3. In Article 16, page 30, lines 16 and 17, by deleting in their entirety.
- 4. In Article 1, page 7, line 24, by deleting the number "35,874,012" and inserting in place thereof the number "12,274,012".
- 5. In Article 1, page 7, line 26, by deleting the number "37,430,724" and inserting in place thereof the number "13,830,724".
- 6. In Article 1, page 26, line 9, by deleting the number "2,982,668,648" and inserting in place thereof the number "2,959,068,648".
- 7. In Article 1, page 26, line 13, by deleting the number "7,761,303,695" and inserting in place thereof the number "7,737,703,695".

Respectfully submitted,

REPRESENTATIVE TRILLO

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LC02244/32
=====

Representatives Trillo and Costantino discuss the amendment.

The amendment fails on a roll call vote, 10 members voting in the affirmative and 59 members voting in the negative as follows:

YEAS - 10: Representatives Ehrhardt, Loughlin, MacBeth, Malik, Menard, Newberry, Petrarca, Trillo, Watson, Winfield.

NAYS - 59: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jacquard, Kennedy, Kilmartin, Lally, Lima, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Wasyluk, Williams, Williamson.

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

F L O O R A M E N D M E N T
T O
2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 16, on page 11, line 10, after the language "Title 44." by adding the following language "Information made available to the division pursuant to this subsection shall not be provided in individually-identifiable form, except to the extent necessary to perform its obligations and enforcement responsibilities specified herein; and provided, further, the division cites to the director the statutory provision for which the individually-identifiable information is sought."
- 2.

Respectfully submitted,

REPRESENTATIVE AJELLO

=====

LC02244/20

=====

Representatives Ajello and Costantino discuss the amendment.

The amendment fails on a roll call vote, 13 members voting in the affirmative and 57 members voting in the negative as follows:

YEAS - 13: Representatives Ajello, Almeida, Ferri, Fierro, Handy, Loughlin, Newberry, Pacheco, Segal, Sullivan, Trillo, Wasylyk, Watson.

NAYS - 57: The Honorable Speaker Murphy and Representatives Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross-Smith, Silva, Slater, Ucci, Vaudreuil, Walsh, Williams.

Representative Wasylyk requests a separate vote on Section 1. The Honorable Speaker Murphy rules it is divisible.

Representative Ehrhardt requests to vote Sections 15 & 16 together. The Honorable Speaker Murphy rules it is divisible.

Representatives Newberry, Watson, Ucci, Baldelli-Hunt, Costantino, DeSimone, Gablinske, Trillo, Handy, Kilmartin, Williams, Almeida and Diaz discuss the article, as amended.

Representative Jacquard moves the question, seconded by Representative McCauley.

The motion prevails on a roll call vote, 44 members voting in the affirmative and 20 members voting in the negative as follows:

YEAS - 44: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Fellela, Fox, Gablinske, Gallison, Guthrie, Handy, Hearn, Jacquard, Kennedy, Kilmartin, Marcello, Martin, Mattiello, McCauley, McNamara, Naughton, O'Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Schadone, Segal, Shallcross-Smith, Silva, Slater, Vaudreuil, Williams, Williamson.

NAYS - 20: Representatives Baldelli-Hunt, Brien, Ehrhardt, Flaherty, Gemma, Giannini, Lima, Loughlin, Malik, Melo, Menard, Newberry, Savage, Serpa, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

Representatives Malik, Azzinaro, Slater, Baldelli-Hunt, Schadone, Kennedy and Fox discuss the article, as amended.

Section 1, page 1 line 3-page3, line 26 prevails on a roll call vote, 47 members voting in the affirmative and 26 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Driver, Fellela, Ferri, Fox, Gallison, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kilmartin, Lally, Lima, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Williams, Williamson.

NAYS - 26: Representatives Baldelli-Hunt, Brien, Carnevale, DaSilva, Edwards, Ehrhardt, Flaherty, Gablinske, Gemma, Kennedy, Loughlin, MacBeth, Malik, Marcello, Menard, Newberry, Pollard, Savage, Schadone, Serpa, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

Sections 15 and 16, pages 26-37 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, Caprio, Carnevale, 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, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Wasylyk, Williams, Williamson.

NAYS - 13: Representatives Brien, Edwards, Ehrhardt, Flaherty, Loughlin, MacBeth, Menard, Newberry, Pollard, Trillo, Walsh, Watson, Winfield.

The Balance of the Article prevails on a roll call vote, 62 members voting in the affirmative and 12 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Ehrhardt, 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, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 12: Representatives Baldelli-Hunt, Edwards, Flaherty, Loughlin, MacBeth, Menard, Newberry, Pollard, Trillo, Ucci, Watson, Winfield.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Michael A. Rice, State Representative, District 35, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: Article 17, Sections 3 & 4
2. (Nature of the potential conflict) I have the following interest in the matter:
URI mentioned and affected
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.

MICHAEL A. RICE
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 24th day of June, 2009.

MICHAEL EGAN
NOTARY PUBLIC

Representative M. Rice 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 17 RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

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

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

**F L O O R A M E N D M E N T
T O
2009 -- H 5983 SUBSTITUTE A**

**AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

1. In Article 17, page 10, line 16, by deleting the language "four million dollars (\$4,000,000)" and inserting in place thereof the language "four million four hundred thousand dollars (\$4,400,000)".

2. In Article 17, page 10, lines 16 and 17, by deleting the language "one hundred nineteen million three hundred thousand dollars (\$119,300,000)" and inserting in place thereof the following language: "one hundred thirty-two million dollars (\$132,000,000)".

3. In Article 17, page 10, line 18, by deleting the language "7.00%" and inserting in place thereof the language "8.00%".

4. In Article 17, page 10, between lines 21 and 22, by inserting the following new language:

"SECTION 8. Rhode Island Public Rail Corporation and South Couth Commuter Rail Service.

WHEREAS, the State of Rhode Island and Providence Plantations (the "State") has delegated to the Rhode Island Department of Transportation (the "Department") the responsibility for preparing short-range plans, project plans, and implementation programs for transportation and for maintaining an adequate level of rail passenger and freight services, including the administration of any financial or technical assistance which may be made available to operators of railroad transportation facilities; and

WHEREAS, the Department now seeks to extend commuter rail service south from the National Railroad Passenger Corporation ("Amtrak") Providence Station in Providence, Rhode Island (the "Providence Station") with stops at the proposed Warwick Intermodal Station at T.F. Green Airport in Warwick, Rhode Island (the "Intermodal Station") and Wickford Junction in North Kingstown, Rhode Island (the "Wickford Station") (collectively, the "South County Commuter Rail Service"); and

WHEREAS, the Department intends to appoint the Massachusetts Bay Transportation Authority (the "MBTA") as the operator of the South County Commuter Rail Service (the "Designated Operator") upon execution of that certain Access Agreement (the "Access Agreement") entered into by and between the Department and the National Railroad Passenger Corporation ("Amtrak"); and

WHEREAS, Amtrak owns the right-of-way on which the South County Commuter Rail Service would operate; and

WHEREAS, Amtrak required the Department to provide certain risk-management and financial assurances and indemnification covenants and obligations as a condition precedent to the Access Agreement, that certain Assignment and Assumption Agreement entered into for the benefit of Amtrak by and between the Department and the Rhode Island Public Rail Corporation ("Rail Corp"), a public instrumentality of the Sate established by Section 42-64.2 et seq. of the General Laws of Rhode Island (the "Act"), that certain Master Force Account Agreement for improvements between Warwick and Providence entered into by and between Amtrak, the Rhode Island Airport Corporation ("RIAC"), a governmental agency of the State established by the Rhode Island Economic Development Corporation and Rail Corp, that certain Temporary Easement Agreement entered into by and between Amtrak, RIAC and Rail Corp, and that certain Permanent Easement Agreement entered into by and between Amtrak, RIAC and Rail Corp, and

that certain Master Force Account Agreement for improvements between Warwick and North Kingstown to be entered into by and between Amtrak and the Department or its designee, that certain Temporary Easement Agreement to be entered into by and between Amtrak and Rail Corp, and that certain Permanent Easement Agreement entered into by and between Amtrak and Rail Corp (collectively, the "South County Commuter Rail Service Agreements"); and

WHEREAS, the above-referenced assurances and indemnification covenants and obligations include, without limitation, the (1) The Department secure and maintain a liability insurance policy covering the liability of the State and Amtrak for property damage, personal injury, bodily injury and death arising out of the South County Commuter Rail Service, with policy limits of Two Hundred Million United States Dollars (\$200,000,000.00), naming the Department, Rail Corp, Amtrak and the MBTA as primary insureds, all subject to a self-insured retention of Seven Million Five Hundred Thousand United States Dollars (\$7,500,000.00) (the "Retention"), (2) The Department defend, indemnify and save harmless such third parties, irrespective of negligence or fault of Amtrak or such third parties, for all damage or liability for personal injury or property damage which would not have occurred or would not have been incurred but for the existence of the South County Commuter Rail Service or the presence on the Northeast Properties (as such term is defined in the Access Agreement) of any trains, passengers, employees, contractors, or invitees of the State or the State's Designated Operator (the "Amtrak Access Indemnification"), (3) Rail Corp and RIAC defend, indemnify and save harmless Amtrak and third parties to the extent that Amtrak is obligated to defend, indemnify or save harmless such third parties, irrespective of negligence or fault of Amtrak or such third parties, for all damage or liability for personal injury or property damage which would not have occurred but for the improvements undertaken pursuant to the Master Force Account Agreements, the Temporary Easements and Permanent Easements with respect to the Intermodal Station and the Wickford Station (the "Amtrak Indemnification"), and (4) The Department defend, indemnify and save harmless the MBTA for all damage or liability for personal injury or property damages which would not have occurred or would not have been incurred but for the MBTA's activities as the Designated Operator under the Access Agreement except for damages or liability attributable directly to the MBTA's own negligence or misconduct (the "MBTA Indemnification"); and

WHEREAS, the Department may be constitutionally prohibited from providing the financial assurances and the indemnification covenants and obligations and therefore has designated Rail Corp as the responsible party for providing Amtrak and MBTA with the foregoing assurances, covenants and obligations on behalf of the Department; and

WHEREAS, RIAC is unable to provide the financial assurances and the indemnification covenants and obligations and therefore has also designated Rail Corp as the responsible party for providing Amtrak with the foregoing assurances, covenants and obligations on behalf of RIAC; and

WHEREAS, Amtrak has agreed to accept Rail Corp's financial assurances and indemnification covenants and obligations on behalf of the Department and RIAC; provided, however, that Rail Corp first secure either a line or evergreen letter of credit in the amount of Seven Million Five Hundred Thousand United States Dollars (\$7,500,000.00) issued by a bank authorized to do business in Rhode Island with a surplus of not less than One Hundred Million United States Dollars (\$100,000,000.00) in favor of Amtrak to secure Rail Corp's performance of its obligations arising under any South County Commuter Rail Service Agreements, specifically the payment of any amounts arising from time to time under the Retention or any amounts that

are uninsured; and

WHEREAS, pursuant to the Act, Rail Corp is authorized, created, and established for the purpose of enhancing and preserving the viability of commuter transit and railroad freight operations in Rhode Island and has the power to make contracts and guarantees and incur liabilities, borrow money at any rates of interest that it may determine, and to make and execute any other contracts and instruments necessary or convenient in the exercise of the powers, purposes and functions of the Act; and

WHEREAS, Rail Corp, at the present time, has no source of funds to discharge the obligations it has assumed to Amtrak other than the funds appropriated to the department in the annual budget and transferred to Rail Corp; and

WHEREAS, a financial institution may not provide a line or evergreen letter of credit to Rail Corp without some assurances that funds would be appropriated to the department and transferred to Rail Corp; and

WHEREAS, pursuant to the Assignment and Assumption Agreement, the department has covenanted on behalf of the state to support Rail Corp and to include such financial support in the Governor's printed budget submitted to the general assembly each year; and

WHEREAS, the obligations undertaken by the department on behalf of the State and Rail Corp as outlined herein, and the approval and authority for Rail Corp to secure and maintain the letter or evergreen line of credit are subject to Chapter 18 of Title 35 of the Rhode Island General Laws; and

WHEREAS, pursuant to Sections 35-18-3 and 35-18-4 of the Rhode Island General Laws, Rail Corp has requested the approval and authority of the General Assembly to enter into agreements and execute documents reasonably necessary from time to time to secure and maintain the above-referenced line or evergreen letter of credit to support payment obligations of the Retention, for the payment of any costs and fees reasonably incurred in connection with securing and maintaining such line or evergreen letter of credit, and for the extension of both the risk-management and financial assurances, Amtrak Access Indemnification and Amtrak Indemnification and the risk-management and financial assurances, and MBTA Indemnification; now, therefore be it

RESOLVED, that the General Assembly hereby approves and authorizes Rail Corp to secure and maintain, and hereby approves and authorizes the department's support of Rail Corp and the use by Rail Corp of the department's funding as covenanted in the Assignment and Assumption Agreement to secure and maintain a line or evergreen letter of credit in the amount of Seven Million Five Hundred Thousand United States Dollars (\$7,500,000.00) issued by a bank authorized to do business in Rhode Island with a surplus of not less than One Hundred Million United States Dollars (\$100,000,000.00) in favor of Amtrak to secure Rail Corp's performance of its obligations arising under any South County Commuter Rail Service Agreements, specifically the payment of any amounts arising from time to time under the Retention, and for the payment of any costs and fees reasonably incurred in connection with securing and maintaining such line or evergreen letter of credit; and be it further

RESOLVED, that the per passenger cost of the extended commuter rail service shall not be subsidized with any state funds."

(5) In Article 17, page 10, line 22, by deleting the number "8" and inserting in place thereof the number "9".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

LC02245/5

Representative Costantino discusses the amendment.

The amendment prevails on a roll call vote, 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, 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, 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-Smith, Silva, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representative Costantino discusses the article, as amended. Representative Watson requests a separate vote on Section 5. The Honorable Speaker rules it is divisible. Representative M. Rice requests to Sections 3 & 4 separately. The Honorable Speaker rules it is divisible.

Representative Kilmartin continues discussion on the article, as amended.

Section 3, page 2 & 3 prevails on a roll call vote, 65 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, 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, Palumbo, Pollard, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Newberry, Trillo, Watson.

Section 4, prevails on a roll call vote, 65 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, 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, Palumbo, Petrarca, Pollard, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Newberry, Trillo, Watson.

Section 5, page 5, line 10-Page 6, line 26 prevails on a roll call vote, 62 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 62: 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, 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, Palumbo, Petrarca, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 6: Representatives Loughlin, Newberry, Pollard, Trillo, Watson, Winfield.

REQUEST

Representative Brien requests the journal to reflect that if he had voted on Section 5, he would have voted in the affirmative.

The Remainder of the article prevails on a roll call vote, 65 members voting in the affirmative and 5 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, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 5: Representatives Loughlin, Newberry, Trillo, Watson, Winfield.

ARTICLE 18 RELATING TO PUBLIC ASSISTANCE ACT

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

The article is read and prevails on a roll call vote, 67 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, 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, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 2: Representatives Newberry, Watson.

REQUEST

Representative Brien requests the journal to reflect that if he had voted on Article 18, he would have voted in the affirmative.

ARTICLE 19 RELATING TO HOSPITAL UNCOMPENSATED CARE

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

By unanimous consent, Representative Costantino seconded by Representatives Slater, Dennigan, San Bento, Ehrhardt, Carter, Walsh, Kennedy, Corvese and Pacheco offers a written motion to amend.

FLOOR AMENDMENT TO

2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 19, page 2, line 22, by deleting subsection letter "(a)" and restoring subsection letter "(b)".

(2) In Article 19, page 2, line 27, by deleting the number "\$110.0", and by inserting in

place thereof the number "\$114.7".

(3) In Article 19, page 3, line 4, by deleting subsection letter "(b)", and by inserting in place thereof the subsection letter "(c)".

(4) In Article 19, page 3, line 9, by deleting the number "\$113.0", and by inserting in place thereof the number "\$117.8".

(5) In Article 19, page 3, line 20, by deleting the subsection letter "(c)", and by inserting in place thereof the subsection letter "(d)".

(6) In Article 19, page 3, line 27, by deleting the word "year", and by inserting in place thereof the word "years".

(7) In Article 19, page 3, line 27, after the year "2009", by inserting the words "and 2010".

(8) In Article 19, page 3, line 33, by deleting the section title "Outpatient adjustment payments.", and by inserting in place thereof the section title "Outpatient adjustment payments for fiscal year 2009."

(9) In Article 19, page 4, between lines 28 and 29, by inserting the following:

"40-8.3-7. Outpatient adjustment payments for fiscal year 2010. -- Effective July 1, 2009, the department of human services is hereby authorized and directed to amend its regulations and the Rhode Island State Plan for Medical Assistance pursuant to Title XIX of the Social Security Act for reimbursement to hospitals for outpatient services as follows:

Hospitals -- Outpatient adjustment payments.

(a) Each hospital in the state of Rhode Island, as defined in subdivision 23-17-38.1(b)(1), shall receive a quarterly adjustment payment during state fiscal year 2010 of an amount determined as follows:

(1) Determine the percent of the state's total Medicaid outpatient and emergency department services (exclusive of physician services) provided by each hospital during the hospital's fiscal year ending during 2008;

(2) Determine the sum of all Medicaid payments to hospitals made for outpatient and emergency department services (exclusive of physician services) provided during each hospital's fiscal year ending during 2008;

(3) Multiply the sum of all Medicaid payments as determined in subdivision (2) by seventy-seven and forty-one hundredths percent (77.41%) and then multiply that result by each hospital's percentage of the state's total Medicaid outpatient and emergency department services as determined in subdivision (1) to obtain the total outpatient adjustment for each hospital to be paid in SFY 2010;

(4) Pay each hospital on or about July 20, 2009, October 20, 2009, January 20, 2010, and April 20, 2010 one-quarter (.25) of its total outpatient adjustment as determined in subdivision (3) above.

(b) The amounts determined in subsection (a) are in addition to Medicaid outpatient payments and emergency services payments (exclusive of physician services) paid to hospitals in accordance with current state regulation and the Rhode Island Plan for Medicaid Assistance pursuant to Title XIX of the Social Security Act and are not subject to recoupment or settlement."

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC02247/3
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Representative Costantino discusses the article and amendment together.

Representative Trillo and Costantino discuss the amendment.

The amendment prevails on a roll call vote, 72 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, 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, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representative Ucci discusses the article, as amended.

The article, as amended, is read and prevails on a roll call vote, 72 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 72: 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, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Newberry.

ARTICLE 20 RELATING TO CASH ASSISTANCE

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

Representatives Brien, Costantino and Baldelli-Hunt discusses the article.

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

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, 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, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Newberry.

ARTICLE 21 RELATING TO GENERAL PUBLIC ASSISTANCE – HARDSHIP CONTINGENCY FUND

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

The article, is read and prevails on a roll call vote, 67 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, 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, Loughlin, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representatives Newberry.

REQUEST

Representative Savage requests the journal to reflect that if he had voted on article 21, he would have voted in the affirmative.

ARTICLE 22 RELATING TO CENTERS FOR MEDICARE AND MEDICAID SERVICES WAIVER AND EXPENDITURE AUTHORITY

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

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

FLOOR AMENDMENT TO 2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 22, page 3, line 19, by deleting the language "one hundred thirty-three percent (133%)" and inserting in place thereof the language "one hundred fifty percent (150%)".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC02250/2
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Representative Costantino discusses the amendment.

The amendment prevails on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

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

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, 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, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Newberry.

ARTICLE 23 RELATING TO MEDICAL ASSISTANCE

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

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

**FLOOR AMENDMENT
TO
2009 -- H 5983 SUBSTITUTE A****AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010**

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

(1) In Article 23, page 3, by deleting all the language on lines 12 through 23 and inserting in place thereof the following language:

"SECTION 2. Section 40-8-29 of the General Laws in Chapter 40-8 entitled "Medical Assistance" is hereby amended to read as follows:

40-8-29. Selective contracting. -- (a) Notwithstanding any other provision of state law, the department of human services is authorized to utilize selective contracting with prior general assembly approval for the purpose of purchasing for Medicaid recipients shared living provider services, durable medical equipment and supplies, and any other Medicaid services, when appropriate, in order to assure that all service expenditures under this chapter have the maximum benefit of competition, and afford Rhode Islanders the overall best value, optimal quality, and the most cost-effective care possible. Beneficiaries will be limited to using the services/products of only those providers determined in a competitive bidding process to meet the standards for best quality, performance and price set by the department in accordance with applicable federal and state laws.

~~(b) Any approved medical assistance provider who declines to participate in contracting for benefits in any one of the department's medical assistance programs, including, but not limited to any and all managed care programs, may be suspended as a participating provider and denied participation in all state operated medical assistance programs at the discretion of the department.~~

(b) For purposes of this section "selective contracting" shall mean the process for choosing providers to serve Medicaid beneficiaries based on their ability to deliver the best quality products or services, at the best value or price.

(c) To ensure all services allowable for Medicare reimbursement for beneficiaries who are dually eligible, selective contractors must be willing and able to accept Medicare."

(2) In Article 23, page 5, line 26, by deleting the language "one hundred thirty-three percent".

(3) In Article 23, page 5, line 27, by deleting the number "(133%)" and inserting in place thereof the language "one hundred fifty percent (150%)".

(4) In Article 23, page 5, line 31, by deleting the words "one hundred thirty-three".

(5) In Article 23, page 5, line 32, by deleting the language "percent (133%)" and inserting in place thereof the language "one hundred fifty percent (150%)".

(6) In Article 23, page 6, line 24, by deleting the language "one hundred thirty-three percent (133%)" and inserting in place thereof the language "one hundred fifty percent (150%)".

(7) In Article 23, page 16, by deleting all of the language on lines 29 through 34.

(8) In Article 23, page 17, by deleting all of the language on lines 1 through 34.

(9) In Article 23, page 18, by deleting all of the language on lines 1 through 34.

(10) In Article 23, page 19, by deleting all of the language on lines 1 through 6 and inserting in place thereof the following language:

"SECTION 10. Section 40-8.9-9 of the General Laws in Chapter 40-8.9 entitled "Medical Assistance - Long-Term Care Service and Finance Reform" is hereby amended to read as follows:

40-8.9-9. Long-term care re-balancing system reform goal. -- (a) Notwithstanding any other provision of state law, the department of human services is authorized and directed to apply for and obtain any necessary waiver(s), waiver amendment(s) and/or state plan amendments from the secretary of the United States department of health and human services, and to promulgate rules necessary to adopt an affirmative plan of program design and implementation that addresses the goal of allocating a minimum of fifty percent (50%) of Medicaid long-term care funding for persons aged sixty-five (65) and over and adults with disabilities in addition to services for persons with developmental disabilities and mental disabilities to home and community-based care on or before December 31, 2012 2013; provided, further, the executive office of health and human services shall report annually as part of its budget submission, the percentage distribution between institutional care and home and community-based care by population and shall report current and projected waiting lists for long-term care and home and community-based care services. The department is further authorized and directed to prioritize investments in home and community-based care and to maintain the integrity and financial viability of all current long-term care services while pursuing this goal.

(b) The long-term care re-balancing goal is person-centered and encourages individual self-determination, family involvement, interagency collaboration, and individual choice through the provision of highly specialized and individually tailored home-based services. Additionally, individuals with severe behavioral, physical, or developmental disabilities must have the opportunity to live safe and healthful lives through access to a wide range of supportive services in an array of community-based settings, regardless of the complexity of their medical condition, the severity of their disability, or the challenges of their behavior. Delivery of services and supports in less costly and less restrictive community settings, will enable children, adolescents and adults to be able to curtail, delay or avoid lengthy stays in long-term care institutions, such as behavioral health residential treatment facilities, juvenile detention centers, psychiatric facilities, and/or long-term care hospitals, intermediate care facilities and/or skilled nursing facilities.

(c) (1) Pursuant to federal authority procured under § 42-7.2-16 of the general laws, the department of human services is directed and authorized to adopt a tiered set of criteria to be used to determine eligibility for services. Such criteria shall be developed in collaboration with the state's health and human services departments and shall encompass need based eligibility determinations for services in nursing facilities, hospitals, and intermediate care facilities for the mentally retarded as well as home institutions for long-term care and community-based

alternatives; Separate needs based criteria may be established taking into account the long-term care institution for which alternative community-based services and supports are available. The department is authorized to adopt criteria for admission to long-term care institutions that are more stringent than those employed for access to home and community-based services. The department is also authorized to promulgate rules that define the frequency of re-assessments for services provided for under this section.

(2) The department is authorized, subject to prior approval of the general assembly, to and shall provide a common standard of income financial eligibility for both institutional and home and community-based care. The department is authorized to adopt criteria for admission to a nursing facility, hospital, or intermediate care facility for the mentally retarded that are more stringent than those employed for access to home and community-based services. The department is also authorized to promulgate rules that define the frequency of re-assessments for services provided for under this section. Legislatively approved levels of care may be applied in accordance with the following:

(i) Any Medicaid recipient deemed eligible for nursing facility, hospital, or intermediate care facility for the mentally retarded as of January 15, 2009, shall continue, throughout that individual's life, to be assessed utilizing the level of care criteria in place for that care as of January 15, 2009;

(ii) Any Medicaid recipient deemed eligible for home and community services prior to January 15, 2009, shall continue to be assessed for that care utilizing the level of care criteria in place as of January 15, 2009;

(iii) Persons meeting or who would have met the level of care criteria for nursing facility care as of January 15, 2009, shall continue to be deemed to meet the institutional level of care and shall only be transitioned to home and community services on a voluntary basis, and shall not be subject to any wait list for home and community services; and

(iv) No resident of a nursing facility, hospital, or intermediate care facility for the mentally retarded shall be removed involuntarily from said facility even if the condition of the resident improves.

(v) No nursing home, hospital, or intermediate care facility for the mentally retarded shall be denied payment for services rendered to a Medicaid recipient on the grounds that the recipient does not meet level of care criteria unless and until the department of human services has: (i) Performed an individual assessment of the recipient at issue and provided written notice to the nursing home, hospital, or intermediate care facility for the mentally retarded that the recipient does not meet level of care criteria; and (ii) The recipient has either appealed that level of care determination and been unsuccessful, or any appeal period available to the recipient regarding that level of care determination has expired.

(d) The department of human services is further authorized and directed to consolidate all home and community-based services currently provided pursuant to § 1915(c) of title XIX of the United States Code into a single program of home and community-based services that include options for consumer direction and shared living. The resulting single home and community-based services program shall replace and supersede all § 1915(c) programs when fully implemented. Notwithstanding the foregoing, the resulting single program home and community-based services program shall include the continued funding of assisted living services at any assisted living facility financed by the Rhode Island housing and mortgage finance corporation prior to January 1, 2006, and shall be in accordance with chapter 66.8 of title 42 of the general laws as long as assisted living services are a covered Medicaid benefit.

(e) The department of human services is authorized to promulgate rules that permit certain optional services including, but not limited to, homemaker services, home modifications, respite, and physical therapy evaluations to be offered subject to availability of state-appropriated funding for these purposes.

(f) To promote the expansion of home and community-based service capacity, the department of human services is authorized and directed to pursue rate reform for providers of homemaker, personal care (home health aide) and adult day care services, as follows: (1) A prospective base adjustment effective, not later than July 1, 2008, across all departments and programs, of ten percent (10%) of the existing standard or average rate, contingent upon a demonstrated increase in the state-funded or Medicaid caseload by June 30, 2009;

(2) Development, not later than September 30, 2008, of certification standards supporting and defining targeted rate increments to encourage service specialization and scheduling accommodations including, but not limited to, medication and pain management, wound management, certified Alzheimer's Syndrome treatment and support programs, and shift differentials for night and week-end services; and

(3) Development and submission to the governor and the general assembly, not later than December 31, 2008, of a proposed rate-setting methodology for home and community-based services to assure coverage of the base cost of service delivery as well as reasonable coverage of changes in cost caused by wage inflation.

(h) The department of human services is also authorized, subject to availability of appropriation of funding, to pay for certain ~~non-Medicaid-reimbursable~~ expenses necessary to transition residents back to the community; provided, however, payments shall not exceed an annual or per person amount.

(i) To assure the continued financial viability of nursing facilities, the department of human services is authorized and directed to develop a proposal for revisions to § 40-8-19 that reflect the changes in cost and resident acuity that result from implementation of this re-balancing goal. Said proposal shall be submitted to the governor and the general assembly on or before January 1, 2010.

(ii) SECTION 3. This Article shall take effect upon passage."

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC02251/2
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Representative Costantino discusses the amendment.

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

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, 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, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San

Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 0.

The article, as amended, is read and prevails on a roll call vote, 68 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, 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., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 2: Representatives Newberry, Schadone.

NEW ARTICLES

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

FLOOR AMENDMENT TO

2009 -- H 5983 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

By adding thereto the following new Article:

"ARTICLE _____

RELATING TO PUBLIC OFFICERS AND EMPLOYEES

SECTION 1. Section 36-10-35 of the General Laws in Chapter 36-10 entitled "Retirement System-Contributions and Benefits" is hereby amended to read as follows:

36-10-35. Additional benefits payable to retired employees. -- (a) All state employees and all beneficiaries of state employees receiving any service retirement or ordinary or accidental disability retirement allowance pursuant to the provisions of this title on or before December 31, 1967, shall receive a cost of living retirement adjustment equal to one and one-half percent (1.5%) per year of the original retirement allowance, not compounded, for each calendar year the retirement allowance has been in effect. For the purposes of computation, credit shall be given for a full calendar year regardless of the effective date of the retirement allowance. This cost of

living adjustment shall be added to the amount of the retirement allowance as of January 1, 1968, and an additional one and one-half percent (1.5%) shall be added to the original retirement allowance in each succeeding year during the month of January, and provided further, that this additional cost of living increase shall be three percent (3%) for the year beginning January 1, 1971, and each year thereafter, through December 31, 1980. Notwithstanding any of the above provisions, no employee receiving any service retirement allowance pursuant to the provisions of this title on or before December 31, 1967, or the employee's beneficiary, shall receive any additional benefit hereunder in an amount less than two hundred dollars (\$200) per year over the service retirement allowance where the employee retired prior to January 1, 1958.

(b) All state employees and all beneficiaries of state employees retired on or after January 1, 1968, who are receiving any service retirement or ordinary or accidental disability retirement allowance pursuant to the provisions of this title shall, on the first day of January next following the third anniversary date of the retirement, receive a cost of living retirement adjustment, in addition to his or her retirement allowance, in an amount equal to three percent (3%) of the original retirement allowance. In each succeeding year thereafter through December 31, 1980, during the month of January, the retirement allowance shall be increased an additional three percent (3%) of the original retirement allowance, not compounded, to be continued during the lifetime of the employee or beneficiary. For the purposes of computation, credit shall be given for a full calendar year regardless of the effective date of the service retirement allowance.

(c) (1) Beginning on January 1, 1981, for all state employees and beneficiaries of the state employees receiving any service retirement and all state employees, and all beneficiaries of state employees, who have completed at least ten (10) years of contributory service on or before July 1, 2005 pursuant to the provisions of this chapter, and for all state employees, and all beneficiaries of state employees who receive a disability retirement allowance pursuant to sections 36-10-12 -- 36-10-15, the cost of living adjustment shall be computed and paid at the rate of three percent (3%) of the original retirement allowance or the retirement allowance as computed in accordance with section 36-10-35.1, compounded annually from the year for which the cost of living adjustment was determined to be payable by the retirement board pursuant to the provisions of subsection (a) or (b) of this section.

(2) The provisions of this subsection shall be deemed to apply prospectively only and no retroactive payment shall be made.

(3) The retirement allowance of all state employees and all beneficiaries of state employees who have not completed at least ten (10) years of contributory service on or before July 1, 2005, shall, on the month following the third anniversary date of retirement, and on the month following the anniversary date of each succeeding year be adjusted and computed by multiplying the retirement allowance by three percent (3%) or the percentage of increase in the Consumer Price Index for all Urban Consumers (CPI-U) as published by the United States Department of Labor Statistics determined as of September 30 of the prior calendar year, whichever is less; the cost of living adjustment shall be compounded annually from the year for which the cost of living adjustment was determined payable by the retirement board; provided, that no adjustment shall cause any retirement allowance to be decreased from the retirement allowance provided immediately before such adjustment. This section shall not apply to all state employees and all beneficiaries of state employees, who receive a disability retirement allowance pursuant to sections 36-10-12 -- 36-10-15.

(d) (1) All legislators and all beneficiaries of legislators who are receiving a retirement allowance pursuant to the provisions of section 36-10-9.1 for a period of three (3) or more years,

shall, commencing January 1, 1982, receive a cost of living retirement adjustment, in addition to a retirement allowance, in an amount equal to three percent (3%) of the original retirement allowance. In each succeeding year thereafter during the month of January, the retirement allowance shall be increased an additional three percent (3%) of the original retirement allowance, compounded annually, to be continued during the lifetime of the legislator or beneficiary. For the purposes of computation, credit shall be given for a full calendar year regardless of the effective date of the service retirement allowance.

(e) The provisions of sections 45-13-7 -- 45-13-10 shall not apply to this section.

(f) Notwithstanding the above language, any state employee who receives a service retirement in excess of one hundred thousand dollars (\$100,000) shall not be eligible for any cost of living retirement adjustment in addition to a retirement allowance.

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

Respectfully submitted,

REPRESENTATIVE EDWARDS

=====
LC02189/34
=====

Representatives Edwards and Costantino discuss the amendment.

The amendment fails on a roll call vote, 18 members voting in the affirmative and 53 members voting in the negative as follows:

YEAS - 18: Representatives Ajello, Baldelli-Hunt, Brien, Carnevale, Diaz, Edwards, Fierro, Gallison, Jacquard, Menard, Palumbo, Schadone, Segal, Slater, Trillo, Watson, Williams, Winfield.

NAYS - 53: The Honorable Speaker Murphy and Representatives Almeida, Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Ehrhardt, Fellela, Ferri, Fox, Gablinske, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Serpa, Shallcross-Smith, Silva, Ucci, Vaudreuil, Walsh, Wasylyk, Williamson.

REQUESTS

Representatives Diaz and Slater requests the journal to reflect that they had voted incorrectly on (LC 2189/34), they should have voted in the negative.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Mary Ann Shallcross Smith, State Representative, District 46, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (LC 2189/30 Child Care)
2. (Nature of the potential conflict) I have the following interest in the matter:
Child Care Proprietor
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.

MARY ANN SHALLCROSS SMITH
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 24th day of June, 2009.

MICHEAL EGAN
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVE

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

F L O O R A M E N D M E N T
T O
2009 -- H 5983 SUBSTITUTE A
AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Mr. Speaker:

I hereby move to amend 2009 -- H 5983 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010", as follows:

By adding thereto the following new Article:

"ARTICLE _____

RELATING TO STATE AFFAIRS AND GOVERNMENT

SECTION 1. Chapter 42-12 of the General Laws entitled "Department of Human Services" is hereby amended by adding thereto the following section:

42-12-23.2. Expenditure of American Recovery and Reinvestment Act of 2009 Funds. –
(a) The department of human services is hereby authorized to expend funds received for child care as part of the American Recovery and Reinvestment Act of 2009 (ARRA) to provide child care subsidies on a sliding fee scale basis to otherwise eligible families whose income is between one hundred eighty percent (180%) and two hundred percent (200%) of the applicable federal poverty guidelines.

(b) The authority of the department of human services shall continue until the later in time of: (1) September 30, 2011; or (2) The depletion of American Recovery and Reinvestment Act Funds."

Respectfully submitted,

 REPRESENTATIVE DIAZ

=====
 LC02189/30
 =====

Representatives Diaz, Slater, Handy and Melo discuss the amendment.

The amendment fails on a roll call vote, 17 members voting in the affirmative and 53 members voting in the negative as follows:

YEAS - 17: Representatives Ajello, Almeida, Baldelli-Hunt, Diaz, Ferri, Fierro, Guthrie, Handy, Lima, Pacheco, Rice, A., Rice, M., Savage, Segal, Sullivan, Walsh, Wasylyk.

NAYS - 53: The Honorable Speaker Murphy and Representatives Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Edwards, Ehrhardt, Fellela, Fox, Gallison, Gemma, Giannini, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Palumbo, Petrarca, Pollard, Ruggiero, San Bento, Schadone, Serpa, Silva, Slater, Ucci, Vaudreuil, Watson, Williamson, Winfield.

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

Representatives Watson, Corvese, Trillo discuss the amendment. Representative Williamson requests a Ruling from the Chair on whether this amendment is germane to the budget. Representative Watson withdraws his amendment.

ARTICLE 24 RELATING TO THE EFFECTIVE DATE

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

The article is read and prevails on a roll call vote, 73 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 73: 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, McCauley, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Newberry.

Representative Costantino moves the budget as a whole, seconded by Representatives Fox, Gemma, Coderre, Kilmartin, Slater, McCauley, Giannini, Vaudreuil, M. Rice, Silva, Lally, Diaz, DeSimone, Malik, Corvese, Pacheco, San Bento, Lima, Martin, McNamara, Mattiello, Shallcross-Smith, Almeida and many other members of the House.

The bill marked Substitute "A" is read and passed, as amended and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 5 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, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, 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-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 5: Representatives Loughlin, MacBeth, Newberry, Trillo, Watson.

By unanimous consent, Majority Leader Fox places the remainder of the Calendar for today on the Calendar for Thursday, June 25th. There is no objection.

TRANSMITTAL

By unanimous consent, (09-H 5983 SUB A, aa), on the Clerk's desk is ordered to be transmitted to the Honorable Senate, forthwith.

ANNOUNCEMENTS

Majority Leader Fox announces session will convene tomorrow at 3 o'clock P.M., and session on Friday will convene at 2 o'clock P.M.

With the agreement of the Minority and the Majority, Majority Leader Fox suspends House Rules 13 & 15, seconded by Minority Leader Watson. There is no objection.

The Honorable Speaker Murphy wishes Representative Gregory Schadone and his wife Christina a Happy Anniversary.

GUESTS

Representative Kilmartin welcomes to the House as guests his brother, Councilor Paul Kilmartin, his sister-in-law, Lieutenant Commander Pamela Kilmartin and his niece, Colleen Kilmartin.

Representative M. Rice welcomes to the House as a guest his daughter, Maria Isabel Rice.

Representative Hearn welcomes to the House as a guest Kerstin Caesar, a junior at Barrington High School.

Representative San Bento welcomes to the House as a guest his grandson, Andrew San Bento.

Representative Edwards welcomes to the House as guests JoAnne Arruda, Vice President Town Council, Sally Black, Vice President of the School Committee, and Chris Cotta, former Chair of the Budget Committee in Tiverton.

Representative Corvese welcomes to the Chamber Donald Cataldi, Vice Chairman of the North Providence School Committee.

THANK YOU

Representative Costantino extends thanks to all who worked on the budget- Michael O'Keefe, Robert Carr, Jodi Aubin, Edward J. Cooney, Jr., Sharon Reynolds Ferland, Lori Fisette, Hideilda Flores, Linda M. Haley, Nobel Jeudy, John Mansolillo, Stephanie Perreault, Liza Pinto, Chantale Sarrasin, Leslie Smith and John-Paul Verducci

Representative Slater extends thanks to the Chairman of Finance, Representative Steven Costantino.

Representative Kilmartin thanks Legislative Data, Legislative Council, pages and the support staff.

HEARTFELT SYMPATHY

The Honorable Speaker Murphy and Minority Leader Watson extend heartfelt sympathy to Bob Carr on the passing of his brother.

MOMENT OF SILENCE

The Honorable Speaker Murphy calls for a Moment of Silence for John Carr brother of Robert Carr.

ADJOURNMENT

At 1:55 o'clock A.M. on motion of the Honorable Speaker Murphy and as a further mark of respect to the memory of John Carr; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DEBORAH A. FELLELA

As we reconvene in this House Chamber, let us once again contemplate our reasons for being here. Let us also ask of our Creator that he bestow special blessings today on us all and properly guide us in serving the people of our State. Amen.

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 111 SUB A as amended

BY Miller, Paiva-Weed, Sosnowski, Picard, Connors

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (would create long-term contracting standards for the development of renewable energy.) {LC299/2/A}

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JUNE 25, 2009:

1 2009-H 5828 SUB A**BY Ferri****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- WATER CONSERVATION

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

2 2009-H 5900 SUB A**BY Diaz****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS - SMALL LOAN LENDERS

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

3 2009-H 6052**BY Fellela****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION

Committee on Environment and Natural Resources recommends passage.

4 2009-H 6263**BY Marcello****ENTITLED,** AN ACT RELATING TO INSURANCE -- RHODE ISLAND TITLE INSURERS

Committee on Corporations recommends passage.

5 2009-H 5591**BY Serpa****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- PROCEDURE

Committee on Labor recommends passage.

6 2009-H 5661 SUB A**BY Giannini****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES - TRAFFICKING

OF PERSONS AND INVOLUNTARY SERVITUDE

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

7 2009-H 5383 SUB A**BY Ehrhardt****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
EMPLOYMENT SECURITY -- BENEFITS

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

8 2009-H 5509 SUB A**BY Gallison****ENTITLED,** AN ACT RELATING TO EDUCATION

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

9 2009-H 5585**BY Carter****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
HOISTING ENGINEERS

Committee on Labor recommends passage.

10 2009-H 6073 SUB A as amended**BY Gemma****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES - REGISTRATION OF
MOTOR VEHICLES - BREAST CANCER SUPPORT LICENSE
PLATES

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

11 2009-H 6253**BY Naughton****ENTITLED,** HOUSE RESOLUTION PROCLAIMING JUNE 21, 2009 AS ASKING
SAVES KIDS DAY

Committee on Constituent Services recommends passage.

12 2009-H 6261 SUB A**BY Lima****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.

13 2009-H 6303**BY Ruggiero****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE**

Ordered on the Calendar

14 2009-H 6304**BY Sullivan****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - BIG RIVER RESERVOIR MORATORIUM**

Ordered on the Calendar

15 2009-H 5356**BY Dennigan****ENTITLED, AN ACT RELATING TO LIBRARIES**

Committee on Finance recommends passage.

16 2009-H 5636**BY Dennigan****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE EXPENDITURES FOR NON-STATE EMPLOYEE SERVICES**

Committee on Finance recommends passage.

17 2009-H 5786 SUB A**BY Watson****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CHILD RESTRAINTS**

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

18 2009-H 5831**BY Ehrhardt****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

Committee on Finance recommends passage.

19 2009-H 5074 SUB A**BY Gemma****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES AND OTHER VEHICLES-- PASSING, USE OF LANES, AND RULES OF THE ROAD

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

20 2009-H 5082 SUB A**BY Carter****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF VETERANS' AFFAIRS

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

21 2009-H 5360 SUB A**BY Gallison****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- PROGRAMS FOR FIRE DEPARTMENTS

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

22 2009-H 5653 SUB A**BY McNamara****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - ASSISTED LIVING RESIDENCE LICENSING ACT

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

23 2009-H 6278 SUB A**BY Gablinske****ENTITLED,** AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS

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

24 2009-H 5007**BY Almeida****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT

Committee on Judiciary recommends passage.

25 2009-H 5174

BY Flaherty

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
PROCEDURE IN PARTICULAR ACTIONS

Committee on Judiciary recommends passage.

26 2009-H 5291

BY Almeida

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT
THE ELECTORS A PROPOSITION OF AMENDMENT TO THE
CONSTITUTION OF THE STATE (CHANGE THE NAME OF THE
STATE)

Committee on Judiciary recommends passage.

27 2009-H 5566 SUB A

BY Lally

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS --
COMMUNITY OBLIGATIONS AND BANKING OFFENSES

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

28 2009-H 5567

BY Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
JUDICIAL SELECTION

Committee on Judiciary recommends passage.

29 2009-H 6279

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

30 2009-H 5127 SUB A

BY Pacheco

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOBILE AND MANUFACTURED HOMES

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

31 2009-H 6096**BY Almeida****ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE**

Committee on Corporations recommends passage.

32 2009-H 6213**BY Shallcross Smith****ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- MENTAL HEALTH FACILITIES**

Committee on Corporations recommends passage.

33 2009-H 5083**BY Azzinaro****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DIVISION OF MOTOR VEHICLES**

Committee on Municipal Government recommends passage.

34 2009-H 5267 SUB A as amended**BY Ruggiero****ENTITLED, AN ACT RELATING TO EDUCATION -- COMPULSORY ATTENDANCE**

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

35 2009-H 5683 SUB A**BY Lally****ENTITLED, AN ACT RELATING TO AUTHORIZATION FOR SANITARY SEWER LINE FROM BONNET SHORES BEACH CLUB CONDOMINIUM TO TOWN OF NARRAGANSETT WASTEWATER TREATMENT SYSTEM**

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

36 2009-H 6267**BY Azzinaro****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES**

Committee on Municipal Government recommends passage.

37 2009-H 6281**BY Pacheco****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
HAWKERS AND PEDDLERS

Committee on Municipal Government recommends passage.

38 2009-H 6291**BY Martin****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL
PROCEDURE--COURTS -- NEWPORT PROBATE COURT

Committee on Municipal Government recommends passage.

39 2009-H 6256**BY Pollard****ENTITLED,** AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Municipal Government recommends passage.

40 2009-H 6058 SUB A**BY Lally****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - LOW AND
MODERATE INCOME HOUSINGCommittee on Municipal Government recommends indefinite postponement of the
original bill and passage of Substitute A.**41 2009-H 6312****BY Fellela****ENTITLED,** HOUSE RESOLUTION CONGRATULATING DENISE TURCOTTE
ON WINNING THE 2009 MRS. RHODE ISLAND AMERICA
PAGEANT

Ordered on the Calendar

42 2009-H 5480 SUB A**BY Segal****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- PUBLIC
HEALTH AND WORKPLACE SAFETY ACTCommittee on Health, Education & Welfare recommends indefinite postponement of the
original bill and passage of Substitute A.

43 2009-H 5582**BY Lally****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS**

Committee on Labor recommends passage.

44 2009-H 5135**BY Walsh****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
THE CIVIL RIGHTS ACT OF 1990**

Committee on Judiciary recommends passage.

45 2009-H 5115 SUB A**BY Lima****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

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

46 2009-S 51**BY Pichardo****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- LICENSED
ACTIVITIES**

Committee on Corporations recommends passage in concurrence.

47 2009-S 560 SUB A**BY Walaska****ENTITLED, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS**

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

48 2009-S 346**BY Sheehan****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
REGISTRATION OF VEHICLES**

Committee on Constituent Services recommends passage in concurrence.

49 2009-S 700 as amended**BY Raptakis****ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY THE CONSOLIDATION OF RETAIL
BUSINESS PERMITS AND FEE COLLECTION FORMS**

Committee on Constituent Services recommends passage as amended in concurrence.

50 2009-S 64

BY Fogarty P

ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Municipal Government recommends passage in concurrence.

51 2009-S 162

BY Connors

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
THE CIVIL RIGHTS ACT OF 1990**

Committee on Judiciary recommends passage in concurrence.

52 2009-S 211 as amended

BY Ciccone

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES**

Committee on Judiciary recommends passage as amended in concurrence.

53 2009-S 256

BY McCaffrey

**ENTITLED, AN ACT RELATING TO PROPERTY -- RECORDING OF
INSTRUMENTS**

Committee on Judiciary recommends passage in concurrence.

54 2009-S 257

BY McCaffrey

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
PROCEDURE GENERALLY - INSURANCE**

Committee on Judiciary recommends passage in concurrence.

55 2009-S 378

BY Sosnowski

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
REAL ESTATE SALES DISCLOSURES**

Committee on Judiciary recommends passage in concurrence.

56 2009-S 459**BY Tassoni****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES

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

57 2009-S 221**BY Sosnowski****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF WHALE ROCK LAND COMPANY

Committee on Judiciary recommends passage in concurrence.

58 2009-S 274**BY McCaffrey****ENTITLED,** AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS

Committee on Judiciary recommends passage in concurrence.

59 2009-S 460**BY Felag****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Judiciary recommends passage in concurrence.

60 2009-S 760 SUB A**BY Blais****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - JUDICIAL SELECTION

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

61 2009-S 996**BY Lenihan****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF OPPORTUNITIES INDUSTRIALIZATION CENTER OF RHODE ISLAND INCORPORATED

Committee on Corporations recommends passage in concurrence.

62 2009-S 246 SUB A**BY Maher****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.

63 2009-S 366**BY Crowley****ENTITLED,** AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING

Committee on Municipal Government recommends passage in concurrence.

64 2009-S 906 SUB A**BY Fogarty P****ENTITLED,** AN ACT RELATING TO THE BURRILLVILLE SEWER
COMMISSION

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

65 2009-S 927**BY Algieri****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM
HOUSING STANDARDS -- TOWN OF WESTERLY

Committee on Municipal Government recommends passage in concurrence.

66 2009-S 955**BY Connors****ENTITLED,** AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE
QUINNVILLE FIRE DISTRICT IN THE TOWN OF LINCOLN, AS
AMENDED

Committee on Municipal Government recommends passage in concurrence.

67 2009-S 85**BY Perry****ENTITLED,** AN ACT RELATING TO ELECTIONS -- REGISTRATION OF
VOTERS

Committee on Judiciary recommends passage in concurrence.

68 2009-S 161

BY Connors

ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage in concurrence.

Francis P. McCabe
Clerk of the House

Wednesday, June 24, 2009