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 fifth day of January in the year of Our Lord two thousand and ten.

Volume 137, No. 55 Thursday, June 3, 2010 Fifty-fifth Day

The House of Representatives meets at the State House in Providence, Thursday, June 3, 2010 and is called to order at 3:47 o'clock P.M., by the Honorable Gordon D. Fox, Speaker.

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

PRESENT - 74: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, 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, McCauley, Melo, Menard, Messier, Murphy, 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 - 1: Representative McNamara,

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Wednesday, June 2, 2010 is approved as printed.

COMMUNICATION

May 27, 2010

Hon. Gordon D. Fox
Speaker of the House
323 State House
Providence, RI 02903

Dear Speaker Fox:

I just wanted to inform you that I will be out of the state on business, Thursday June 3rd through Friday June 4, 2010.

Sincerely,

Joseph M. McNamara
Chairman, Health Education & Welfare
Representative- District 19

Received and placed on file.

AT EASE

At 3:50 o'clock P.M. the Honorable Speaker Fox declares the House to be at ease.

ORDER

At 4:08 o'clock P.M. the Honorable Speaker Fox calls the House to order.

REPORTS OF COMMITTEE

COMMITTEE ON JUDICIARY

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

House Bill No. 8152 SUB A
BY Palumbo, Kilmartin, Corvese, Rice A, Caprio D
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- COMMUNITY NOTIFICATION (would create the Sexual Offender Registration and Community Notification Act with registration requirements including timing of registration, required information, tiered offenses, duration of registration and frequency of verification) {LC2631/3/A}
06/03/2010 Placed on House Calendar

NEW BUSINESS

House Bill No. 8220
BY Slater, Diaz
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND HUMAN RESOURCE INVESTMENT COUNCIL {LC2733/1}
06/03/2010 Introduced, referred to House Labor

House Bill No. 8221
BY Lally, Caprio D
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES {LC2814/1}
06/03/2010 Introduced, referred to House Municipal Government

House Bill No. 8222
BY Rice A
ENTITLED, AN ACT RELATING TO EDUCATION {LC2849/1}
06/03/2010 Introduced, referred to House H.E.W.

House Bill No. 8223
BY Diaz, Slater, Almeida, Fierro, Silva
ENTITLED, AN ACT RELATING TO HUMAN SERVICES - PUBLIC ASSISTANCE ACT {LC2796/1}
06/03/2010 Introduced, referred to House H.E.W.

House Resolution No. 8224
BY Kilmartin
ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY POTENTIAL ECONOMIC OPPORTUNITIES IN THE DEVELOPMENT OF PORT FACILITIES IN THE STATE OF RHODE ISLAND {LC2837/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8225
BY Melo, Savage, Messier, Hearn, DaSilva
ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF UP TO $12,000,000 LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS
BY THE CITY OF EAST PROVIDENCE TO FINANCE THE CONSTRUCTION AND EQUIPPING OF AN ENERGY SAVINGS CAPITAL IMPROVEMENT PROJECT FOR SCHOOLS IN THE CITY INCLUDING BUT NOT LIMITED TO LEASE OBLIGATIONS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION {LC2826/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8226
BY Ruggiero
ENTITLED, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO FINANCE THE CONSTRUCTION OF A WIND TURBINE GENERATOR AND TO ISSUE NOT MORE THAN $6,500,000 BONDS AND NOTES THEREFOR {LC2828/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8227
BY Ruggiero, Jackson, Rice A
ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE ROAD CONSTRUCTION AND DRAINAGE AND SIDEWALK IMPROVEMENTS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN $2,000,000 BONDSAND/OR NOTES THEREFOR {LC2807/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8228 (by request)
BY Carter, Ehrhardt, Lally
ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING $9,200,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES {LC2825/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8229
BY Lally, O`Neill JP, Trillo, San Bento, Almeida
ENTITLED, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS {LC2822/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8230
BY Gallison, Vaudreuil, Melo, Savage, Jackson
ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS {LC2808/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8231
BY Gallison, Vaudreuil, Melo, Savage, Jackson
ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHER RETIREMENT {LC2809/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8232
BY Gallison, Vaudreuil, Melo, Savage, Jackson
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES {LC2810/1}
06/03/2010 Introduced, referred to House Finance

House Resolution No. 8233
BY Gallison, Vaudreuil, Melo, Savage, Jackson
ENTITLED, JOINT RESOLUTION CREATING A PERMANENT LEGISLATIVE COMMISSION ON SHARED MUNICIPAL SERVICES {LC2811/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8234
BY Gallison, Vaudreuil, Melo, Savage, Jackson
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- OTHER POST-EMPLOYMENT BENEFITS TRUSTS {LC2812/1}
06/03/2010 Introduced, referred to House Finance

House Resolution No. 8235
BY Handy
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ESTABLISHMENT OF UNIVERSAL VOLUNTARY RETIREMENT ACCOUNTS {LC2813/1}
06/03/2010 Introduced, referred to House Finance

House Bill No. 8236
BY Watson
ENTITLED, AN ACT RELATING TO REGISTRATION OF VEHICLES -- POLICE CHIEF EMERITUS {LC2818/1}
06/03/2010 Introduced, referred to House Constituent Services

House Bill No. 8237
BY Watson, Trillo, Ehrhardt
ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS {LC2821/1}
06/03/2010 Introduced, referred to House Constituent Services

House Bill No. 8238
BY Watson
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE EMBLEMS {LC2820/1}
06/03/2010 Introduced, referred to House Constituent Services

House Resolution No. 8239
BY Gallison, Jackson, Martin, Ruggiero, Rice A
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION ON DEFENSE ECONOMY PLANNING {LC2816/1}
06/03/2010 Introduced, referred to House Constituent Services

House Bill No. 8240
BY Guthrie, Sullivan, Pollard, Rice M, MacBeth
ENTITLED, AN ACT RELATING TO TAXATION -- EXCISE TAX ON MOTOR VEHICLES {LC2854/1}
06/04/2010 Introduced, referred to House Finance

RULE 17

The following bills were received pursuant to Rule 17:

Representative Slater -An Act relating to State Affairs

Representative Ruggiero-An Act relating to Bond Middletown

Representative Watson-An Act relating to General Assembly

Representative Melo-An Act relating to Bond

Representative Rice -An Act relating to Education

Representative Gallison-An Act relating to Towns & Cities

Representative Gallison- Joint Resolution creating a Legislative Commission

Representative Gallison-An Act relating to Towns & Cities

Representative Gallison-An Act relating to Education

Representative Gallison-An Act relating to Education

Representative Ruggiero-An Act relating to Bonds

Representative Watson-An Act relating to State Affairs

Representative Watson-An Act relating to Registration of Vehicles

Representative Gallison- Joint Resolution creating a Legislative Commission

Representative Handy- - Joint Resolution creating a Legislative Commission

Representative Carter-An Act relating to Bonds

Representative Lally-An Act relating to Sports Racing

Representative Lally-An Act relating to Taxation

Representative Diaz-An Act relating to Human Services

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2017
BY Tassoni, McBurney, Doyle, Connors
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - THE MILITARY RESERVE -- RESERVIST EDUCATION BENEFITS (would provide educational benefits for military reservists.) {LC36/1}
06/03/2010 Referred to House Corporations

Senate Bill No. 2164
BY Ciccone, DiPalma, Maselli, Blais, Ruggerio
ENTITLED, AN ACT RELATING TO EDUCATION - TEACHERS' RETIREMENT (prohibit any person who has retired and who is receiving a pension or retirement allowance, under the provisions of this chapter, from being employed as an administrator for more than ninety (90) days in the aggregate) {LC942/1}
06/03/2010 Referred to House Labor

Senate Bill No. 2780 as amended
BY Goodwin
ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- DEVELOPMENTALLY DISABLED ADULTS (act would offer private operators of state-owned group homes the right of first refusal should the state to decide to sell the facility) {LC1614/1}
06/03/2010 Referred to House Environment and Natural Resources

Senate Resolution No. 2957
BY Walaska, Bates
ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY POTENTIAL ECONOMIC OPPORTUNITIES IN THE DEVELOPMENT OF PORT FACILITIES IN THE STATE OF RHODE ISLAND {LC2787/1}
06/03/2010 Referred to House Finance

Senate Resolution No. 2888
BY Gallo, DeVall, Fogarty P, Maselli, DiPalma
ENTITLED, JOINT RESOLUTION SUPPORTING THE FEDERAL "RACE TO THE TOP" GRANT PROGRAM AND URGING THE GOVERNOR AND THE RHODE ISLAND DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION TO SUBMIT A COMPETITIVE APPLICATION FOR THE RACE TO THE TOP ROUND TWO {LC2685/1}
06/03/2010 Placed on House Calendar

House Bill No. 8152 SUB A
BY Palumbo, Kilmartin, Corvese, Rice A, Caprio D
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- COMMUNITY NOTIFICATION (would create the Sexual Offender Registration and Community Notification Act with registration requirements including timing of registration, required information, tiered offenses, duration of registration and frequency of verification) {LC2631/3/A}
06/03/2010 Placed on House Calendar

Senate Resolution No. 2173
BY DiPalma, Lanzi, Gallo, Connors, Paiva-Weed
ENTITLED, JOINT RESOLUTION SUPPORTING THE NEW ENGLAND SECONDARY SCHOOL CONSORTIUM {LC1678/1}
06/02/2010 Placed on House Calendar

Senate Resolution No. 2888
BY Gallo, DeVall, Fogarty P, Maselli, DiPalma
ENTITLED, JOINT RESOLUTION SUPPORTING THE FEDERAL "RACE TO THE TOP" GRANT PROGRAM AND URGING THE GOVERNOR AND THE RHODE ISLAND DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION TO SUBMIT A COMPETITIVE APPLICATION FOR THE RACE TO THE TOP ROUND TWO {LC2685/1}
06/03/2010 Placed on House Calendar

CALENDAR

From the Calendar are taken:

SPECIAL ORDER OF BUSINESS FOR THURSDAY, JUNE 3, 2010 AT 2:00 PM:

1 2010-H 7397 SUB A
BY Watson
ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

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 2011

ARTICLE 2 RELATING TO BORROWING IN ANTICIPATION OF RECEIPTS FROM TAXES

ARTICLE 3 RELATING TO SUPPLEMENTAL SECURITY INCOME PAYMENTS

ARTICLE 4 RELATING TO BUDGET RESERVE FUND

ARTICLE 5 RELATING TO CAPITAL DEVELOPMENT PROGRAM

ARTICLE 6 RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

ARTICLE 7 RELATING TO GOVERNMENT RESTRUCTURING

ARTICLE 8 RELATING TO RESTRICTED RECEIPT ACCOUNTS

ARTICLE 9 RELATING TO REVENUES

ARTICLE 10 RELATING TO RHODE ISLAND RESOURCE RECOVERY CORPORATION

ARTICLE 11 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2010

ARTICLE 12 RELATING TO PUBLIC UTILITIES COMMISSION CATV ASSESSMENT

ARTICLE 13 RELATING TO EDUCATION AID

ARTICLE 14 RELATING TO MENTAL HEALTH LAW

ARTICLE 15 RELATING TO HOSPITAL UNCOMPENSATED CARE

ARTICLE 16 RELATING TO PENSION REFORM

ARTICLE 17 RELATING TO GENERAL PUBLIC ASSISTANCE – HARDSHIP CONTINGENCY FUND

ARTICLE 18 RELATING TO TREATMENT ALTERNATIVES TO STREET CRIME

ARTICLE 19 RELATING TO CHILDREN'S HEALTH ACCOUNT

ARTICLE 20 RELATING TO MEDICAL ASSISTANCE

ARTICLE 21 RELATING TO MEDICAID REFORM

ARTICLE 22 RELATING TO UNEMPLOYMENT INSURANCE

ARTICLE 23 RELATING TO MOTOR VEHICLE REIMBURSEMENTS

ARTICLE 24 RELATING TO EFFECTIVE DATE

Representative Costantino moves passage of the act, seconded by Representatives Carter, Coderre, O'Neill, Martin, Naughton, Almeida, Shallcross Smith, Melo, Gemma, Jackson, Silva, Murphy, Vaudreuil, and M. Rice.

ARTICLE 1 RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2011

Representative Costantino moves passage of the article, seconded by Representatives Carter, Melo O'Neill, Mattiello, Martin, Carnevale, Shallcross Smith, Almeida, San Bento, Gemma, Gallison, Fierro and Gablinske.

By unanimous consent, Representative Costantino, seconded by Representatives O'Neill, Carter, Gemma, Ucci and Melo offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 1, page 1, by deleting all the language contained in the article following the title on line 2 and by substituting the following language in place thereof:

"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, 2011. 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	1,475,743
Legal Services	
General Revenues	1,653,248
Other Fund	
Legal Support/DOT	40,034
Total - Legal Services	1,693,282
Accounts and Control	
General Revenues	3,806,968
Budgeting General Revenues	2,077,066
Purchasing	
General Revenues	2,281,261
Federal Funds	83,458
Restricted Receipts – OERR	189,996

Total - Purchasing	2,554,715
Auditing	
General Revenues	1,287,300
Restricted Receipts – OERR	149,215
Total - Auditing	1,436,515
Human Resources	
General Revenues	8,751,900
Federal Funds	619,186
Restricted Receipts	373,650
Other Funds	1,402,085
Total – Human Resources	11,146,821
Personnel Appeal Board General Revenues	80,803
Facilities Management	
General Revenues	31,912,385
Federal Funds	813,073
Restricted Receipts	356,921
Other Funds	3,769,381
Total – Facilities Management	36,851,760
Capital Projects and Property Management	
General Revenues	2,582,383
Federal Funds - Stimulus	125,625
Restricted Receipts	1,068,084
Total – Capital Projects and Property Management	3,776,902
Information Technology	
General Revenues	19,226,491
Federal Funds	5,367,473
Federal Stimulus	316,490
Restricted Receipts	913,984
Other Funds	1,765,587
Total – Information Technology	27,590,025
Library and Information Services	
General Revenues	886,847
Federal Funds	1,383,354
Restricted Receipts	3,000
Total – Library and Information Services	2,273,201
Planning	
General Revenues	3,331,033
Federal Funds	7,589,208
Federal Funds–Stimulus	2,011,598
Other Funds	
Federal Highway PL Systems Planning	4,979,556
Air Quality Modeling	10,000
Total - Planning	17,921,395
General	
General Revenues	
Economic Development Corporation	5,500,807

EDC – Airport Impact Aid	1,025,000

Sixty percent (60%) of the first $1,000,000 appropriated for airport impact aid 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 based on the share of landings during the calendar year 2010 at North Central Airport, Newport-Middletown Airport, Block Island Airport, Quonset Airport, TF Green Airport, and Westerly Airport, respectively. The Economic Development Corporation shall make an impact payment to the towns or cities in which the airport is located based on this calculation.

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
Transition costs for Elected officials	100,000
Slater Centers of Excellence	2,000,000
Torts–Court	400,000
Teachers Retiree Health Subsidy	2,344,502
Property Revaluation Program	1,000,000
Payment in Lieu of Tax Exempt Properties	27,580,409
Distressed Communities Relief Program	10,384,458
Resource Sharing and State Library Aid	8,773,398
Library Construction Aid	2,492,974
Motor Vehicle Excise Tax	10,000,000
Transfer to RICAP	22,000,000
Restricted Receipts	1,378,997
Rhode Island Capital Plan Funds	
State House Renovations	1,825,000
Cranston Street Armory	500,000
Pastore Center Rehabilitation DOA	1,000,000
Zambarano Building Rehabilitation	450,000
Old State House	275,000
State Office Building	1,000,000
Old Colony House	300,000
William Powers Building	300,000
Fire Code Compliance State Buildings	450,000
Pastore Center Fire Code Compliance	500,000
Pastore Center Utility Systems	620,000
Replacement of Fueling Tanks	170,073
Environmental Compliance	600,000
Pastore Utilities Upgrade	1,000,000
Station Park	200,000
Pastore Center Building Demolition	1,500,000
Health Laboratory Feasibility Study	175,000
McCoy Stadium	372,500
Washington County Government Center	875,000
DoIT Operations Center	3,900,000

Pastore Central Power Plant	900,000
Veterans Memorial Auditorium	2,500,000
Neighborhood Opportunities Program	1,500,000
Adolph Meyer Renovations	0
Pastore Center Parking	225,000
Total - General	118,014,074
Debt Service Payments	
General Revenues	138,595,566
Federal Funds	744,172
Restricted Receipts	5,961,330
Other Funds	
RIPTA Debt Service	1,110,876
Transportation Debt Service	44,477,387
Investment Receipts – Bond Funds	100,000
COPS – DLT Building - TDI	279,166
Total – Debt Service Payments	191,268,497
Energy Resources	
Federal Funds	34,017,221
Federal Funds–Stimulus	27,799,664
Restricted Receipts	7,423,118
Total - Energy Resources	69,240,003
Personnel Reform	
General Revenues	
Pension Reform 2010	(5,654,329)
Federal Funds	
Pension Reform 2010	(1,297,977)
Restricted Receipts	
Pension Reform 2010	(487,960)
Other Funds	
Pension Reform 2010	(738,091)
Total – Pension Reform	(8,178,357)
Sheriffs General Revenues	16,341,206
Grand Total - Administration	499,299,809
Business Regulation	
Central Management General Revenues	1,024,858
Banking Regulation	
General Revenues	1,696,156
Restricted Receipts Total	125,000
Total – Banking Regulation	1,821,156
Securities Regulation	
General Revenues	839,862
Restricted Receipts	15,000
Total – Securities Regulation	854,862
Insurance Regulation	
General Revenues	4,439,718
Restricted Receipts	1,143,213

Total – Insurance Regulation	5,582,931
Board of Accountancy General Revenues	164,031
Commercial Licensing, Racing and Athletics	
General Revenues	735,531
Restricted Receipts	460,170
Total – Commercial Licensing, Racing and Athletics	1,195,701
Boards for Design Professionals General Revenues	255,891
Grand Total – Business Regulation	10,899,430
Labor and Training	
Central Management	
General Revenues	127,131
Restricted Receipts	621,097
Rhode Island Capital Plan Funds	
Center General Roof	745,056
Total - Central Management	1,493,284
Workforce Development Services	
General Revenues	65,119
Federal Funds	29,742,240
Federal Funds - Stimulus	5,477,236
Restricted Receipts	6,298,170
Total – Workforce Development Services	41,582,765
Workforce Regulation and Safety General Revenues	2,404,353
Income Support	
General Revenues	4,117,831
Federal Funds	18,693,187
Federal Funds – Stimulus - UI	128,045,000
Restricted Receipts	1,529,556
Other Funds	
Temporary Disability Insurance Fund	173,002,366
Employment Security Fund	448,928,000
Reed Act /UC Modernization	4,279,178

The entire amount is appropriated from the Unemployment Compensation Modernization Incentive Payments solely for the administration of this state's unemployment compensation law (Section 903(f), SSA).

Total - Income Support	778,595,118
Injured Workers Services Restricted Receipts	9,080,322
Labor Relations Board General Revenues	402,597
Grand Total - Labor and Training	833,558,439
Department of Revenue	
Director of Revenue Office General Revenues	500,231
Office of Revenue Analysis General Revenues	555,607
Lottery Division Lottery Funds	192,140,596
Municipal Finance General Revenues	1,159,585
Taxation	
General Revenues	16,726,289
Federal Funds	1,234,831

Federal Funds Stimulus	16,408
Restricted Receipts	809,091
Other Funds	
Motor Fuel Tax Evasion	83,735
Temporary Disability Insurance	908,539
Tax Data Warehouse	500,000
Total – Taxation	20,278,893
Registry of Motor Vehicles	
General Revenues	16,537,373
Federal Funds	1,038,531
Restricted Receipts	15,100
Rhode Island Capital Plan Funds – Registry of Motor Vehicles	4,104,501
Total – Registry of Motor Vehicles	21,695,505
Grand Total – Revenue	236,330,417
Legislature	
General Revenues	37,474,136
Restricted Receipts	1,575,008
Grand Total - Legislature	39,049,144
Lieutenant Governor General Revenues	924,479
Secretary of State	
Administration General Revenues	1,943,053
Corporations General Revenues	2,070,271
State Archives	
General Revenues	80,084
Restricted Receipts	494,567
Total - State Archives	574,651
Elections and Civics General Revenues	1,913,831
Federal Funds	100,000
Total – Elections and Civics	2,013,831
State Library General Revenues	571,887
Office of Public Information General Revenues	329,581
Grand Total - Secretary of State	7,503,274
General Treasurer	
Treasury	
General Revenues	2,183,087
Federal Funds	261,617
Other Funds	
Temporary Disability Insurance Fund	218,915
Total – Treasury	2,663,619
State Retirement System	
Restricted Receipts	
Administrative Expenses – State Retirement System	10,978,332
Retirement – Treasury Investment Operations	1,143,087
Total – State Retirement System	12,121,419
Unclaimed Property Restricted Receipts	15,789,173
Crime Victim Compensation Program	

General Revenues	87,562
Federal Funds	846,563
Restricted Receipts	1,510,022
Total – Crime Victim Compensation Program	2,444,147
Grand Total - General Treasurer	33,018,358
Board of Elections	
General Revenues	1,847,971
Public Financing of General Elections	2,110,000
Grand Total - Board of Elections	3,957,971
Rhode Island Ethics Commission General Revenues	1,482,659
Office of Governor	
General Revenues	4,502,606
Contingency Fund	250,000
Restricted Receipts - OERR	1,498,546
Grand Total - Office of Governor	6,251,152
Commission for Human Rights	
General Revenues	1,014,978
Federal Funds	356,689
Grand Total – Commission for Human Rights	1,371,667
Public Utilities Commission	
Federal Funds	102,225
Federal Funds - Stimulus	194,105
Restricted Receipts	7,430,326
Grand Total - Public Utilities Commission	7,726,656
Office of Health and Human Services	
General Revenues	3,420,163
Federal Funds	2,873,533
Restricted Receipts	874,013
Total – Health and Human Services	7,167,709
Children, Youth, and Families	
Central Management	
General Revenues	4,451,118
Federal Funds	1,960,809
Restricted Receipts	301,122
Total - Central Management	6,713,049
Children's Behavioral Health Services	
General Revenues	11,706,718
Federal Funds	10,893,490
Federal Funds – Stimulus	1,121,026
Rhode Island Capital Plan Funds	
Groden Center Mt. Hope	275,000
NAFI Center	550,000
Total - Children's Behavioral Health Services	24,546,234
Juvenile Correctional Services	
General Revenues	31,886,768
Federal Funds	2,224,548

Federal Funds – Stimulus	714,156
Adolp Meyer renovations Girls Training School	2,500,000
Total - Juvenile Correctional Services	37,325,472
Child Welfare	
General Revenues	95,697,218
18 to 21 Year Olds	9,104,273
Federal Funds	50,991,522
18 to 21 Year Olds	4,187,196
Federal Funds – Stimulus	5,762,416
Restricted Receipts	2,005,793
Rhode Island Capital Plan Funds	
Camp E-Hun-Tee	65,000
Fire Code Upgrades	1,000,000
Total - Child Welfare	168,813,418
Higher Education Incentive Grants General Revenue	200,000
Grand Total – Children, Youth, and Families	237,598,173
Elderly Affairs	
General Revenues	
General Revenues	8,758,124
RIPAE	1,341,175
Care and Safety of the Elderly	1,300
Federal Funds	15,053,664
Federal Funds - Stimulus	882,402
Restricted Receipts	675,931
Grand Total - Elderly Affairs	26,712,596
Health	
Central Management	
General Revenues	1,604,353
Federal Funds	9,194,894
Restricted Receipts	2,635,336
Total - Central Management	13,434,583
State Medical Examiner	
General Revenues	2,056,373
Federal Funds	212,509
Total – State Medical Examiner	2,268,882
Environmental and Health Services Regulation	
General Revenues	8,411,277
Federal Funds	4,426,864
Restricted Receipts	3,669,775
Total – Environmental and Health Services Regulation	16,507,916
Health Laboratories	
General Revenues	7,050,149
Federal Funds	1,186,887
Total - Health Laboratories	8,237,036
Public Health Information	
General Revenues	1,909,149

Federal Funds	1,571,266
Total – Public Health Information	3,480,415
Community and Family Health and Equity	
General Revenues	4,324,134
Federal Funds	40,295,603
Federal Funds – Stimulus	4,219,716
Restricted Receipts	18,777,842
Walkable Communities Initiative	13,091
Safe and Active Commuting	83,958
RI Airport Corporation Funds	82,792
Total – Community and Family Health and Equity	67,797,136
Infectious Disease and Epidemiology	
General Revenues	2,269,468
Federal Funds	2,151,372
Total – Infectious Disease and Epidemiology	4,420,840
Grand Total - Health	116,146,808
Human Services	
Central Management	
General Revenues	5,144,596
Federal Funds	5,155,633
Federal Funds – Stimulus	3,784,249
Restricted Receipts	800,001
Total - Central Management	14,884,479
Child Support Enforcement	
General Revenues	2,358,873
Federal Funds	6,072,456
Federal Funds – Stimulus	813,300
Total – Child Support Enforcement	9,244,629
Individual and Family Support	
General Revenues	22,152,712
Federal Funds	80,216,754
Federal Funds – Stimulus	36,328,397

In addition to the activities that are part of the approved federal plan for the state's use of Temporary Assistance to Needy Families Emergency Contingency funding provided by the American Recovery and Reinvestment Act of 2009, the Department may, with the remaining federal funds, give priority to employment support activities for families reaching the Rhode Island Works program's time limits and to housing assistance programs administered through the Department of Administration's Housing Resources Commission to address homelessness issues, including mortgage and rental assistance.

Restricted Receipts	180,000
Blind Vending Facilities	75,000
Intermodal Surface Transportation Fund	4,210,000
Total – Individual and Family Support	143,162,863
Veterans' Affairs	
General Revenues	19,437,637
Federal Funds	6,682,784

Restricted Receipts	1,491,200
Total - Veterans' Affairs	27,611,621
Health Care Quality, Financing and Purchasing	
General Revenues	21,047,376
Federal Funds	45,026,382
Restricted Receipts	60,000
Total – Health Care Quality, Financing & Purchasing	66,133,758
Medical Benefits	
General Revenues	
Managed Care	224,653,257
Hospitals	108,579,127
Nursing Facilities	115,209,692
Home and Community Based Services	25,070,500
Other	37,096,383
Pharmacy	39,167,569
Rhody Health	64,665,364
Federal Funds	
Managed Care	335,553,819
Hospitals	127,120,272
Nursing Facilities	170,120,468
Home and Community Based Services	37,019,500
Other	64,798,735
Pharmacy	5,923,120
Rhody Health	95,485,908
Special Education	20,837,655
Federal Funds – Stimulus	159,192,031
Restricted Receipts	6,915,000
Total – Medical Benefits	1,637,408,400
Supplemental Security Income Program General Revenues	19,310,887
Family Independence Program	
General Revenues	
Child Care	8,780,999
Federal Funds	
Federal Funds	78,138,767
Federal Funds – Stimulus	596,350
Total - Family Independence Program	87,516,116
State Funded Programs	
General Revenues	
General Public Assistance	2,653,682
Federal Funds	234,379,115
Federal Funds – Stimulus	43,000,000
Total - State Funded Programs	280,032,797
Grand Total - Human Services	2,285,305,550
Mental Health, Retardation, and Hospitals	
Central Management	
General Revenues	795,281

Federal Funds	131,287
Restricted Receipts	632,882
Total - Central Management	1,559,450
Hospital and Community System Support	
General Revenues	1,829,075
Rhode Island Capital Plan Funds	
Medical Center Rehabilitation	1,420,000
Community Facilities Fire Code	1,000,000
DD Private Waiver Community Facility/Fire Code	602,691
Total - Hospital and Community System Support	4,851,766
Services for the Developmentally Disabled	
General Revenues	81,508,130
Federal Funds	121,373,476
Federal Funds – Stimulus	24,661,865
Restricted Receipts	2,007,500
Rhode Island Capital Plan Funds	
Regional Center Repair/Rehabilitation	500,000
MR Community Facilities/Access to Independence	1,100,000
Developmental Disability Group Homes	1,000,000
Total – Services for the Developmentally Disabled	232,150,971
Behavioral Healthcare Services	
General Revenues	41,614,835
Federal Funds	55,902,313
Federal Funds – Stimulus	8,044,623
Restricted Receipts	90,000
Rhode Island Capital Plan Funds	
MH Community Facilities Repairs	300,000
MH Housing Development-Thresholds	500,000
MH Residences Furniture	56,000
Substance Abuse Asset Protection	200,000
Total – Behavioral Healthcare Services	106,707,771
Hospital and Community Rehabilitation Services	
General Revenues	37,936,923
Federal Funds	41,236,882
Federal Funds – Stimulus	8,568,312
Restricted Receipts	7,958,252
Rhode Island Capital Plan Funds	
Zambarano Buildings and Utilities	780,000
Eleanor Slater HVAC/Elevators	2,000,000
Hospital Consolidation	3,000,000
Total - Hospital and Community Rehabilitation Services	101,480,369
Grand Total - Mental Health, Retardation, and Hospitals	446,750,327
Office of the Child Advocate	
General Revenues	543,822
Federal Funds	45,805
Grand Total – Office of the Child Advocate	589,627

Commission on the Deaf and Hard of Hearing General Revenues	362,824
Governor's Commission on Disabilities	
General Revenues	367,229
Federal Funds	193,598
Restricted Receipts	13,626
Rhode Island Capital Plan Funds	
Facility Renovation – Handicapped Accessibility	250,000
Grand Total - Governor's Commission on Disabilities	824,453
Office of the Mental Health Advocate General Revenues	440,950
Elementary and Secondary Education	
Administration of the Comprehensive Education Strategy	
General Revenues	20,063,593
Federal Funds	190,900,733
Federal Funds – Stimulus	28,557,969
Restricted Receipts	951,487
HRIC Adult Education Grants	4,640,000
Statewide Transportation - RIPTA Grant	200,000
Rhode Island Capital Plan Funds	
State Owned Schools – Chariho Repairs	700,000
State Owned Schools – East Providence	107,872
State Owned Schools – Cranston Repairs	560,000
State Owned Schools – Newport Repairs	343,362
State Owned Schools – Warwick Repairs	258,036
State Owned Schools – Woonsocket Repairs	450,788
Total – Administration of the Comprehensive Education Strategy	247,733,840
Davies Career and Technical School	
General Revenues	14,320,912
Federal Funds	1,377,959
Federal Funds–Stimulus	690,087
Rhode Island Capital Plan Funds	
Davies Roof Repair	800,000
Davies HVAC	999,000
Davies Asset Protection	150,000
Total-Davies Career and Technical School	18,337,958
RI School for the Deaf	
General Revenues	6,032,357
Federal Funds	325,509
Federal Funds – Stimulus	249,940
Restricted Receipt	720,941
Total - RI School for the Deaf	7,328,747
Metropolitan Career and Technical School	
General Revenues	12,616,028
Federal Funds - Stimulus	467,191
Rhode Island Capital Plan Funds	
MET School East Bay	4,000,000
Total - Metropolitan Career and Technical School	17,083,219

Education Aid	
General Revenues	614,888,594
Federal Funds - Stimulus	16,322,112
Restricted Receipt	17,618,322
Total – Education Aid	648,829,028
Central Falls School District	
General Revenues	41,774,118
Federal Funds - Stimulus	1,089,396
Permanent School Fund – Central Falls	183,624
Total - Central Falls School District	43,047,138
Housing Aid General Revenues	70,774,727
Teachers' Retirement General Revenues	75,598,212
Grand Total - Elementary and Secondary Education	1,128,732,869
Public Higher Education	
Board of Governors/Office of Higher Education	
General Revenues	6,973,398
Federal Funds	3,733,780
Total – Board of Governors/Office of Higher Education	10,707,178
University of Rhode Island	
General Revenues	56,618,919
Debt Service	15,967,304
Federal Funds - Stimulus	5,036,744
University and College Funds	528,635,501
Debt - Dining Services	1,138,100
Debt - Educational and General	4,436,435
Debt - Health Services	156,415
Debt - Housing Loan Funds	8,529,091
Debt - Memorial Union	127,290
Debt - Ryan Center	2,798,555
Debt - Alton Jones Services	115,211
Debt - Parking Authority	1,187,081
Debt – Sponsored Research	102,388
Debt - URI Energy Conservation	1,896,738
Rhode Island Capital Plan Funds	
Asset Protection	5,327,980
New Chemistry Building	4,500,000
Joint Nursing Building Feasibility	150,000

Provided that the feasibility study include enrollment projections, operating costs, space sharing plans, governance plans and a comparison to alternate plans for separate facilities.

URI Biotechnology Center	2,334,910
Total – University of Rhode Island	639,058,662

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpected or unencumbered balances as of June 30, 2011 relating to the University of Rhode Island are hereby reappropriated to fiscal year 2012.

Rhode Island College	
General Revenues	37,567,515

Debt Service	1,972,215
Federal Funds Total - Stimulus	3,973,232
University and College Funds	105,117,720
Debt - Education and General	295,196
Debt - Housing	412,704
Debt - Student Center and Dining	172,692
Debt - Student Union	235,031
Debt - G.O. Debt Service	1,615,685
Rhode Island Capital Plan Funds	
Asset Protection	2,337,800
New Art Center Advanced	1,700,000
Total – Rhode Island College	155,399,790

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpected or unencumbered balances as of June 30, 2011 relating to the Rhode Island College are hereby reappropriated to fiscal year 2012.

Community College of Rhode Island	
General Revenues	42,884,078
Debt Service	1,623,414
Federal Funds - Stimulus	2,260,911
Restricted Receipts	930,000
University and College Funds	81,597,956
Debt – Bookstore	25,430
Rhode Island Capital Plan Funds	
Asset Protection	1,514,970
Fire Code & HVAC	1,800,000
Total – Community College of Rhode Island	132,636,759

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpected or unencumbered balances as of June 30, 2011 relating to the Community College of Rhode Island are hereby reappropriated to fiscal year 2012.

Grand Total – Public Higher Education	937,802,389
RI State Council on the Arts	
General Revenues	
Operating Support	665,871
Grants	1,002,475
Federal Funds	950,990
Other Funds	
Art for Public Facilities	435,000
Grand Total - RI State Council on the Arts	3,054,336
RI Atomic Energy Commission	
General Revenues	875,781
Federal Funds	300,159
URI Sponsored Research	266,410
Rhode Island Capital Plan Funds	
RINSC Asset Protection	50,000
Grand Total - RI Atomic Energy Commission	1,492,350
RI Higher Education Assistance Authority	

General Revenues	
Needs Based Grants and Work Opportunities	5,882,700
Authority Operations and Other Grants	840,647
Federal Fund	12,044,337
Other Funds	
Tuition Savings Program – Needs Based Grants & Work Op.	6,300,000
Tuition Savings Program - Administration	721,425
Grand Total – RI Higher Education Assistance Authority	25,789,109
RI Historical Preservation and Heritage Commission	
General Revenues	1,348,717
Federal Funds	835,804
Restricted Receipts	479,450
Grand Total - RI Historical Pres. and Heritage Comm.	2,663,971
RI Public Telecommunications Authority	
General Revenues	1,035,967
Corporation for Public Broadcasting	636,750
Grand Total – RI Public Telecommunications Authority	1,672,717
Attorney General	
Criminal	
General Revenues	13,048,850
Federal Funds	1,151,910
Federal Funds - Stimulus	40,370
Restricted Receipts	413,472
Total - Criminal	14,654,602
Civil	
General Revenues	4,297,585
Restricted Receipts	789,187
Total - Civil	5,086,772
Bureau of Criminal Identification	
General Revenues	1,075,046
Federal Funds	56,550
Total – Bureau of Criminal Identification	1,131,596
General	
General Revenues	2,788,249
Rhode Island Capital Plan Funds	
Building Renovations and Repairs	200,000
Total - General	2,988,249
Grand Total - Attorney General	23,861,219
Corrections	
Central Management General Revenues	8,071,545
Parole Board	
General Revenues	1,336,212
Federal Funds	38,000
Total - Parole Board	1,374,212
Institutional Corrections	
General Revenues	155,261,526

Federal Funds	1,723,983
Federal Funds - Stimulus	36,733
Rhode Island Capital Plan Funds	
Women's Bathroom Renovations	655,400
Asset Protection	2,500,000
General Renovations – Women's	2,389,724
ISC Exterior Envelope and HVAC	100,000
Minimum Security Kitchen Ex	325,000
Total - Institutional Corrections	162,992,366
Community Corrections	
General Revenues	13,660,118
Federal Funds	353,444
Federal Funds - Stimulus	642,700
Restricted Receipts	87,134
Total – Community Corrections	14,743,396
Grand Total - Corrections	187,181,519
Judiciary	
Supreme Court	
General Revenues	25,316,693
Defense of Indigents	3,365,689
Federal Funds	121,120
Restricted Receipts	1,308,353
Rhode Island Capital Plan Funds	
Judicial HVAC	300,000
Judicial Complexes Asset Protection	550,000
Total - Supreme Court	30,961,855
Superior Court	
General Revenues	20,407,009
Restricted Receipts	312,000
Total - Superior Court	20,719,009
Family Court	
General Revenues	17,506,835
Federal Funds	2,205,407
Total - Family Court	19,712,242
District Court	
General Revenues	10,248,515
Restricted Receipts	424,421
Total - District Court	10,672,936
Traffic Tribunal General Revenues	7,620,894
Workers' Compensation Court Restricted Receipts	7,583,440
Judicial Tenure and Discipline General Revenues	109,620
Grand Total - Judiciary	97,379,996
Military Staff	
National Guard	
General Revenues	1,446,704
Federal Funds	10,984,193

Restricted Funds	190,000
Rhode Island Capital Plan Funds	
AMC Roof Replacement	550,000
State Armories Fire Code Comp.	25,000
Federal Armories Fire Code	6,250
Asset Protection	260,000
Logistics/Maintenance Fac. Fire Code	6,250
FMS#3 Roof	15,000
Total - National Guard	13,483,397
Emergency Management	
General Revenues	1,335,731
Federal Funds	11,166,561
Restricted Receipts	652,475
Total - Emergency Management	13,154,767
Grand Total - Military Staff	26,638,164
Public Safety	
Central Management	
General Revenues	712,968
Federal Funds	4,244,982
Federal Funds – Stimulus	689,747
Restricted Receipts	508,345
Total – Central Management	6,156,042
E-911 Emergency Telephone System General Revenues	4,655,752
State Fire Marshal	
General Revenues	2,461,060
Federal Funds	261,250
Restricted Receipts	50,000
Grand Total - State Fire Marshal	2,772,310
Security Services General Revenues	3,308,669
Municipal Police Training Academy	
General Revenues	334,567
Federal Funds	189,704
Federal Funds - Stimulus	101,638
Grand Total - Municipal Police Training Academy	625,909
State Police	
General Revenues	55,551,474
Federal Funds	1,498,517
Federal Funds - Stimulus	145,716
Restricted Receipts	244,761
Rhode Island Capital Plan Funds	
Barracks and Training	1,500,000
State Police New Headquarters	4,750,000
Parking Area Improvements	200,000
Headquarters Repairs/Rehabilitation	100,000
State Microwave Upgrade	2,512,140
HQ Expansion (NG Facilities)	50,000

Traffic Enforcement - Municipal Training	116,617
Lottery Commission Assistance	180,044
Airport Corporation	207,764
Road Construction Reimbursement	2,173,855
Grand Total - State Police	69,230,888
Grand Total – Public Safety	86,749,570
Office of Public Defender	
General Revenues	9,590,261
Federal Funds	333,574
Federal Funds - Stimulus	96,566
Grand Total - Office of Public Defender	10,020,401
Environmental Management	
Office of the Director	
General Revenues	4,635,985
Federal Funds	566,300
Restricted Receipts	2,437,098
Total – Office of the Director	7,639,383
Natural Resources	
General Revenues	17,797,447
Federal Funds	21,379,160
Restricted Receipts	3,930,478
Other Funds	
DOT Recreational Projects	67,608
Blackstone Bikepath Design	1,013,705
Transportation MOU	81,243
Rhode Island Capital Plan Funds	
Dam Repair	750,000
Recreational Facilities Improvements	1,200,000
Fort Adams Rehabilitation	500,000
Galilee Piers Upgrade	1,080,000
Blackstone Valley Bike Path	500,000
Newport Piers	250,000
Fish and Wildlife Maintenance	75,000
Total - Natural Resources	48,624,641
Environmental Protection	
General Revenues	11,969,897
Federal Funds	12,849,946
Federal Funds – Stimulus	590,769
Restricted Receipts	7,769,340
Transportation - MOU	116,735
Retrofit Heavy-Duty Diesel Vehicles	3,560,000
Total - Environmental Protection	36,856,687
Grand Total - Environmental Management	93,120,711
Coastal Resources Management Council	
General Revenues	2,038,515
Federal Funds	2,095,196

Restricted Receipts	250,000
Grand Total – Coastal Resources Management Council	4,383,711
Water Resources Board	
General Revenues	1,316,540
Rhode Island Capital Plan Funds	
Big River Management Area	120,000
Grand Total – Water Resources Board	1,436,540
Transportation	
Central Management	
Federal Funds	14,118,217
Other Funds	
Gasoline Tax	1,304,716
Total - Central Management	15,422,933
Management and Budget	
Other Funds	
Gasoline Tax	1,652,721
Total - Management and Budget	1,652,721
Infrastructure – Engineering – Garvee/Motor Fuel Tax Bonds	
Federal Funds	257,415,591
Federal Funds – Stimulus	47,274,319
Restricted Receipts	1,000,000
Other Funds	
Gasoline Tax	51,869,001
State Infrastructure Bank	1,445,000
Land Sale Revenue	18,205,826
Highway Logo Program	100,000
Rhode Island Capital Plan Funds	
RIPTA Land and Buildings	70,000
RIPTA Paratransit	190,400
Total - Infrastructure – Engineering – Garvee/Motor Fuel Tax Bonds	377,570,137
Infrastructure Maintenance	
Other Funds	
Gasoline Tax	30,560,165
Non-land Surplus Property	30,000
Outdoor Advertising	300,000
Rhode Island Capital Plan Funds	
Maintenance Facility Improvements	650,000
East Providence Facility	1,582,810
Salt Storage Facilities	1,000,000
DOT Maintenance Facilities – Fire Alarms	125,000
Total - Infrastructure Maintenance	34,247,975
Grand Total - Transportation	428,893,766
Statewide Totals	
General Revenue Total	2,942,118,704
Federal Funds Total	2,903,497,922

Restricted Receipts Total	180,035,096
Other Funds Total	1,838,494,088
Statewide Grand Total	7,864,145,810

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

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

SECTION 4. From the appropriation for contingency shall be paid such sums as may be required at the discretion of the Governor to fund expenditures for which appropriations may not exist. Such contingency funds may also be used for expenditures in the several departments and agencies where appropriations are insufficient, or where such requirements are due to unforeseen conditions or are non-recurring items of an unusual nature. Said appropriations may also be used for the payment of bills incurred due to emergencies or to any offense against public peace and property, in accordance with the provisions of Titles 11 and 45 of the General Laws of 1956, as amended. All expenditures and transfers from this account shall be approved by the Governor.

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

Account	Expenditure Limit
State Assessed Fringe Benefit Internal Service Fund	34,617,701
Administration Central Utilities Internal Service Fund	25,814,372
State Central Mail Internal Service Fund	5,453,349
State Telecommunications Internal Service Fund	3,470,957
State Automotive Fleet Internal Service Fund	13,830,806
State Fleet Replacement Revolving Loan Fund	2,500,000
Capital Police Internal Service Fund	665,713
Health Insurance Internal Service Fund	306,132,044
Corrections General Services & Warehouse Internal Service Fund	6,769,398
Correctional Industries Internal Service Fund	7,371,579
Secretary of State Record Center Internal Service Fund	825,368

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

At least twenty (20) days prior to the issuance of a grant or the release of funds, which grant or funds are listed on the legislative letter of intent, all department, agency and corporation

directors, shall notify in writing the chairperson of the House Finance Committee and the chairperson of the Senate Finance Committee of the approximate date when the funds are to be released or granted.

SECTION 7. Appropriation of Temporary Disability Insurance Funds -- There is hereby appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2011.

SECTION 8. Appropriation of Employment Security Funds -- There is hereby appropriated pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2011.

SECTION 9. Appropriation of University and College Funds -- There is hereby appropriated pursuant to section 16-59-9 of the Rhode Island General Laws relating to the appropriation of funds by the General Assembly for Higher Education, and section 16-59-18 of the General Laws relating to receipts from sources other than appropriations, any funds received by the Board of Governors for Higher Education for the fiscal year ending June 30, 2011 payable out of the University and College Funds.

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, 2011.

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 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 non-state general revenue funding source.

FTE POSITION AUTHORIZATION

Departments and Agencies	Full-Time Equivalent

Administration	~~699.6~~ 871.6
Business Regulation	~~91.0~~ 90.0
Labor and Training	~~454.0~~ 519.4
Revenue	~~428.0~~ 426.0
Legislature	~~297.9~~ 295.9
Office of the Lieutenant Governor	8.0
Office of the Secretary of State	57.0
Office of the General Treasurer	~~83.0~~ 82.0
Board of Elections	12.0
Rhode Island Ethics Commission	12.0
Office of the Governor	~~46.0~~ 45.0
Commission for Human Rights	14.5
Public Utilities Commission	46.0
Rhode Island Commission on Women	0.0
Office of Health and Human Services	75.6
Children, Youth, and Families	~~700.0~~ 691.0
Elderly Affairs and Advocacy	31.0
Health	~~416.7~~ 410.7
Human Services	~~967.6~~ 963.6
Mental Health, Retardation, and Hospitals	~~1,395.2~~ 1,372.2
Office of the Child Advocate	5.8
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	~~149.4~~ 133.4
School for the Deaf	60.0
Davies Career and Technical School	~~133.0~~ 132.0
Office of Higher Education	~~20.4~~ 19.4

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~~ 2,436.5

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~~ 892.1

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~~ 804.1

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~~ 41.6
Historical Preservation and Heritage Commission	16.6
Public Telecommunications Authority	16.0
Office of the Attorney General	231.1
Corrections	~~1,423.0~~ 1,419.0

Judiciary	~~729.3~~ 723.3
Military Staff	~~112.0~~ 111.0
Public Safety	~~607.1~~ 423.1
Office of the Public Defender	93.0
Environmental Management	~~414.0~~ 410.0
Coastal Resources Management Council	30.0
Water Resources Board	6.0
Transportation	~~780.2~~ 772.2
Total	~~14,894.2~~ 14,827.6

SECTION 12. The amounts reflected in this Article include the appropriation of Rhode Island Capital Plan funds for fiscal year 2011 and supersede appropriations provided for FY 2011 within Section 12 of Article 1 of Chapter 68 of the P.L. of 2009.

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, 2012, June 30, 2013, June 30, 2014 and June 30, 2015. These amounts supersede appropriations provided within Section 12 of Article 1 of Chapter 68 of the P.L. of 2009. 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, 2012	Fiscal Yr Ending June 30, 2013	Fiscal Yr Ending June 30, 2014	Fiscal Yr Ending June 30, 2015
DOA-Pastore Utilities Upgrade	1,500,000	2,000,000	2,000,000	-
DOA-State House Renovations	2,000,000	3,000,000	9,000,000	-
DOA-Auditorium (Veterans')	1,400,000	4,000,000	3,850,000	2,050,000
DCYF-Fire Code Upgrades-Group Homes	1,000,000	1,000,000	-	-
MHRH- Eleanor Slater Hosp Consolidation		16,350,000	4,000,000	4,950,000
ELSEC-Met. School – East Bay	4,000,000	1,200,000	-	-
Higher Ed-Asset Protection-CCRI	1,657,101	1,700,000	1,743,500	1,788,305
Higher Ed-Asset Protection-RIC	2,561,160	2,625,000	2,693,250	2,763,548
Higher Ed-RIC Infrastructure Modernization		-	1,000,000	5,000,000
Higher Ed-Asset Protection-URI	5,842,364	6,000,000	6,157,500	6,320,000
DOC Asset Protection	3,300,000	3,500,000	3,500,000	3,000,000
Judicial Complexes-Asset Protection	600,000	625,000	650,000	650,000
Mil Staff-Asset Protection	270,000	280,000	300,000	300,000
DEM-Dam Repairs	850,000	1,000,000	550,000	550,000
DEM-Recreation Facility Improvements	1,260,000	1,325,000	1,390,000	1,500,000
DOT Salt Storage Facilities	2,000,000	2,000,000	2,000,000	2,000,000

SECTION 13. Reappropriation of Funding for Rhode Island Capital Plan Fund Projects--. Any unexpended and unencumbered funds from Rhode Island Capital Plan Fund project appropriations may be reappropriated at the recommendation of the Governor in the ensuing fiscal year and made available for the same purpose. The Governor shall submit a report of such reappropriations to the chairperson of the house finance committee and the chairperson of the senate finance committee stating the final enacted amount by project, the amounts expended and

the amounts reappropriated by August 15, 2010.

SECTION 14. 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 remain unissued as of January 1, 2010 is as follows:

Purpose	Statutory Reference	Unissued Amt to be Extended	Termination Date
Clean Water Act Environmental Trust Fund	Ch. 289-P.L. of 1986	$1,260,000	June 30, 2013
R.I. Water Pollution Revolving Loan and Trust Fund	Ch. 238-P.L. of 1988 as Amended by Ch. 303-P.L.of 1989 and Ch. 434-P.L.of 1990	$4,900,000	June 30, 2013

SECTION 15. 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, 2011.

SECTION 16. Should the U.S. Congress not enact an extension to the enhanced Federal Medical Assistance Percentage (FMAP), or adopt an alternative program to provide financial assistance in a substantially equivalent amount to State governments by December 31, 2010, the Governor is hereby authorized to institute across the board reductions of equal percentage in fiscal year 2011 only in general revenue appropriations equivalent to but not to exceed the unrealized FMAP resources, excluding any debt-related obligations that require the full faith and credit of the State. For purposes of this section, "unrealized FMAP resources" shall mean the difference between the amount that would have been distributed to the State by virtue of an FMAP extension and any amount actually provided by an alternative program. The General Assembly reserves the authority to alter the appropriations to achieve similar reductions

SECTION 17. This article shall take effect as of July 1, 2010."

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC01134/6
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Representatives Menard and Costantino discuss the amendment.

The motion to amend prevails on a roll call vote 62 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard,

Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 10: Representatives Brien, Corvese, Guthrie, Lima, Loughlin, MacBeth, Menard, Schadone, Trillo, Watson.

The article is read and prevails, as amended, on a roll call vote, 58 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 14: Representatives Brien, Corvese, Guthrie, Hearn, Jacquard, Lima, Loughlin, MacBeth, Menard, Newberry, Pollard, Schadone, Trillo, Watson.

ARTICLE 2 RELATING TO BORROWING IN ANTICIPATION OF RECEIPTS FROM TAXES

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

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

NAYS - 3: Representatives Loughlin, Newberry, Watson.

ARTICLE 3 RELATING TO SUPPLEMENTAL SECURITY INCOME PAYMENTS

Representative Naughton moves passage of the article, seconded by Representatives Giannini, San Bento, Gallison, Gemma, Almeida and Silva.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

In Article 3, page 1, line 12, by striking the numeral "2003" and inserting in place thereof the numeral "2009".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01138/2
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Representative Naughton discusses the amendment.

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

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

NAYS - 0.

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

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

NAYS - 2: Representatives Newberry, Watson.

ARTICLE 4 RELATING TO BUDGET RESERVE FUND

Representative Costantino moves passage of the article, seconded by Representatives Carter, Melo, O'Neill, Almeida, Gemma, San Bento, Gallison, Silva, and Fierro.

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

YEAS - 65: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 7: Representatives Corvese, Lima, Loughlin, MacBeth, Menard, Newberry, Watson.

ARTICLE 5 RELATING TO CAPITAL DEVELOPMENT PROGRAM

Representative Costantino moves passage of the article, seconded by Representative Silva, O'Neill, A. Rice, Gemma and Carter

Representative Costantino discusses the article.

By unanimous consent, Representative Costantino seconded by Representatives Carter, O'Neill, Segal and Ajello offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 5, page 1, between lines 24 and 25, by inserting the following language:

"(3) Open Space and Recreation $14,700,000

Approval of this question will authorize the State of Rhode Island to issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed ten million dollars ($10,000,000) for the purpose of acquiring title to all or a portion of land in and around

the former Rocky Point Park for the purpose of establishing the same as a public park, and three million two hundred thousand dollars ($3,200,000) for the purpose of transferring title to 25 India Street, Providence Rhode Island 02903 from the department of transportation to the department of environmental management, with the funds to be used to reimburse the US federal highway administration for the market value of the property preserving the same as open space and for recreation, and to further issue general obligation bonds, refunding bonds, and temporary notes in an amount not to exceed one million five hundred thousand dollars ($1,500,000) for the purpose of improvements and renovations to Fort Adams State Park in the city of Newport dedicated to the preservation and public accessibility of the Fort."

(2) In Article 5, page 4, between lines 32 and 33, by inserting the following language:

"Question 3 relating to bonds in the amount of fourteen million seven hundred thousand dollars ($14,700,000) for open space shall be allocated as follows:

(a) Rocky Point Park $10,000,000

Provide funds for the purpose of acquiring title to all or a portion of land in and around the former Rocky Point Park for the purpose of establishing the same as a public park.

(b) 25 India Street $3,200,000

Provide funds for the purpose of transferring title to 25 India Street, Providence Rhode Island 02903 from the department of transportation to the department of environmental management, with the funds to be used to reimburse the US federal highway administration for the market value of the property preserving the same as open space and for recreation.

(c) Fort Adams State Park $1,500,000

Provide funds for the purpose of improvements and renovations to Fort Adams State Park in the city of Newport dedicated to the preservation and public accessibility of the Fort."

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01140/4
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Representatives Costantino, Newberry, Ferri, Watson, Coderre, Gemma and Martin discuss the amendment.

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

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

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

Representatives Costantino and Menard discuss the act, as amended.

The article is read and prevails, as amended, on a roll call vote, 66 members voting in the affirmative and 6 members voting in the negative as follows:

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

NAYS - 6: Representatives Brien, Loughlin, MacBeth, Menard, Newberry, Schadone**.**

ARTICLE 6 RELATING TO DEBT MANAGEMENT ACT JOINT RESOLUTIONS

Representative Costantino moves passage of the article, seconded by Representatives Gemma, San Bento, Carter and Silva.

By unanimous consent, Representative Baldelli Hunt seconded by Representatives MacBeth, Lima and Menard, offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 6, page 4, line 18, by deleting the semicolon after the word “maturity” and inserting in place thereof the following language:

“. Provided, the sixty-eight million ninety thousand dollars (68,090,000) amount of the Bonds shall be divided and distributed over a four (4) year period in the amount of seventeen million dollars ($17,000,000) per year. The Authority shall apply the amount of seven million eleven thousand dollars ($7,011,000) scheduled for payment each year for a period of four (4) years as provided for herein; an additional ten million dollars ($10,000,000) shall be appropriated by the general assembly each year over the same four (4) year period, with any necessary final adjustments to the total amount to be made in the fourth and final appropriation;”

Respectfully submitted,

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REPRESENTATIVE BALDELLI-HUNT

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LC01141/6
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Representatives Baldelli-Hunt, Costantino, Menard, Edwards, Pollard, Corvese, Edwards, Brien, Melo, Guthrie, Mattiello, Jacquard and Gemma discuss the amendment.

The motion to amend fails on a roll call vote 22 members voting in the affirmative and 50 members voting in the negative as follows:

YEAS - 22: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, DaSilva, Driver, Ferri, Guthrie, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Messier, Pollard, Rice, A., Schadone, Trillo, Wasylyk, Watson, Winfield.

NAYS - 50: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Fierro, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Williams.

Representative MacBeth requests to vote section 2 and section 3 of Article 6 separately.

The Honorable Speaker Fox rules it is divisible.

Representative MacBeth offers an oral amendment. The Honorable Speaker Fox rules it is not acceptable.

Representatives Ehrhardt and Costantino discuss the Article.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 6, page 4, between lines 21 and 22, by inserting the following language:

"SECTION 4. Rhode Island Public Rail Corporation.

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 maintaining and constructing highways, roads, freeways, bridges and incidental structures as established by chapter 8 of title 24, chapter 5 of title 37 and chapter 13 of title 42 of the Rhode Island general laws; and

WHEREAS, The National Railroad Passenger Corporation ("Amtrak") owns the railroad

right-of-way along the Northeast Corridor throughout the state; and

WHEREAS, There are approximately seventy-two roads or bridges in the state located on or above Amtrak's railroad right-of-way; and

WHEREAS, The department estimates that annually at least two of the roads or bridges crossing Amtrak's rail right-of-way will undergo construction or reconstruction to accommodate the needs of the traveling public; and

WHEREAS, In connection with certain existing agreements between the department and Amtrak, the state has agreed from time to time to indemnify Amtrak and third-parties to the extent that Amtrak is required to indemnify third-parties (the "prior indemnities"); and

WHEREAS, In connection with future agreements relating to the construction or reconstruction to roads and bridges described above, the state and the department will be required to provide similar indemnities to Amtrak and third-parties to the extent that Amtrak is required to indemnify third-parties ("future indemnities"); and

WHEREAS, The State and the department may be themselves constitutionally prohibited from providing such prior indemnities and future indemnities, which may negatively impact commuter transit in Rhode Island, and the department therefore has designated the Rhode Island Public Rail Corporation ("Rail Corp"), a public instrumentality of the state established by chapter 42-64.2 et seq. of the general laws of Rhode Island (the "act") as the responsible party for providing Amtrak with such indemnities; 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, In connection with the extension of commuter rail service from Providence, Rhode Island to North Kingstown, Rhode Island, as provided in the South County Commuter Rail Service Agreements, described in article 17,

section 8 of chapter 68 of the public laws of 2009, Rail Corp has been designated as the entity responsible for securing and maintaining a liability insurance policy to provide funds to pay all or a portion of the liabilities of the state and Amtrak for property damage, personal injury, bodily injury and death arising out of the South County Commuter Rail Service (the "South County Commuter Rail Service insurance policy"), with policy limits of two hundred million United States dollars ($200,000,000), subject to a self-insured retention of seven million five hundred thousand United States dollars ($7,500,000) (the "retention"); and

WHEREAS, Under article 17, section 8 of chapter 68 of the public laws of 2009 and pursuant to chapter 18 of title 35 of the Rhode Island general laws, the general assembly authorized Rail Corp 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) 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) in favor of Amtrak to secure Rail Corp's performance of indemnities under the South County Commuter Rail Service Agreements, and 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

WHEREAS, Amtrak has agreed to accept a liability insurance policy with limits of two

hundred million United States dollars ($200,000,000), towards liabilities and a line or evergreen letter of credit established in the amount of seven million five hundred thousand United States dollars ($7,500,000) 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) in favor of Amtrak to secure the prior indemnities and the future indemnities or, in the alternative, to accept expansion of the scope of Rail Corp's South County Commuter Rail Service insurance policy and line or evergreen letter of credit to include the prior indemnities and the future indemnities; and

WHEREAS, The department further covenants and affirms 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 requirements undertaken by the department on behalf of the state and Rail Corp as outlined herein to provide the prior indemnities and the future indemnities, and the approval and authority for Rail Corp to obtain and maintain a line or evergreen letter of credit to secure the prior indemnities and the future indemnities or to amend the line or evergreen letter of credit relating to the South County Commuter Rail Service Indemnities to secure the prior indemnities and the future indemnities 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 provide for the prior indemnities and the future indemnities, which may include securing and maintaining a new insurance policy and line or letter of credit to secure the prior indemnities and future indemnities, or in the alternative, to amend or replace the South County Commuter Rail Service insurance policy and line or letter of credit in order that they may also secure the prior indemnities and the future indemnities; now, therefore be it

RESOLVED, That the general assembly hereby approves and authorizes Rail Corp to provide, and hereby approves and authorizes the department's support of Rail Corp and the use by Rail Corp of the department's funding to provide for the prior indemnities and the future indemnities, which may include securing and maintaining an insurance policy with limits of two hundred million United States dollars ($200,000,000), which shall provide funds to pay all or a portion of the liabilities and a line or evergreen letter of credit in the amount of seven million five hundred thousand United States dollars ($7,500,000) 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) to secure all or a portion of the prior indemnities and the future indemnities or, in the alternative, to amend the South County Commuter Rail Service insurance policy and line or evergreen letter of credit to secure Rail Corp's performance of the prior indemnities and the future indemnities in favor of the National Railroad Passenger Corporation (Amtrak) and third-parties to the extent that Amtrak is required to indemnify and defend third-parties for all claims, damages, losses, liabilities and expenses for personal injury, bodily injury, death, or property damage (including, but not limited to, environmental conditions and preexisting environmental conditions) and interference with the use of Amtrak's property, which would not have occurred, would not have been discovered, or would not have been incurred but for the existence of any road or bridge or appurtenance thereto, located or to be located on, above, under or within the boundary of any property owned or controlled by Amtrak, or within the boundary of any railroad safety envelope established pursuant to a federal program or safety regulations, and owned or used by the State of Rhode Island, or any municipality, public corporation, or instrumentality of the State of Rhode Island, or but for the activities of any

employee, agent, contractor, subcontractor or invitee of the state or any municipality, public corporation, or instrumentality of the state, relating to any road, bridge, or appurtenance, thereto located or to be located on, above, under or within the boundary of any property owned or controlled by Amtrak or within the boundary of any railroad safety envelope established pursuant to a federal program or safety regulations, which obligations of the department include, but are not limited to, the payment of any amounts arising from time to time under the retention, the payment of claims, damages, losses, liabilities and expenses, and the payment of any costs and fees reasonably incurred in connection with obtaining such insurance policy and line or evergreen letter of credit or amending or replacing the South County Commuter Rail Service insurance policy and line of evergreen letter of credit."

(2) In Article 6, page 4, line 22, by deleting the numeral "4", and by inserting in place thereof numeral "5".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01141/4
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Representative Costantino discusses the amendment.

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

YEAS - 70: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, 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, McCauley, Melo, Menard, Messier, Murphy, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Winfield.

NAYS - 0.

Section 2 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 Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, 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, McCauley, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Ucci, Vaudreuil, Walsh, Wasylyk, Winfield.

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

Section 3 prevails on a roll call vote 56 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Coderre, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Ucci, Vaudreuil, Walsh, Williams,Winfield.

NAYS - 14: Representatives Baldelli-Hunt, Brien, Corvese, Guthrie, Jacquard, Lima, Loughlin, MacBeth, Menard, Newberry, Schadone, Trillo, Wasylyk, Watson.

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

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

NAYS - 2: Representatives Newberry, Trillo.

ARTICLE 7 RELATING TO GOVERNMENT RESTRUCTURING

Representative Costantino moves passage of the article, seconded by Representatives Naughton, Gemma, San Bento, Ehrhardt and Silva.

Representatives Loughlin and Costantino discuss the article.

Representative Loughlin requests to vote page 9, section 7, lines 3&4 separately. The Honorable Speaker Fox rules it is divisible.

Representative M. Rice requests to vote section 9 separately. The Honorable Speaker Fox rules it is divisible.

Representatives Kilmartin, Gallison, Kennedy, Watson and Loughlin discuss the Article.

Representative Kilmartin requests to vote section 12 separately. The Honorable Speaker Fox rules it is divisible.

Representative Carter discusses the Article.

Section 7 prevails on a roll call vote 49 members voting in the affirmative and 21 members voting in the negative as follows:

YEAS - 49: The Honorable Speaker Fox and Representatives Ajello, Almeida, Baldelli-Hunt, Caprio, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Edwards, Ferri, Fierro, Gablinske, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Ucci, Vaudreuil, Walsh, Watson, Williams, Williamson.

NAYS - 21: Representatives Azzinaro, Brien, Corvese, Ehrhardt, Fellela, Gallison, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Newberry, Pollard, Savage, Schadone, Segal, Sullivan, Trillo, Wasylyk, Winfield.

Section 9 prevails on a roll call vote 45 members voting in the affirmative and 25 members voting in the negative as follows:

YEAS - 45: The Honorable Speaker Fox and Representatives Almeida, Caprio, Carter, Coderre, Costantino, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Fierro, Gablinske, Gemma, Giannini, Guthrie, Hearn, Jackson, Kennedy, Lally, Loughlin, Marcello, Mattiello, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., San Bento, Schadone, Serpa, Shallcross, Silva, Slater, Ucci, Vaudreuil, Watson, Williams, Williamson, Winfield.

NAYS - 25: Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Corvese, DaSilva, Gallison, Handy, Jacquard, Kilmartin, Lima, MacBeth, Malik, Martin, Menard, Newberry, Pollard, Rice, M., Ruggiero, Savage, Segal, Sullivan, Trillo, Walsh, Wasylyk.

Section 12 prevails on a roll call vote 46 members voting in the affirmative and 26 members voting in the negative as follows:

YEAS - 46: The Honorable Speaker Fox and Representatives Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Lally, Marcello, Martin, Mattiello, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Schadone, Serpa, Shallcross, Silva, Slater, Ucci, Vaudreuil, Watson, Williams, Williamson, Winfield.

NAYS - 26: Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Corvese, DaSilva, Driver, Handy, Jacquard, Kennedy, Kilmartin, Lima, Loughlin, MacBeth, Malik, Menard, Newberry, Pollard, Ruggiero, San Bento, Savage, Segal, Sullivan, Trillo, Walsh, Wasylyk.

The remainder of the Article prevails on a roll call vote 58 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Fox and Representatives Ajello, Almeida, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., San Bento, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Williamson.

NAYS - 15: Representatives Azzinaro, Brien, Gallison, Lima, Loughlin, MacBeth, Malik, Menard, Newberry, Pollard, Ruggiero, Savage, Sullivan, Wasylyk, Winfield.

ARTICLE 8 RELATING TO RESTRICTED RECEIPT ACCOUNTS

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

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

In Article 8, page 3, between lines 14 and 15, by inserting the following language:

"Department of Labor and Training

Job Development Fund – Title XII loans principal and interest".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01143/3
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Representative Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 73 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 73: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva,

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

NAYS - 0.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 1, page 7, line 22, by deleting the number "37,474,136" and inserting in place thereof the number "37,424,136".

(2) In Article 1, page 12, line 12, by deleting the number "19,437,637" and inserting in place thereof the number "19,487,637".

(3) In Article 8, page 9, between lines 9 and 10, by inserting the following new language:

"SECTION 10. Veteran Affairs – Flags – There is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of fifty thousand dollars ($50,000) to be expended by the director of veterans' affairs for the purpose of providing American Flags for display at veterans' gravesites throughout the state on Memorial Day and other appropriate occasions as determined by the director."

(4) In Article 8, page 9, line 10, by deleting the language "SECTION 10." and inserting in place thereof the language "SECTION 11."

Respectfully submitted,

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REPRESENTATIVE LOUGHLIN

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LC01143/2
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Representatives Loughlin, Carter, Costantino and Kilmartin discuss the amendment.

The motion to amend fails on a roll call vote 23 members voting in the affirmative and 50 members voting in the negative as follows:

YEAS - 23: Representatives Azzinaro, Baldelli-Hunt, Brien, Edwards, Ehrhardt, Fellela, Guthrie, Lima, Loughlin, Macbeth, Menard, Messier, Newberry, Pollard, Savage, Schadone, Segal, Sullivan, Trillo, Vaudreuil, Wasylyk, Watson, Winfield.

NAYS - 50: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Driver, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Ucci, Walsh, Williams, Williamson.

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

NAYS - 3: Representatives Loughlin, Newberry, Watson**.**

ARTICLE 9 RELATING TO REVENUES

Representative Costantino moves passage of the article, seconded by Representatives O'Neill, Almeida and Fierro.

Representative Costantino discusses the article.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

1. In , page 12, line 32, by deleting the word "and" following the word "state" and inserting in place thereof a comma ",".

2. In Article 9, page 12, line 32, by inserting the language "or fire district" after the word "town".

3. In Article 9, on page 13, on lines 26 and 27, by deleting the language "five and two hundred seventy-six thousandths percent (5.276%)" and inserting in place thereof the language "five and three hundred fourteen thousandths percent (5.314%)".

4. In Article 9, on page 14, on lines 4 and 5, by removing the language "five and two hundred seventy-six thousandths percent (5.276%)" and inserting in place thereof the language "five and four hundred sixty-five thousandths percent (5.465%)".

5. In Article 9, on page 25, line 7, after the period ".", by adding thereto the following language:

"However, if a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device for a single, non-itemized price, then the seller may elect not to apply the percentage specified in subsection (a) of this section to such transaction. For purposes of this paragraph, an amount of service denominated as ten (10) minutes or less, or five dollars ($5.00) or less, is minimal."

6. In Article 9, on page 25, line 22, by striking the language "(a)".

7. In Article 9, on page 25, by striking lines 27 through 32, inclusive.

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01144/13
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Representatives Costantino, Menard, Azzinaro discuss the amendment.

The motion to amend prevails on a roll call vote 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Carter, Coderre, Corvese, Costantino, DaSilva, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gallison, Gemma, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, Melo, Menard, Messier, Naughton, Newberry, O'Neill, Pacheco, Rice, M., San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Sullivan, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 0.

By unanimous consent, Representative MacBeth seconded by Representatives Schadone, Lima and Brien offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

In Article 9, on page 29, after line 34 by inserting the following language:

"SECTION 16. Section 44-25-1 of the General Laws in Chapter 44-25 entitled "Real Estate Conveyance Tax" is hereby amended to read as follows:

44-25-1. Tax imposed -- Payment -- Burden. -- (a) There is imposed, on each deed, instrument, or writing by which any lands, tenements, or other realty sold is granted, assigned, transferred, or conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his or her or their direction, when the consideration paid exceeds one hundred dollars ($100), a tax at the rate of two dollars ($2.00) for each five hundred dollars ($500) or fractional part of it which is paid for the purchase of the property (inclusive of the value of any lien or encumbrance remaining at the time of sale), which tax is payable at the time of making, execution, delivery, acceptance or presenting for recording of the instrument. In the absence of an agreement to the contrary, the tax shall be paid by the grantor.

(b) In the event no consideration is actually paid for the lands, tenements, or realty, the instrument of conveyance shall contain a statement to the effect that the consideration is such that no documentary stamps are required.

(c) ~~The tax administrator shall contribute to the distressed community relief program the sum of thirty cents ($.30) per two dollars ($2.00) of the face value of the stamps to be distributed pursuant to section 45-13-12. The state shall retain sixty cents ($.60) for state use. The balance of the tax shall be retained by the municipality collecting the tax. Provided, however, in fiscal years 2004 and 2005, from the proceeds of this tax, the tax administrator shall deposit as general revenues the sum of ninety cents ($.90) per two dollars ($2.00) of the face value of the stamps. The balance of the tax is retained by the municipality collecting the tax.~~. All taxes collected under this provision shall remain with the community in which such taxes are levied.

(2) In Article 9, page 30, line 1, by deleting the numeral"16" and inserting in place thereof the numeral "17".

Respectfully submitted,

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REPRESENTATIVE MACBETH

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LC01144/5
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Representative MacBeth discusses the amendment.

The motion to amend fails on a roll call vote 21 members voting in the affirmative and 37 members voting in the negative as follows:

YEAS - 21: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, DaSilva, Driver, Ehrhardt, Guthrie, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Messier, Newberry, Savage, Schadone, Walsh, Wasylyk, Watson.

NAYS - 37: The Honorable Speaker Fox and Representatives Ajello, Almeida, Carter, Coderre, Costantino, Diaz, Edwards, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gallison, Gemma, Handy, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, Melo, Naughton, O'Neill, Pacheco, Rice, M., San Bento, Segal, Serpa, Shallcross, Silva, Sullivan, Vaudreuil, Williams, Williamson.

By unanimous consent, Representative MacBeth seconded by Representatives Lima and Schadone offers a written motion to amend.

Representative MacBeth discusses the amendment.

Representative Melo questions if the amendment is germane to the budget.

The Honorable Speaker Fox rules the amendment is not germane to the budget.

Representative MacBeth challenges the ruling of the Chair.

The Ruling of the Chair is upheld on a roll call vote, 52 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Fox and Representatives Ajello, Almeida, Baldelli-Hunt, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, Melo, Messier, Naughton, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Sullivan, Ucci, Vaudreuil, Walsh, Watson, Williams, Winfield.

NAYS - 15: Representatives Azzinaro, Brien, Ehrhardt, Guthrie, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Newberry, Savage, Schadone, Trillo, Wasylyk.

Representatives MacBeth and Costantino discuss the Article, as amended.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, David Caprio State Representative, District 34 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 9 (LC 01144/14)

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

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.

DAVID A. CAPRIO
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 3rd day of June 2010.

MICHAEL EGAN
NOTARY PUBLIC

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

GORDON D. FOX
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 9, on page 29, following line 34, insert the following language:

"SECTION 16. Section 15-3-5 of the General Laws in Chapter 15-3 entitled "Solemnization of Marriages" is hereby amended to read as follows:

15-3-5. Officials empowered to join persons in marriage. – (a) Every ordained clergy or elder in good standing, every justice of the supreme court, superior court, family court, workers' compensation court, district court or traffic tribunal, the clerk of the supreme court, every clerk or general chief clerk of a superior court, family court, district court, or traffic tribunal, magistrates, special or general magistrates of the superior court, family court, traffic tribunal or district court, administrative clerks of the district court, administrators of the workers'

compensation court, every former justice or judge and former administrator of these courts and every former chief clerk of the district court, and every former clerk or general chief clerk of a superior court, the secretary of the senate, elected clerks of the general assembly, any former secretary of the senate or any former elected clerk of the general assembly who retires after July 1, 2007, judges of the United States appointed pursuant to Article III of the United States Constitution, bankruptcy judges appointed pursuant to Article I of the United States Constitution, and United States magistrate judges appointed pursuant to federal law, may join persons in marriage in any city or town in this state; and every justice and every former justice of the municipal courts of the cities and towns in this state and of the police court of the town of Johnston and every probate judge and every former probate judge may join persons in marriage in any city or town in this state, and wardens of the town of New Shoreham may join persons in marriage in New Shoreham.

(b) Any individual empowered by a special act of the general assembly to perform a marriage within the state shall obtain authorization, prior to the consummation of the marriage, by the secretary of state, upon execution of a form and the payment of the sum of two hundred and fifty dollars ($250) to be deposited into the general fund."

(2) In Article 9, on page 30, on line 1, change the figure "16" to "17".

Respectfully submitted,

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REPRESENTATIVE BALDELLI HUNT

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LC01144/14
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Representatives Baldelli-Hunt and O'Neill discuss the amendment.

Representative O'Neill moves to lay the amendment on the table, seconded by Representative Petrarca.

Representative Baldelli-Hunt discusses the motion to lay on the table.

The motion to lay the amendment on the table prevails on a roll call vote 40 members voting in the affirmative and 26 members voting in the negative as follows:

YEAS - 40: The Honorable Speaker Fox and Representatives Ajello, Almeida, Carnevale, Carter, Coderre, Costantino, DaSilva, Diaz, Edwards, Fellela, Gablinske, Gallison, Gemma, Handy, Jackson, Kilmartin, Lally, Martin, Mattiello, Melo, Murphy, Naughton, O'Neill, Pacheco, Petrarca, Rice, A., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 26: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, Driver, Ehrhardt, Fierro, Giannini, Guthrie, Hearn, Jacquard, Lima, Loughlin, MacBeth, Malik, Marcello, Menard, Messier, Newberry, Pollard, Rice, M., Savage, Schadone, Trillo, Wasylyk, Watson.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 9, page 29, after line 34, by inserting the following:

"SECTION 15. Section 44-30-2.6 of the General Laws in Chapter 44-30 entitled "Personal Income Tax " is hereby amended to read as follows:

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

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

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

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

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

(A) Tax imposed.

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

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

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

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

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

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

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

If taxable income is: The tax is: Not over
$26,575 3.75% of taxable income Over $26,575 but not over

$64,250 $996.56 plus 7.00% of the excess over
$26,575 Over $64,250 but not over $97,925 $3,633.81 plus 7.75% of the excess over $64,250
Over $97,925 but not over $174,850 $6,243.63 plus 9.00% of the excess over $97,925 Over $174,850 $13,166.88 plus 9.90% of the excess over $174,850

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

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

(6) Adjustments for inflation.

The dollars amount contained in paragraph (A) shall be increased by an amount equal to:

(a) Such dollar amount contained in paragraph (A) in the year 1993, multiplied by;

(b) The cost-of-living adjustment determined under section (J) with a base year of 1993;

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

(B) Maximum capital gains rates.

(1) In general.

If a taxpayer has a net capital gain for tax years ending prior to January 1, 2010, the tax imposed by this section for such taxable year shall not exceed the sum of:

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

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

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

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

~~(2) For tax years beginning on or after January 1, 2010 the tax imposed on net capital gain shall be determined under subdivision 44-30-2.6(c)(2)(A).~~

(C) Itemized deductions.

(1) In general.

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

(2) Individuals who do not itemize their deductions.

In the case of an individual who does not elect to itemize his deductions for the taxable

year, they may elect to take a standard deduction.

(3) Basic standard deduction.

The Rhode Island standard deduction shall be allowed in accordance with the following table:

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

(4) Additional standard deduction for the aged and blind.

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

(5) Limitation on basic standard deduction in the case of certain dependents.

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

(a) $850;

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

(6) Certain individuals not eligible for standard deduction.

In the case of:

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

(b) Nonresident alien individual;

(c) An estate or trust;

The standard deduction shall be zero.

(7) Adjustments for inflation.

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

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

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

(D) Overall Limitation on Itemized Deductions

(1) General rule.

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

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

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

(2) Applicable amount.

(a) In general.

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

(b) Adjustments for inflation.

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

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

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

(3) Phase-out of Limitation.

(a) In general.

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

(b) Applicable fraction.

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

For taxable years beginning in calendar year the applicable fraction is:

2006 and 2007	2/3
2008 and 2009	1/3

(E) Exemption Amount

(1) In general.

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

(2) Exemption amount disallowed in case of certain dependents.

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

(3) Adjustments for inflation.

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

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

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

(4) Limitation.

(a) In general.

In the case of any taxpayer whose adjusted gross income as modified for the taxable year exceeds the threshold amount shall be reduced by the applicable percentage.

(b) Applicable percentage.

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

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

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

(d) Adjustments for inflation.

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

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

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

(5) Phase-out of Limitation.

(a) In general.

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

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

For taxable years beginning in calendar year, the applicable fraction is:

2006 and 2007	2/3
2008 and 2009	1/3

(F) Alternative Minimum Tax

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

(a) The tentative minimum tax for the taxable year, over

(b) The regular tax for the taxable year.

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

(a) 6.5 percent of so much of the taxable excess as does not exceed $175,000, plus

(b) 7.0 percent of so much of the taxable excess above $175,000.

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

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

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

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

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

(7) Treatment of unearned income of minor children

(a) In general.

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

(i) Such child's earned income, plus

(ii) $6,000.

(8) Adjustments for inflation.

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

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

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

(9) Phase-out.

(a) In general.

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

(b) Threshold amount.

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

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

(c) Adjustments for inflation

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

(i) Such dollar amount contained in paragraph (9) in the year 2004, multiplied by

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

(G) Other Rhode Island Taxes

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

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

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

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

(H) Tax for children under 18 with investment income

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

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

(I) Averaging of farm income

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

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

(J) Cost-of-Living Adjustment

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

(a) The CPI for the preceding calendar year exceeds

(b) The CPI for the base year.

(2) CPI for any calendar year.

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

(3) Consumer Price Index.

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

(4) Rounding.

(a) In general.

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

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

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

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

(2) Child and dependent care credit;

(3) General business credits;

(4) Credit for elderly or the disabled;

(5) Credit for prior year minimum tax

(6) Mortgage interest credit;

(7) Empowerment zone employment credit;

(8) Qualified electric vehicle credit.

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

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

(N) Rhode Island Earned Income Credit

(1) In general.

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

(2) Refundable portion.

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

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

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

(2) In Article 9, page 30, line 1, by deleting the numeral "16" and by inserting in place thereof the numeral "17".

(3) In Article 16, page 9, between lines 29 and 30 by inserting the following:

"SECTION 6. The revenue estimating council shall determine the loss of revenue caused by the repeal of subdivision 44-30-2.6 (2)(B)(2) and reduce the cost-of-living adjustment to the

first thirty-five thousand dollars ($35,000) to an amount equal to the loss of revenue."

(4) In Article 16, line 30, by deleting the numeral "6" and inserting in place thereof the numeral "7".

Respectfully submitted,

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REPRESENTATIVE TRILLO

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LC01144/2
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Representatives Trillo, Loughlin, Watson, Lima, Gemma, and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 21 members voting in the affirmative and 47 members voting in the negative as follows:

YEAS - 21: Representatives Azzinaro, Baldelli-Hunt, Brien, Driver, Ehrhardt, Ferri, Gemma, Hearn, Jackson, Jacquard, Loughlin, Malik, Martin, Newberry, Pollard, Rice, A., Ruggiero, Savage, Trillo, Watson, Winfield.

NAYS - 47: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Diaz, Edwards, Fellela, Fierro, Flaherty, Gablinske, Gallison, Giannini, Guthrie, Handy, Kennedy, Kilmartin, Lally, Lima, MacBeth, Marcello, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Pacheco, Petrarca, Rice, M., San Bento, Segal, Serpa, Shallcross, Silva, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

Representatives Newberry and Guthrie discuss the Article.

Representative Menard requests to vote section 10-12 in separately.

The Honorable Speaker Fox rules it is divisible.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 9, page 29, after line 34, by inserting the following:

"SECTION 16. Section 31-36-20 of the General Laws in Chapter 31-36 entitled "Motor

Fuel Tax" is hereby amended to read as follows:

31-36-20. Disposition of proceeds. -- (a) Notwithstanding any other provision of law to the contrary, all moneys paid into the general treasury under the provisions of this chapter or chapter 37 of this title, and title 46 shall be applied to and held in a separate fund and be deposited in any depositories that may be selected by the general treasurer to the credit of the fund, which fund shall be known as the Intermodal Surface Transportation Fund; provided, that in fiscal year 2004 for the months of July through April six and eighty-five hundredth cents ($0.0685) per gallon of the tax imposed and accruing for the liability under the provisions of section 31-36-7, less refunds and credits, shall be transferred to the Rhode Island public transit authority as provided under section 39-18-21. For the months of May and June in fiscal year 2004, the allocation shall be five and five hundredth cents ($0.0505). Thereafter, until fiscal year 2006, the allocation shall be six and twenty-five hundredth cents ($0.0625). For fiscal years 2006 through FY 2008, the allocation shall be seven and twenty-five hundredth cents ($0.0725); provided, that expenditures shall include the costs of a market survey of non-transit users and a management study of the agency to include the feasibility of moving the Authority into the Department of Transportation, both to be conducted under the auspices of the state budget officer. The state budget officer shall hire necessary consultants to perform the studies, and shall direct payment by the Authority. Both studies shall be transmitted by the Budget Officer to the 2006 session of the General Assembly, with comments from the Authority. For fiscal year 2009, the allocation shall be seven and seventy-five hundredth cents ($0.0775), 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 2010 and thereafter, the allocation shall be nine and seventy-five hundredth cents ($0.0975), of which of 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. One cent ($0.01) per gallon shall be transferred to the Elderly/Disabled Transportation Program of the department of human services, and the remaining cents per gallon shall be available for general revenue as determined by the following schedule:

(i) For the fiscal year 2000, three and one fourth cents ($0.0325) shall be available for general revenue.

(ii) For the fiscal year 2001, one and three-fourth cents ($0.0175) shall be available for general revenue.

(iii) For the fiscal year 2002, one-fourth cent ($0.0025) shall be available for general revenue.

(iv) For the fiscal year 2003, two and one-fourth cent ($0.0225) shall be available for general revenue.

(v) For the months of July through April in fiscal year 2004, one and four-tenths cents ($0.014) shall be available for general revenue. For the months of May through June in fiscal year 2004, three and two-tenths cents ($0.032) shall be available for general revenue, and thereafter, until fiscal year 2006, two cents ($0.02) shall be available for general revenue. For fiscal year 2006 through fiscal year 2009 one cent ($0.01) shall be available for general revenue.(vi) For the fiscal year commencing July 1, 2010, and thereafter, the two cents ($0.02) allocation increase previously distributed to the Rhode Island public transit authority shall be distributed to the municipality in which the allocation was charged.

(2) All deposits and transfers of funds made by the tax administrator under this section, including those to the Rhode Island public transit authority, the department of human services and the general fund, shall be made within twenty-four (24) hours of receipt or previous deposit

of the funds in question.

(3) Commencing in fiscal year 2004, the Director of the Rhode Island Department of Transportation is authorized to remit, on a monthly or less frequent basis as shall be determined by the Director of the Rhode Island Department of Transportation, or his or her designee, or at the election of the Director of the Rhode Island Department of Transportation, with the approval of the Director of the Department of Administration, to an indenture trustee, administrator, or other third party fiduciary, in an amount not to exceed two cents ($0.02) per gallon of the gas tax imposed, in order to satisfy debt service payments on aggregate bonds issued pursuant to a Joint Resolution and Enactment Approving the Financing of Various Department of Transportation Projects adopted during the 2003 session of the General Assembly, and approved by the Governor.

(b) Notwithstanding any other provision of law to the contrary, all other funds in the fund shall be dedicated to the department of transportation, subject to annual appropriation by the general assembly. The director of transportation shall submit to the general assembly, budget office and office of the governor annually an accounting of all amounts deposited in and credited to the fund together with a budget for proposed expenditures for the succeeding fiscal year in compliance with sections 35-3-1 and 35-3-4. On order of the director of transportation, the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payments of any sum or portion of the sum that may be required from time to time upon receipt of properly authenticated vouchers.

(c) At any time the amount of the fund is insufficient to fund the expenditures of the department of transportation, not to exceed the amount authorized by the general assembly, the general treasurer is authorized, with the approval of the governor and the director of administration, in anticipation of the receipts of monies enumerated in section 31-36-20 to advance sums to the fund, for the purposes specified in section 31-36-20, any funds of the state not specifically held for any particular purpose. However, all the advances made to the fund shall be returned to the general fund immediately upon the receipt by the fund of proceeds resulting from the receipt of monies to the extent of the advances.

(2) In Article 9, page 30, line 1, by deleting the numeral "16" and inserting in place thereof the numeral "17".

Respectfully submitted,

REPRESENTATIVE BADELLIHUNT

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LC01144/9
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Representatives Baldelli-Hunt, Loughlin, Lima, Marcello, Newberry, Mattiello, Menard, Brien, Gemma, Almeida and Caprio discuss the amendment.

The motion to amend fails on a roll call vote 14 members voting in the affirmative and 58 members voting in the negative as follows:

YEAS - 14: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, Guthrie, Jacquard, Lima, MacBeth, Menard, Messier, Schadone, Wasylyk, Watson, Winfield.

NAYS - 58: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Loughlin, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson.

From page 14, section 10-section 12 on page 26 prevails on a roll call vote 67 members voting in the affirmative and 6 members voting in the negative as follows:

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

NAYS - 6: Representatives Edwards, Ehrhardt, Loughlin, Newberry, Savage, Watson.

The remainder of the Article prevails, as amended, on a roll call vote 57 members voting in the affirmative and 16 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Driver, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 16: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, Edwards, Ehrhardt, Lima, Loughlin, MacBeth, Malik, Menard, Newberry, Pollard, Schadone, Trillo, Watson.

ARTICLE 10 RELATING TO RHODE ISLAND RESOURCE RECOVERY CORPORATION

Representative Jackson moves passage of the article, seconded by Representatives Naughton, O'Neill, Ucci and Ehrhardt.

The article is read and prevails on a roll call vote, 66 members voting in the affirmative and 6 members voting in the negative as follows:

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

NAYS - 6: Representatives Edwards, Loughlin, Menard, Newberry, Pollard, Watson.

ARTICLE 11 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2010

Representative Costantino moves passage of the article, seconded by Representatives Carter, Melo, Almeida, Gemma, Ucci, Williamson, San Bento, Fierro, and Silva.

By unanimous consent, Representative Costantino seconded by Representatives San Bento, Gemma, Handy, Gablinske, Gallison, Segal, Sullivan, Fierro, Rice M., Ferri, Giannini, Hearn, Rice A., Ruggiero, Walsh and Carter, offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 11, page 1, by deleting all the language contained in the article following the title on line 2 and by substituting the following language in place thereof:

"SECTION 1. Subject to the conditions, limitations and restrictions hereinafter contained in this article, 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 42-41 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.

	FY 2010 Enacted	FY 2010 Change	FY 2010 Final
Administration			
Central Management			
General Revenues	1,653,123	(338,266)	1,314,857

Federal Funds	41,246	(41,246)	0
Total - Central Management	1,694,369	(379,512)	1,314,857
Legal Services			
General Revenue	1,088,274	485,775	1,574,049
Other Funds			
Legal Support/DOT	25,595	12,919	38,514
Total - Legal Services	1,113,869	498,694	1,612,563
Accounts and Control			
General Revenues	3,814,166	(264,311)	3,549,855
Stimulus - Accounts and Control	140,000	(140,000)	0
Total – Accounts and Control	3,954,166	(404,311)	3,549,855
Budgeting General Revenues	2,003,345	(276,136)	1,727,209
Purchasing			
General Revenues	2,050,754	107,800	2,158,554
Federal Funds	0	37,717	37,717
Stimulus - Purchasing	570,000	(570,000)	0
Restricted Receipts	0	88,740	88,740
Total – Purchasing	2,620,754	(335,743)	2,285,011
Auditing			
General Revenues	1,465,588	(263,367)	1,202,221
Stimulus - Auditing	70,000	(70,000)	0
Restricted Receipts	0	91,144	91,144
Total – Auditing	1,535,588	(242,223)	1,293,365
Human Resources			
General Revenues	9,872,296	(1,368,653)	8,503,643
Federal Funds	726,665	(135,772)	590,893
Restricted Receipts	437,675	(81,055)	356,620
Other Funds	1,379,919	(44,371)	1,335,548
Total - Human Resources	12,416,555	(1,629,851)	10,786,704
Personnel Appeal Board General Revenues	84,090	(3,027)	81,063
Facilities Management			
General Revenues	37,680,174	(6,430,949)	31,249,225
Federal Funds	1,214,588	(281,333)	933,255
Restricted Receipts	1,038,271	(170,531)	867,740
Other Funds	4,443,003	(570,223)	3,872,780
Total – Facilities Management	44,376,036	(7,453,036)	36,923,000
Capital Projects and Property Management			
General Revenues	2,613,613	18,816	2,632,429
Stimulus - Capital Projects	80,000	45,625	125,625
Restricted Receipts	1,113,397	(105,417)	1,007,980
Total – Capital Projects and Property Mgmt	3,807,010	(40,976)	3,766,034
Information Technology			
General Revenues	18,637,302	(347,851)	18,289,451
Federal Funds	6,458,209	(1,363,091)	5,095,118
Stimulus - Information Technology	390,000	(242,386)	147,614
Restricted Receipts	985,163	(119,760)	865,403

Other Funds	1,698,714	(26,970)	1,671,744
Total – Information Technology	28,169,388	(2,100,058)	26,069,330
Library and Information Services			
General Revenues	884,607	(51,224)	833,383
Federal Funds	1,025,116	254,137	1,279,253
Restricted Receipts	6,000	(3,000)	3,000
Total - Library and Information Services	1,915,723	199,913	2,115,636
Planning			
General Revenues	3,466,719	(168,153)	3,298,566
Federal Funds	14,196,840	(4,634,946)	9,561,894
Stimulus - Planning	3,681,730	(997,172)	2,684,558
Other Funds			
Federal Highway - PL Systems Planning	2,002,192	706,822	2,709,014
Air Quality Modeling	10,000	0	10,000
Total - Planning	23,357,481	(5,093,449)	18,264,032
General			
General Revenues			
Economic Development Corporation	5,500,807	(82,435)	5,418,372
EDC – RI Airport Corporation Impact Aid	1,025,000	0	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~~ 2009, 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	0	1,500,000
Miscellaneous Grants	395,956	0	395,956
Slater Centers of Excellence	2,000,000	0	2,000,000
Torts – Courts	400,000	400,000	800,000
Transfer to RICAP	22,000,000	(22,000,000)	0
State Employees/Teachers Retiree Health Subsidy	2,344,502	0	2,344,502
Motor Vehicle Excise Tax Payment	135,306,888	(18,126,896)	117,179,992
Property Valuation	1,843,500	(219,129)	1,624,371
Payment in Lieu of Tax Exempt Properties	27,580,409	0	27,580,409
Distressed Communities Relief Program	10,384,458	0	10,384,458
Station Fire	10,000,000	(10,000,000)	0
Resource Sharing and State Library Aid	8,773,398	0	8,773,398
Library Construction Aid	2,844,547	(105,059)	2,739,488
Restricted Receipts	1,378,997	0	1,378,997
Rhode Island Capital Plan Funds			
Statehouse Renovations	2,500,000	(500,000)	2,000,000

Lead Mitigation Group Homes	85,338	(85,338)	0
Cranston Street Armory	300,000	(250,000)	50,000
Cannon Building	275,000	285,000	560,000
Pastore Center Rehab. DOA	800,000	(300,000)	500,000
Zambarano Building Rehabilitation	900,000	691,462	1,591,462
Old State House	250,000	(200,000)	50,000
State Office Building	1,350,000	(500,000)	850,000
Old Colony House	270,000	75,000	345,000
Neighborhood Opportunities Program	2,500,000	0	2,500,000
William Powers Building	500,000	700,000	1,200,000
Fire Code Compliance State Buildings	400,000	444,348	844,348
Pastore Center Fire Code Compliance	550,000	226,299	776,299
Pastore Center Water Tanks	415,000	(197,392)	217,608
Ladd Center Water System	350,000	50,000	400,000
Pastore Center Power Plant	1,000,000	(893,398)	106,602
Replacement of Fueling Tanks	725,000	85,000	810,000
Environmental Compliance	250,000	0	250,000
Pastore Utilities Upgrade	1,500,000	(700,000)	800,000
Pastore Center Building Demolition	200,000	(200,000)	0
Veterans Memorial Auditorium	0	1,000,000	1,000,000
McCoy Stadium	407,500	592,500	1,000,000
Washington County Government Center	75,000	178,000	253,000
Hazard Building Renovations	650,000	300,532	950,532
DoIT Computer Center	3,968,224	988,057	4,956,281
Forand Building Exterior Shell	0	201,972	201,972
Chapin Health Laboratory	0	100,000	100,000
Total – General	253,499,524	(48,041,477)	205,458,047
Debt Service Payments			
General Revenues	157,553,100	(8,406,660)	149,146,440
Federal Funds	809,471	0	809,471
Restricted Receipts	6,309,696	934,726	7,244,422
Other Funds			
RIPTA Debt Service	826,370	(1,573)	824,797
Transportation Debt Service	41,350,022	(1,385,797)	39,964,225
RIRBA - DLT – Temporary Disability Insurance	45,586	0	45,586
Investment Receipts – Bond Funds	100,000	0	100,000
COPS - DLT Building – TDI	279,166	0	279,166
Total - Debt Service Payments	207,273,411	(8,859,304)	198,414,107
Energy Resources			
Federal Funds	41,107,828	12,444,521	53,552,349
Federal Funds – Stimulus	6,800,000	12,398,777	19,198,777
Restricted Receipts			
American Electric Power – Weatherization	0	240,000	240,000
Overcharge Interest Earnings	222,040	(40)	222,000
Energy Efficiency and Resources Mgmt. Council	58,801	(14,107)	44,694
Regional Greenhouse Gas Initiative	4,900,000	6,494,889	11,394,889

Renewable Energy Fund Administration	123,804	(111,680)	12,124
Demand Side Management Grants	2,026,726	1,783,274	3,810,000
Total – Energy Resources	55,239,199	33,235,634	88,474,833
Pension Changes			
General Revenues			
Pension Reform	5,474,761	(5,474,761)	0
Pension Reform FY 2010	0	(3,305,996)	(3,305,996)
Federal Funds			
Pension Reform	2,862,204	(2,862,204)	0
Pension Reform FY 2010	0	(1,281,809)	(1,281,809)
Restricted Receipts			
Pension Reform	337,944	(337,944)	0
Pension Reform FY 2010	0	(345,633)	(345,633)
Other Funds			
Pension Reform	769,799	(769,799)	0
Pension Reform FY 2010	0	(566,230)	(566,230)
Total – Pension Changes	9,444,708	(14,944,376)	(5,499,668)
Operational Savings General Revenues	(67,881,345)	67,881,345	0
Sheriffs General Revenues	17,240,788	(2,397,165)	14,843,623
Grand Total – Administration	601,864,659	9,614,942	611,479,601
Business Regulation			
Central Management General Revenues	1,084,422	96,514	1,180,936
Banking Division			
General Revenues	1,749,677	(235,977)	1,513,700
Restricted Receipts	125,000	0	125,000
Total - Banking Division	1,874,677	(235,977)	1,638,700
Securities Division			
General Revenues	823,110	(109,139)	713,971
Restricted Receipts	15,000	0	15,000
Total - Securities Division	838,110	(109,139)	728,971
Commercial Licensing, Racing & Athletics			
General Revenues	795,557	(16,223)	779,334
Restricted Receipts	449,196	(2,014)	447,182
Total - Commercial Licensing, Racing & Athletics	1,244,753	(18,237)	1,226,516
Insurance Regulation			
General Revenues	4,645,367	(668,693)	3,976,674
Restricted Receipts	1,165,615	(18,899)	1,146,716
Total - Insurance Regulation	5,810,982	(687,592)	5,123,390
Board of Accountancy General Revenues	164,526	(7,520)	157,006
Board for Design Professionals General Revenues	314,575	(13,821)	300,754
Grand Total - Business Regulation	11,332,045	(975,772)	10,356,273
Labor and Training			
Central Management			
General Revenues	310,311	(239,497)	70,814
Restricted Receipts	832,687	(260,997)	571,690

Rhode Island Capital Plan Funds			
Center General Roof	793,001	(745,543)	47,458
Total - Central Management	1,935,999	(1,246,037)	689,962
Workforce Development Services			
General Revenues	95,409	(18,196)	77,213
Federal Funds	18,189,313	11,083,009	29,272,322
Federal Funds – Stimulus	12,836,684	(124,837)	12,711,847
Restricted Receipts	11,793,736	(1,612,468)	10,181,268
Other Funds	0	100,000	100,000
Total - Workforce Development Services	42,915,142	9,427,508	52,342,650
Workforce Regulation and Safety General Revenues	2,254,033	(208,840)	2,045,193
Income Support			
General Revenues	3,581,636	458,002	4,039,638
Federal Funds	19,170,615	2,702,567	21,873,182
Federal Funds – Stimulus	1,520,000	150,683	1,670,683
Federal Funds - Stimulus - UI	162,650,000	128,790,000	291,440,000
Restricted Receipts	1,301,331	368,595	1,669,926
Other Funds			
Temporary Disability Insurance Fund	182,191,509	(19,368,876)	162,822,633
Employment Security Fund	500,700,000	71,312,920	572,012,920
Total - Income Support	871,115,091	184,413,891	1,055,528,982
Injured Workers Services Restricted Receipts	11,387,196	(1,791,410)	9,595,786
Labor Relations Board General Revenues	426,605	(51,322)	375,283
Grand Total - Labor and Training	930,034,066	190,543,790	1,120,577,856
Department of Revenue			
Director of Revenue General Revenues	562,988	(184,144)	378,844
Office of Revenue Analysis General Revenues	598,055	(184,675)	413,380
Lottery Division Lottery Funds	187,710,749	3,773,181	191,483,930
Municipal Finance General Revenues	1,173,544	(121,448)	1,052,096
Taxation			
General Revenues	17,028,276	(1,811,534)	15,216,742
Federal Funds	1,292,658	(178,250)	1,114,408
Federal Funds-Stimulus	0	16,258	16,258
Restricted Receipts	830,192	(105,340)	724,852
Other Funds			
Motor Fuel Tax Evasion	105,149	(23,064)	82,085
Temporary Disability Insurance	948,004	(128,182)	819,822
Total – Taxation	20,204,279	(2,230,112)	17,974,167
Registry of Motor Vehicles			
General Revenues	16,828,201	(543,874)	16,284,327
Federal Funds	1,312,271	(23,797)	1,288,474
Restricted Receipts	15,100	4,350,000	4,365,100
Rhode Island Capital Plan Funds-Registry	11,400,000	1,487,680	12,887,680
Total – Registry of Motor Vehicles	29,555,572	5,270,009	34,825,581
Grand Total – Revenue	239,805,187	6,322,811	246,127,998
Legislature			

General Revenues	35,874,012	(1,931,479)	33,942,533
Restricted Receipts	1,556,712	(53,681)	1,503,031
Grand Total – Legislature	37,430,724	(1,985,160)	35,445,564
Lieutenant Governor General Revenues	973,262	(96,646)	876,616
State			
Administration General Revenues	1,904,137	(68,627)	1,835,510
Corporations General Revenues	1,782,133	(36,639)	1,745,494
State Archives			
General Revenues	80,084	0	80,084
Restricted Receipts	474,338	22,587	496,925
Total - State Archives	554,422	22,587	577,009
Elections & Civics			
General Revenues	878,262	(170,385)	707,877
Federal Funds	500,000	(91,600)	408,400
Total – Elections and Civics	1,378,262	(261,985)	1,116,277
State Library General Revenues	575,937	(23,449)	552,488
Office of Public Information General Revenues	300,688	(720)	299,968
Grand Total – State	6,495,579	(368,833)	6,126,746
General Treasurer			
Treasury			
General Revenues	2,367,841	(289,026)	2,078,815
Federal Funds	249,523	4,516	254,039
Other Funds			
Temporary Disability Insurance Fund	202,290	11,884	214,174
Total – Treasury	2,819,654	(272,626)	2,547,028
State Retirement System			
Restricted Receipts			
Admin Expenses - State Retirement System	9,097,737	238,042	9,335,779
Retirement - Treasury Investment Operations	1,109,132	4,041	1,113,173
Total - State Retirement System	10,206,869	242,083	10,448,952
Unclaimed Property Restricted Receipts	15,051,045	1,826,682	16,877,727
RI Refunding Bond Authority General Revenues	41,641	(9,159)	32,482
Crime Victim Compensation Program			
General Revenues	90,817	(3,230)	87,587
Federal Funds	858,017	(21,076)	836,941
Federal Funds - Stimulus	186,000	(375)	185,625
Restricted Receipts	1,482,589	20,628	1,503,217
Total - Crime Victim Compensation Program	2,617,423	(4,053)	2,613,370
Grand Total – General Treasurer	30,736,632	1,782,927	32,519,559
Board of Elections			
General Revenues	1,600,141	(441,810)	1,158,331
Federal Funds	250,000	(29,419)	220,581
Grand Total - Board of Elections	1,850,141	(471,229)	1,378,912
Rhode Island Ethics Commission General Revenues	1,437,730	(25,073)	1,412,657
Office of Governor			
General Revenues	4,856,754	(534,324)	4,322,430

Contingency Fund	250,000	(156,000)	94,000

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.

Federal Stimulus - OERR	630,630	(595,630)	35,000
Restricted Receipts - OERR	0	1,257,414	1,257,414
Grand Total – Office of Governor	5,737,384	(28,540)	5,708,844
Commission for Human Rights			
General Revenues	1,016,242	(56,988)	959,254
Federal Funds	408,505	(95,286)	313,219
Grand Total - Commission for Human Rights	1,424,747	(152,274)	1,272,473
Public Utilities Commission			
Federal Funds	103,600	(7,070)	96,530
Federal Funds-Stimulus	0	107,334	107,334
Restricted Receipts	7,308,931	(190,764)	7,118,167
Grand Total - Public Utilities Commission	7,412,531	(90,500)	7,322,031
Rhode Island Commission on Women			
General Revenues	109,462	(40,192)	69,270
Office of Health and Human Services			
General Revenues	3,621,896	(358,776)	3,263,120
Federal Funds	4,484,003	(630,584)	3,853,419
Restricted Receipts	1,284,790	(424,144)	860,646
Grand Total – Health and Human Services	9,390,689	(1,413,504)	7,977,185
Children, Youth, and Families			
Central Management			
General Revenues	5,077,434	(1,052,910)	4,024,524
Federal Funds	2,274,715	(460,577)	1,814,138
Restricted Receipts	0	507,014	507,014
Total - Central Management	7,352,149	(1,006,473)	6,345,676
Children's Behavioral Health Services			
General Revenues	10,687,390	801,135	11,488,525
Federal Funds	9,494,176	3,937,083	13,431,259
Federal Funds – Stimulus	758,871	379,138	1,138,009
Rhode Island Capital Plan Funds			
Groden Center Mt. Hope	50,000	(33,545)	16,455
NAFI Center	584,224	(584,224)	0
Groden Center Cowesett	0	62,000	62,000
Total - Children's Behavioral Health Services	21,574,661	4,561,587	26,136,248
Juvenile Correctional Services			
General Revenues	34,117,789	(3,332,897)	30,784,892
Federal Funds	1,706,512	648,615	2,355,127

Federal Funds – Stimulus	310,257	236,410	546,667
Restricted Receipts	23,059	(23,059)	0
Rhode Island Capital Plan Funds			
Training School-Girls' Facility (Adolph Meyer)	0	100,000	100,000
Total - Juvenile Correctional Services	36,157,617	(2,370,931)	33,786,686
Child Welfare			
General Revenues	99,526,633	(2,842,672)	96,683,961
18 to 21 Year Olds	9,213,181	(110,997)	9,102,184
Federal Funds			
Federal Funds	60,445,770	(5,230,188)	55,215,582
18 to 21 Year Olds	3,095,672	1,088,925	4,184,597
Federal Funds – Stimulus	7,418,972	(1,115,403)	6,303,569
Restricted Receipts	2,180,000	(174,207)	2,005,793
Rhode Island Capital Plan Funds			
Camp E-Hun-Tee	85,000	(85,000)	0
Fire Code Upgrades	500,000	(12,636)	487,364
Total - Child Welfare	182,465,228	(8,482,178)	173,983,050
Higher Education Incentive Grants General Revenues	200,000	0	200,000
Grand Total - Children, Youth, and Families	247,749,655	(7,297,995)	240,451,660
Elderly Affairs			
General Revenue			
General Revenues	8,776,624	(1,958,340)	6,818,284
RIPAE	1,142,763	(139,948)	1,002,815
Safety and Care of the Elderly	1,300	0	1,300
Federal Funds	13,842,956	3,301,658	17,144,614
Federal Funds – Stimulus	1,367,408	(5)	1,367,403
Restricted Receipts	392,115	702,228	1,094,343
Grand Total - Elderly Affairs	25,523,166	1,905,593	27,428,759
Health			
Central Management			
General Revenues	1,811,914	(96,394)	1,715,520
Federal Funds	9,260,272	9,693,934	18,954,206
Restricted Receipts	2,504,304	639,765	3,144,069
Total - Central Management	13,576,490	10,237,305	23,813,795
State Medical Examiner			
General Revenues	2,439,972	183,753	2,623,725
Federal Funds	135,017	100,108	235,125
Total - State Medical Examiner	2,574,989	283,861	2,858,850
Environmental and Health Services Regulation			
General Revenues	8,914,730	(1,424,196)	7,490,534
Federal Funds	3,811,915	620,537	4,432,452
Restricted Receipts	3,332,067	387,101	3,719,168
Total - Environmental and Health Services Regulation	16,058,712	(416,558)	15,642,154
Health Laboratories			
General Revenues	7,079,007	(286,918)	6,792,089

Federal Funds	900,905	405,013	1,305,918
Total - Health Laboratories	7,979,912	118,095	8,098,007
Public Health Information			
General Revenues	1,945,787	(234,763)	1,711,024
Federal Funds	2,348,236	(652,946)	1,695,290
Total – Public Health Information	4,294,023	(887,709)	3,406,314
Community and Family Health and Equity			
General Revenues	5,089,737	(680,223)	4,409,514
Federal Funds	56,830,511	3,142,973	59,973,484
Federal Funds – Stimulus	2,343,752	(1,585,336)	758,416
Restricted Receipts	18,857,066	33,277	18,890,343
Other Funds			
Walkable Communities Initiative	46,263	(33,172)	13,091
Safe and Active Commuting	0	56,749	56,749
RI Airport Corporation Funds	185,149	(91,979)	93,170
Total – Community and Family Health & Equity	83,352,478	842,289	84,194,767
Infectious Disease and Epidemiology			
General Revenues	2,273,425	(56,562)	2,216,863
Federal Funds	2,200,762	(68,335)	2,132,427
Federal Funds – Stimulus	0	201,830	201,830
Total – Infectious Disease and Epidemiology	4,474,187	76,933	4,551,120
Grand Total – Health	132,310,791	10,254,216	142,565,007
Human Services			
Central Management			
General Revenues	5,980,973	(923,342)	5,057,631
Federal Funds	5,255,506	(163,010)	5,092,496
Federal Funds – Stimulus	3,176,247	1,015,686	4,191,933
Restricted Receipts	601,715	198,286	800,001
Total - Central Management	15,014,441	127,620	15,142,061
Child Support Enforcement			
General Revenues	2,373,898	(162,863)	2,211,035
Federal Funds	5,924,700	(135,567)	5,789,133
Federal Funds – Stimulus	2,300,000	0	2,300,000
Total – Child Support Enforcement	10,598,598	(298,430)	10,300,168
Individual and Family Support			
General Revenues	22,152,850	(1,641,831)	20,511,019
Federal Funds	57,876,042	990,789	58,866,831
Federal Funds – Stimulus	2,350,000	19,212,960	21,562,960
Restricted Receipts	134,150	45,850	180,000
Other Funds			
Food Stamp Bonus Funding	0	150,000	150,000
Intermodal Surface Transportation Fund	4,400,000	(215,000)	4,185,000
Rhode Island Capital Plan Funds			
Blind Vending Facilities	125,000	(50,000)	75,000
Total - Individual and Family Support	87,038,042	18,492,768	105,530,810

Veterans' Affairs			
General Revenues	17,852,470	(138,773)	17,713,697
Federal Funds	5,933,514	769,281	6,702,795
Restricted Receipts	2,273,637	(609,037)	1,664,600
Total - Veterans' Affairs	26,059,621	21,471	26,081,092
Health Care Quality, Financing and Purchasing			
General Revenues	21,771,668	(2,252,931)	19,518,737
Federal Funds	44,871,085	(488,068)	44,383,017
Federal Funds-Stimulus	0	2,400,000	2,400,000
Restricted Receipts	60,000	0	60,000
Total - Health Care Quality, Financing & Purchasing	66,702,753	(340,999)	66,361,754
Medical Benefits			
General Revenues			
Managed Care	205,075,368	(1,388,887)	203,686,481
Hospitals	97,221,709	5,321,374	102,543,083
Long Term Care			
Nursing Facilities	105,152,488	13,074,712	118,227,200
Home and Community Based Services	24,491,324	(5,231,820)	19,259,504
Other	28,303,764	10,548,746	38,852,510
Pharmacy	48,704,880	(18,790,200)	29,914,680
Rhody Health	53,398,400	2,345,200	55,743,600
Federal Funds			
Managed Care	307,580,071	(9,115,848)	298,464,223
Hospitals	117,144,752	12,558,528	129,703,280
Long Term Care			
Nursing Facilities	153,952,160	18,643,640	172,595,800
Home and Community Based Services	35,718,777	(7,630,221)	28,088,556
Other	47,823,829	16,738,767	64,562,596
Pharmacy	5,840,820	(131,550)	5,709,270
Rhody Health	77,877,600	3,420,300	81,297,900
Special Education	20,733,240	0	20,733,240
Federal Funds – Stimulus	138,618,537	13,273,710	151,892,247
Restricted Receipts	5,246,911	568,089	5,815,000
Total - Medical Benefits	1,472,884,630	54,204,540	1,527,089,170
Supplemental Security Income Program			
General Revenues	20,706,354	1,301,166	22,007,520
Family Independence Program			
General Revenues			
Child Care	6,500,000	(326,523)	6,173,477
Federal Funds	89,872,800	(10,428,503)	79,444,297
Federal Funds – Stimulus	0	4,542,144	4,542,144
Total - Family Independence Program	96,372,800	(6,212,882)	90,159,918
State Funded Programs			
General Revenues			
General Public Assistance	2,395,456	153,030	2,548,486

Federal Funds	130,737,444	60,338,964	191,076,408
Federal Funds – Stimulus	35,000,000	0	35,000,000
Total - State Funded Programs	168,132,900	60,491,994	228,624,894
Grand Total - Human Services	1,963,510,139	127,787,248	2,091,297,387
Mental Health, Retardation, and Hospitals			
Central Management			
General Revenues	1,035,453	(324,215)	711,238
Federal Funds	131,287	0	131,287
Restricted Receipts	0	986,375	986,375
Total - Central Management	1,166,740	662,160	1,828,900
Hospital and Community System Support			
General Revenues	2,655,402	(965,910)	1,689,492
Federal Funds	849,939	0	849,939
Federal Funds – Stimulus	182,290	0	182,290
Rhode Island Capital Plan Funds			
Medical Center Rehabilitation	1,000,000	(566,255)	433,745
Community Facilities Fire Code	1,050,000	(768,933)	281,067
DD Private Waiver Com Facilities-Fire Code	965,669	(274,307)	691,362
Total - Hospital & Community System Support	6,703,300	(2,575,405)	4,127,895
Services for the Developmentally Disabled			
General Revenues	80,278,072	4,576,120	84,854,192
Federal Funds	118,998,274	7,157,426	126,155,700
Federal Funds – Stimulus	25,799,627	294,133	26,093,760
Restricted Receipts	2,813,044	(803,714)	2,009,330
Rhode Island Capital Plan Funds			
Regional Center Repair/Rehabilitation	500,000	0	500,000
MR Community Facilities	770,000	0	770,000
Developmental Disability Group Homes	860,000	210,421	1,070,421
Total - Services for the Developmentally Disabled	230,019,017	11,434,386	241,453,403
Integrated Mental Health Services			
General Revenues	28,312,837	(471,009)	27,841,828
Federal Funds	45,139,838	(3,378,728)	41,761,110
Federal Funds – Stimulus	8,200,103	(767,733)	7,432,370
Rhode Island Capital Plan Funds			
MH Community Facilities Repair	200,000	70,600	270,600
MH Housing Development-Thresholds	500,000	0	500,000
MH Residence Furniture	26,000	0	26,000
Total - Integrated Mental Health Services	82,378,778	(4,546,870)	77,831,908
Hospital and Community Rehabilitative Services			
General Revenues	40,770,397	(6,346,305)	34,424,092
Federal Funds	50,477,112	(6,795,314)	43,681,798
Federal Funds – Stimulus	10,798,682	(1,383,575)	9,415,107
Restricted Receipts	2,300,000	3,305,000	5,605,000
Rhode Island Capital Plan Funds			
Zambarano Buildings and Utilities	500,000	572,000	1,072,000

Hospital Consolidation	4,470,000	(3,800,000)	670,000
MHRH Administrative Upgrades	555,000	0	555,000
Total - Hospital & Community Rehabilitative Services	109,871,191	(14,448,194)	95,422,997
Substance Abuse			
General Revenues	12,963,619	(339,506)	12,624,113
Federal Funds	18,807,689	385,923	19,193,612
Federal Funds – Stimulus	673,397	(180,544)	492,853
Restricted Receipts	90,000	0	90,000
Rhode Island Capital Plan Funds			
Asset Protection	200,000	0	200,000
Total - Substance Abuse	32,734,705	(134,127)	32,600,578
Grand Total – M. H., Retardation, & Hosp	462,873,731	(9,608,050)	453,265,681
Office of the Child Advocate			
General Revenues	547,048	(36,464)	510,584
Federal Funds	41,100	4,794	45,894
Grand Total – Office of the Child Advocate	588,148	(31,670)	556,478
Commission on the Deaf and Hard of Hearing			
General Revenues	370,146	(21,416)	348,730
Governor's Commission on Disabilities			
General Revenues	366,450	(23,308)	343,142
Federal Funds	174,949	23,380	198,329
Restricted Receipts	10,001	3,558	13,559
Rhode Island Capital Plan Funds			
Facility Renovation – Handicapped	175,000	15,151	190,151
Grand Total - Governor's Commission on Disabilities	726,400	18,781	745,181
Mental Health Advocate General Revenues	448,423	(72,226)	376,197
Elementary and Secondary Education			
Administration of the Comprehensive Education Strategy			
General Revenues	20,387,006	(1,293,194)	19,093,812
Federal Funds	192,228,874	(6,319,299)	185,909,575
Federal Funds – Stimulus	47,202,040	19,858,462	67,060,502
Restricted Receipts			
Restricted Receipts	878,114	121,808	999,922
HRIC Adult Education Grants	4,640,000	435,000	5,075,000
Statewide Transportation - RIPTA Grant	0	200,000	200,000
Rhode Island Capital Plan Funds			
Shepards Building Air Quality	0	146,388	146,388
State-owned Chariho Repairs	200,000	0	200,000
State-owned East Providence Repairs	0	50,000	50,000
State-owned Warwick Repairs	0	100,000	100,000
State-owned Woonsocket Repairs	0	200,000	200,000
State-owned Cranston Repairs	0	160,000	160,000
Total – Administration of the Comprehensive Education Strategy	265,536,034	13,659,165	279,195,199

Davies Career and Technical School			
General Revenues	14,056,193	(645,718)	13,410,475
Federal Funds	1,379,313	117,824	1,497,137
Federal Funds – Stimulus	718,226	445,675	1,163,901
Restricted Receipts	0	376	376
Rhode Island Capital Plan Funds			
Davies HVAC	925,000	(276,823)	648,177
Davies Asset Protection	125,000	0	125,000
Davies Roof Repair	1,000,000	0	1,000,000
Total - Davies Career and Technical School	18,203,732	(358,666)	17,845,066
RI School for the Deaf			
General Revenues	5,947,646	(318,700)	5,628,946
Federal Funds	319,863	66,245	386,108
Federal Funds – Stimulus	348,107	83,817	431,924
Restricted Receipts	603,540	117,401	720,941
Total - RI School for the Deaf	7,219,156	(51,237)	7,167,919
Metropolitan Career and Technical School			
General Revenues	12,187,381	(330,050)	11,857,331
Federal Funds – Stimulus	571,386	80,050	651,436
Rhode Island Capital Plan Funds			
MET School East Bay	4,000,000	(3,200,000)	800,000
Total – Metropolitan Career and Technical School	16,758,767	(3,450,000)	13,308,767
Education Aid			
General Revenues	623,428,385	(37,178,371)	586,250,014
Federal Funds	0	67,046	67,046
Federal Funds – Stimulus	33,410,743	16,407,746	49,818,489
Restricted Receipts	1,379,423	8,855,021	10,234,444
Total – Education Aid	658,218,551	(11,848,558)	646,369,993
Central Falls School District			
General Revenues	42,428,937	(2,273,684)	40,155,253
Federal Funds – Stimulus	2,167,539	1,885,929	4,053,468
Permanent School Fund – Central Falls	183,624	0	183,624
Total - Central Falls School District	44,780,100	(387,755)	44,392,345
Housing Aid General Revenues	61,538,663	(3,239,548)	58,299,115
Teachers' Retirement General Revenues	77,752,559	(5,405,670)	72,346,889
Grand Total - Elementary and Secondary Ed	1,150,007,562	(11,082,269)	1,138,925,293
Public Higher Education			
Board of Governors/Office of Higher Education			
General Revenues	7,364,037	(708,476)	6,655,561
Federal Funds	3,757,508	(148,469)	3,609,039
Restricted Receipts	0	112,577	112,577
Total - Board of Governors/Office of Higher Education	11,121,545	(744,368)	10,377,177
University of Rhode Island			
General Revenues			

General Revenues	61,485,106	(4,700,803)	56,784,303
Debt Service	14,299,321	(80,580)	14,218,741
Federal Funds			
RI Developmental Disabilities Council	474,013	(474,013)	0
Stabilization Funds - Fire Safety	7,171,090	0	7,171,090
Stimulus – Byrne Grant Crime Lab	0	125,076	125,076
University and College Funds			
University and College Funds	478,515,279	22,145,373	500,660,652
Debt – Dining Services	1,141,724	(2,415)	1,139,309
Debt – Education and General	5,136,539	(2,117,224)	3,019,315
Debt – Health Services	130,411	100	130,511
Debt – Housing Loan Funds	7,605,889	1,155,995	8,761,884
Debt – Memorial Union	150,716	(2,859)	147,857
Debt – Ryan Center	2,797,945	(1,302)	2,796,643
Debt – Alton Jones Services	149,425	(2)	149,423
Debt - Parking Authority	1,257,596	(2,400)	1,255,196
Debt – Sponsored Research	100,589	1,799	102,388
Debt – URI Vehicle Lease Payments	71,080	0	71,080
Debt – URI Energy Conservation	2,133,127	(798,406)	1,334,721
Rhode Island Capital Plan Funds			
Asset Protection	4,444,640	0	4,444,640
New Chemistry Building	0	300,000	300,000
Nursing & Assoc. Health Building	0	25,000	25,000
URI Biotechnology Center	0	2,765,090	2,765,090
Superfund Site Remediation	0	46,911	46,911
Total – University of Rhode Island	587,064,490	18,385,340	605,449,830

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended 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	(3,163,655)	37,654,496
Debt Service	1,368,648	362,190	1,730,838
Federal Funds			
Stabilization Funds - Fire Safety	5,695,093	0	5,695,093
University and College Funds			
University and College Funds	101,997,361	(6,354,695)	95,642,666
Debt – Education and General	295,196	0	295,196
Debt – Housing	3,629,430	(1,608,426)	2,021,004
Debt – Student Center and Dining	172,639	0	172,639
Debt – Student Union	231,856	0	231,856
Debt – RIC Vehicle Lease Payments	12,002	0	12,002
Rhode Island Capital Plan Funds			
Asset Protection	1,929,910	1,293,646	3,223,556
New Art Center	0	100,000	100,000
Total – Rhode Island College	156,150,286	(9,370,940)	146,779,346

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

Community College of Rhode Island

General Revenues			
General Revenues	46,527,444	(3,807,715)	42,719,729
Debt Service	1,444,137	1,071	1,445,208
Federal Funds			
Stabilization Funds - Fire Safety	3,240,712	0	3,240,712
Restricted Receipts	667,543	(25,543)	642,000
University and College Funds			
University and College Funds	77,374,247	653,332	78,027,579
Debt – Bookstore	102,718	0	102,718
Rhode Island Capital Plan Funds			
Asset Protection	1,228,125	558,609	1,786,734
Fire Code and HVAC	1,848,485	(342,632)	1,505,853
Total – Community College of RI	132,433,411	(2,962,878)	129,470,533

Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended 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	5,307,154	892,076,886
RI State Council on the Arts			
General Revenues			
Operating Support	663,261	(28,069)	635,192
Grants	1,320,725	(39,375)	1,281,350
Federal Funds	855,840	47,936	903,776
Federal Funds Stimulus	0	291,500	291,500
Restricted Receipts	0	100,000	100,000
Other Funds			
Arts for Public Facilities	435,000	0	435,000
Grand Total - RI State Council on the Arts	3,274,826	371,992	3,646,818
RI Atomic Energy Commission			
General Revenues	775,346	11,092	786,438
Federal Funds	107,000	215,051	322,051
URI Sponsored Research	284,769	(31,086)	253,683
Rhode Island Capital Plan Funds			
RINSC Asset Protection	50,000	0	50,000
Grand Total - RI Atomic Energy Commission	1,217,115	195,057	1,412,172
RI Higher Education Assistance Authority			
General Revenues			
Needs Based Grants and Work Opportunities	6,382,700	(607,631)	5,775,069
Authority Operations and Other Grants	923,041	(86,477)	836,564
Federal Funds	14,575,320	(2,389,400)	12,185,920
Other Funds			
Tuition Savings Pgm. – Needs Based Grants	6,017,300	332,700	6,350,000
Tuition Savings Program – Administration	732,977	(20,258)	712,719

Grand Total – RI Higher Ed Assistance Authority	28,631,338	(2,771,066)	25,860,272
RI Historical Preservation and Heritage Commission			
General Revenues	1,285,100	(28,227)	1,256,873
Federal Funds	819,367	94,367	913,734
Restricted Receipts	509,037	(27,788)	481,249
Grand Total – RI Historical Preservation and Heritage Commission	2,613,504	38,352	2,651,856
RI Public Telecommunications Authority			
General Revenues	1,142,702	(142,007)	1,000,695
Corporation for Public Broadcasting	765,656	(151,627)	614,029
Grand Total – RI Public Telecommunications Authority	1,908,358	(293,634)	1,614,724
Attorney General			
Criminal			
General Revenues	13,010,243	(836,425)	12,173,818
Federal Funds	1,218,040	9,415	1,227,455
Federal Funds – Stimulus	0	671,647	671,647
Restricted Receipts	344,298	57,329	401,627
Total – Criminal	14,572,581	(98,034)	14,474,547
Civil			
General Revenues	4,385,190	(615,532)	3,769,658
Restricted Receipts	588,632	349,876	938,508
Total – Civil	4,973,822	(265,656)	4,708,166
Bureau of Criminal Identification			
General Revenues	1,000,244	25,333	1,025,577
Federal Funds	56,500	30,759	87,259
Total - Bureau of Criminal Identification	1,056,744	56,092	1,112,836
General			
General Revenues	2,704,066	(37,991)	2,666,075
Rhode Island Capital Plan Funds			
Building Renovations and Repairs	200,000	406,847	606,847
Total – General	2,904,066	368,856	3,272,922
Grand Total - Attorney General	23,507,213	61,258	23,568,471
Corrections			
Central Management General Revenues	8,021,430	(1,099,242)	6,922,188
Parole Board			
General Revenues	1,269,396	24,449	1,293,845
Federal Funds	24,300	13,700	38,000
Total - Parole Board	1,293,696	38,149	1,331,845
Institutional Corrections			
General Revenues	153,293,213	(3,456,186)	149,837,027
Federal Funds	1,948,122	217,046	2,165,168
Federal Funds Stimulus	0	248,833	248,833
Rhode Island Capital Plan Funds			

General Renovations – Maximum	434,705	15,400	450,105
Women's Bathroom Renovations	650,000	0	650,000
Bernadette Guay Building Roof	1,290,000	(862,733)	427,267
Asset Protection	2,500,000	(248,600)	2,251,400
Reintegration Center match	188,571	1,497,818	1,686,389
General Renovations - Women	705,000	963,363	1,668,363
Total - Institutional Corrections	161,009,611	(1,625,059)	159,384,552
Community Corrections			
General Revenues	14,806,523	(1,739,901)	13,066,622
Federal Funds	224,246	268,415	492,661
Federal Funds - Stimulus	0	409,667	409,667
Restricted Receipts	0	122,837	122,837
Total – Community Corrections	15,030,769	(938,982)	14,091,787
Grand Total – Corrections	185,355,506	(3,625,134)	181,730,372
Judiciary			
Supreme Court			
General Revenues			
General Revenues	24,678,116	(1,113,249)	23,564,867
Defense of Indigents	3,365,689	0	3,365,689
Federal Funds	102,440	498,424	600,864
Federal Funds – Stimulus	0	41,257	41,257
Restricted Receipts	1,302,005	288,743	1,590,748
Rhode Island Capital Plan Funds			
Judicial HVAC	300,000	0	300,000
Judicial Complexes Asset Protection	525,000	561,466	1,086,466
Total - Supreme Court	30,273,250	276,641	30,549,891
Superior Court			
General Revenues	19,861,308	(610,068)	19,251,240
Federal Funds	90,000	(5,500)	84,500
Federal Funds – Stimulus	0	80,750	80,750
Restricted Receipts	287,000	0	287,000
Total - Superior Court	20,238,308	(534,818)	19,703,490
Family Court			
General Revenues	18,151,560	(2,718,548)	15,433,012
Federal Funds	1,253,012	1,403,677	2,656,689
Federal Funds – Stimulus	0	121,771	121,771
Total - Family Court	19,404,572	(1,193,100)	18,211,472
District Court			
General Revenues	10,175,958	(399,785)	9,776,173
Restricted Receipts	639,193	(231,035)	408,158
Total - District Court	10,815,151	(630,820)	10,184,331
Traffic Tribunal General Revenues	7,545,676	(177,641)	7,368,035
Workers' Compensation Court Restricted Receipts	7,578,922	(250,544)	7,328,378
Judicial Tenure and Discipline General Revenues	128,922	(22,519)	106,403
Grand Total – Judiciary	95,984,801	(2,532,801)	93,452,000
Military Staff			

National Guard			
General Revenues	1,517,828	(150,954)	1,366,874
Federal Funds	11,008,369	(402,802)	10,605,567
Federal Funds – Stimulus	0	605,000	605,000
Restricted Receipts	190,000	0	190,000
Rhode Island Capital Plan Funds			
AMC – Roof Replacement	1,100,000	(152,955)	947,045
State Armories Fire Code Comp.	50,000	169,496	219,496
Federal Armories Fire Code	12,500	66,232	78,732
Asset Protection	250,000	153,482	403,482
Quonset Point Hangar	0	460,797	460,797
Logistics/Maint Facilities Fire Code	6,250	57,500	63,750
Woonsocket Building Demolition	63,340	(46,540)	16,800
Total - National Guard	14,198,287	759,256	14,957,543
Emergency Management			
General Revenues	1,762,151	(261,762)	1,500,389
Federal Funds	10,933,246	4,165,476	15,098,722
Restricted Receipts	147,449	200,583	348,032
Total - Emergency Management	12,842,846	4,104,297	16,947,143
Grand Total - Military Staff	27,041,133	4,863,553	31,904,686
Public Safety			
Central Management			
General Revenues	770,605	(98,930)	671,675
Federal Funds	4,531,428	264,653	4,796,081
Federal Funds – Stimulus	0	2,512,829	2,512,829
Restricted Receipts	133,000	347,724	480,724
Total – Central Management	5,435,033	3,026,276	8,461,309
E-911 Emergency Telephone System			
General Revenues	4,831,572	(58,167)	4,773,405
Federal Funds	0	259,688	259,688
Rhode Island Capital Plan Funds			
E-911 PSAP Building Renovations	55,000	(55,000)	0
Total - E-911 Emergency Telephone System	4,886,572	146,521	5,033,093
State Fire Marshal			
General Revenues	2,631,162	(198,716)	2,432,446
Federal Funds	376,000	654,293	1,030,293
Restricted Receipts	0	10,900	10,900
Total - State Fire Marshal	3,007,162	466,477	3,473,639
Capitol Police General Revenues	3,310,591	(113,900)	3,196,691
Municipal Police Training Academy			
General Revenues	349,696	(29,955)	319,741
Federal Funds	186,505	41,735	228,240
Federal Funds – Stimulus	0	107,724	107,724
Total - Municipal Police Training Academy	536,201	119,504	655,705

State Police			
General Revenues	42,852,283	(89,326)	42,762,957
Federal Funds	2,133,313	2,117,498	4,250,811
Federal Funds – Stimulus	0	375,560	375,560
Federal Funds – Stimulus – State Fiscal Stabilization	10,000,000	17,669	10,017,669
Restricted Receipts	476,000	591,282	1,067,282
Rhode Island Capital Plan Funds			
Barracks & Training	750,000	(350,000)	400,000
State Police New Headquarters	13,000,000	3,334,316	16,334,316
Parking Area Improvements	225,000	(200,000)	25,000
Statewide Microwave Upgrade	2,300,000	2,257,860	4,557,860
Headquarters Repairs/Rehabilitation	50,000	50,150	100,150
Headquarters Sewer Project	0	293,049	293,049
Traffic Enforcement - Municipal Training	107,150	159,467	266,617
Lottery Commission Assistance	170,708	(9,811)	160,897
Airport Corporation	167,171	17,147	184,318
Road Construction Reimbursement	2,020,300	412,954	2,433,254
Total - State Police	74,251,925	8,977,815	83,229,740
Grand Total – Public Safety	91,427,484	12,622,693	104,050,177
Office of Public Defender			
General Revenues	9,583,189	(446,412)	9,136,777
Federal Funds	225,898	89,067	314,965
Federal Funds – Stimulus	0	66,358	66,358
Grand Total - Office of Public Defender	9,809,087	(290,987)	9,518,100
Environmental Management			
Office of the Director			
General Revenues	5,185,950	(776,864)	4,409,086
Federal Funds	791,315	(135,000)	656,315
Restricted Receipts	2,668,020	(124,495)	2,543,525
Total – Office of the Director	8,645,285	(1,036,359)	7,608,926
Natural Resources			
General Revenues	18,222,294	(1,244,589)	16,977,705
Federal Funds	18,203,843	725,290	18,929,133
Restricted Receipts	3,586,240	76,544	3,662,784
Other Funds			
DOT Recreational Projects	71,354	1,213,698	1,285,052
Blackstone Bikepath Design	980,601	(830)	979,771
Transportation MOU	0	78,737	78,737
Rhode Island Capital Plan Funds			
Dam Repair	1,910,000	(810,000)	1,100,000
Recreational Facilities Improvement	1,100,000	838,044	1,938,044
Fort Adams Rehabilitation	250,000	0	250,000
Galilee Piers Upgrade	750,000	(380,000)	370,000
Newport Piers	500,000	228,386	728,386
Total - Natural Resources	45,574,332	725,280	46,299,612
Environmental Protection			

General Revenues	12,076,125	(1,033,800)	11,042,325
Federal Funds	12,660,714	(567,873)	12,092,841
Federal Funds – Stimulus	2,025,000	1,580,031	3,605,031
Restricted Receipts	8,991,789	(1,248,056)	7,743,733
Transportation MOU	0	116,698	116,698
Retrofit Heavy-Duty Diesel Vehicles	1,000,000	1,560,000	2,560,000
Rhode Island Capital Plan Funds			
Rose Hill Superfund Site	0	21,670	21,670
Total - Environmental Protection	36,753,628	428,670	37,182,298
Grand Total - Environmental Mgmt	90,973,245	117,591	91,090,836
Coastal Resources Management Council			
General Revenues	2,027,574	(88,839)	1,938,735
Federal Funds	1,608,438	1,686,670	3,295,108
Federal Funds - Stimulus	0	3,030,564	3,030,564
Restricted Receipts	250,000	0	250,000
Rhode Island Capital Plan Funds			
Providence River Dredging	1,655,509	0	1,655,509
Grand Total - Coastal Resources Mgmt Council	5,541,521	4,628,395	10,169,916
State Water Resources Board			
General Revenues	1,370,785	(273,032)	1,097,753
Rhode Island Capital Plan Funds			
Big River Management Area	103,000	(25,542)	77,458
Big River Well Development	0	376,520	376,520
Grand Total - State Water Resources Brd	1,473,785	77,946	1,551,731
Transportation			
Central Management			
Federal Funds	17,203,537	(6,680,604)	10,522,933
Other Funds			
Gasoline Tax	1,905,734	(721,492)	1,184,242
Total - Central Management	19,109,271	(7,402,096)	11,707,175
Management and Budget			
Other Funds			
Gasoline Tax	1,186,330	170,662	1,356,992
Infrastructure Engineering			
Federal Funds	266,742,846	(35,884,555)	230,858,291
Federal Funds – Stimulus	97,402,000	(30,480,272)	66,921,728
Restricted Receipts	1,500,000	(500,000)	1,000,000
Other Funds			
Gasoline Tax	56,395,537	(4,827,938)	51,567,599
State Infrastructure Bank	1,387,984	16	1,388,000
Land Sale Revenue	3,199,768	(1,199,768)	2,000,000
Highway Logo Program	100,000	0	100,000
Rhode Island Capital Plan Funds			
RIPTA - Land and Buildings	2,602,609	1,328,591	3,931,200
Pawtucket/Central Falls Train Station	40,267	0	40,267

Total - Infrastructure Engineering	429,371,011	(71,563,926)	357,807,085
Infrastructure Maintenance			
Gasoline Tax	36,749,879	(1,480,124)	35,269,755
Non-Land Surplus Property	25,000	15,000	40,000
Outdoor Advertising	200,000	125,000	325,000
Rhode Island Capital Plan Funds			
Cherry Hill/Lincoln Facility	950,000	(950,000)	0
Maintenance Facilities Improvements	325,000	80,445	405,445
East Providence Facility	0	1,017,190	1,017,190
Salt Storage Facilities	1,000,000	300,000	1,300,000
Maintenance Facility Fire Alarm	150,000	0	150,000
Total - Infrastructure Maintenance	39,399,879	(892,489)	38,507,390
Grand Total – Transportation	489,066,491	(79,687,849)	409,378,642
Statewide Totals			
General Revenues	3,000,341,114	(113,554,473)	2,886,786,641
Federal Funds	2,828,214,952	268,046,862	3,096,261,814
Restricted Receipts	162,397,115	27,118,944	189,516,059
Other Funds	1,823,784,957	71,940,146	1,895,725,103
Statewide Grand Total	7,814,738,138	253,551,479	8,068,289,617

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

SECTION 3. 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	FY 2010 Enacted	FY 2010 Change	FY 2010 Final
State Assessed Fringe Benefit Internal Service Acct	31,824,722	1,671,458	33,496,180
Administration Central Utilities Internal Service Acct	24,525,696	(2,806,179)	21,719,517
State Central Mail Internal Service Account	5,582,779	(384,436)	5,198,343
State Telecommunications Internal Service Account	3,508,119	(79,439)	3,428,680
State Automotive Fleet Internal Service Account	14,408,646	(1,264,436)	13,144,210
State Fleet Replacement Revolving Loan Fund	2,500,000	0	2,500,000
Capital Police Internal Service Account	763,874	(127,326)	636,548
Health Insurance Internal Service Fund	306,132,044	0	306,132,044
Corrections General Svcs & Warehouse Internal Service Acct	6,766,198	219,330	6,985,528
Correctional Industries Internal Service Account	7,205,297	76,838	7,282,135
Secretary of State Record Center Internal Service Account	814,696	(11,296)	803,400

SECTION 4. 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 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, the chairman of the 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 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 non-state general revenue funding source.

FTE POSITION AUTHORIZATION

Departments and Agencies	Full-Time Equivalent
Administration	~~895.6~~ 835.4
Business Regulation	~~91.0~~ 85.5
Labor and Training	~~436.3~~ 514.4
Revenue	~~424.0~~ 413.5
Legislature	~~297.9~~ 288.8
Office of the Lieutenant Governor	8.0
Secretary of State	~~57.0~~ 56.5
General Treasurer	~~83.0~~ 79.5
Board of Elections	~~12.0~~ 11.5
Rhode Island Ethics Commission	12.0
Office of the Governor	~~43.0~~ 44.0
Commission for Human Rights	~~14.5~~ 14.2
Public Utilities Commission	~~44.0~~ 45.5
Rhode Island Commission on Women	1.0
Office of Health and Human Services	~~74.1~~ 52.9
Children, Youth, and Families	~~700.0~~ 658.5
Elderly Affairs	~~31.0~~ 29.5
Health	~~414.6~~ 397.4
Human Services	~~954.6~~ 919.7
Mental Health, Retardation, and Hospitals	~~1,398.4~~ 1,294.0

Office of the Child Advocate	5.8
Commission on the 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~~ 129.7
School for the Deaf	~~60.0~~ 57.6
Davies Career and Technical School	~~133.0~~ 128.5
Office of Higher Education	~~20.4~~ 17.2

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~~ 2,364.5

Provided that ~~602.0~~ 550.1 of the total authorization would be available only for positions that are supported by third-party funds.

Rhode Island College	~~895.1~~ 880.3

Provided that ~~82.0~~ 75.1 of the total authorization would be available only for positions that are supported by third-party funds.

Community College of Rhode Island	~~813.1~~ 767.9

Provided that ~~100.0~~ 61.5 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~~ 37.3
Historical Preservation and Heritage Commission	16.6
Public Telecommunications Authority	~~18.0~~ 16.0
Office of the Attorney General	~~231.1~~ 230.0
Corrections	~~1,423.0~~ 1,402.5
Judicial	~~729.3~~ 699.7
Military Staff	~~111.0~~ 109.0
Public Safety	~~432.1~~ 418.6
Office of the Public Defender	~~91.0~~ 92.0
Environmental Management	~~417.0~~ 402.5
Coastal Resources Management Council	30.0
Water Resources Board	6.0
Transportation	~~780.2~~ 739.4
Total	**~~14,863.0~~ 14,340.8**

SECTION 5. Notwithstanding any provision of section 42-11-2.4 of the Rhode Island General Laws, the State Controller shall transfer the sum of three million six hundred thirty-eight thousand dollars ($3,638,000) from the State Fleet Replacement Revolving Loan Fund to the State General Fund by June 30, 2010.

SECTION 6. 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 five hundred thousand dollars ($1,500,000) on June 30, 2010.

SECTION 7. This article shall take effect upon passage."

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC01147/5
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The motion to amend prevails on a roll call vote 69 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

By unanimous consent, Representative MacBeth 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
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 11, page 8, line 13, be deleting the number “(1,931,479)” and inserting in place thereof the number “(4,231,479)”.

(2) In Article 11, page 8, line 13, by deleting the number “33,942,533” and inserting in place thereof the number “31,642,533”.

(3) In Article 11, page 8, line 15, by deleting the number “(1,985,160)” and inserting in place thereof the number “(4,285,160)”.

(4) In Article 11, page 8, line 15, by deleting the number “35,445,564” and inserting in place thereof the number “33,145,564”.

Respectfully submitted,

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REPRESENTIVE MACBETH

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LC01147/2
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Representatives MacBeth discusses the amendment.

The motion to amend fails on a roll call vote 17 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 17: Representatives Brien, Corvese, DaSilva, Driver, Ehrhardt, Fierro, Guthrie, Lima, Loughlin, MacBeth, Menard, Messier, Newberry, Schadone, Trillo, Wasylyk, Watson.

NAYS - 52: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Edwards, Fellela, Ferri, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

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

YEAS - 60: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 10: Representatives Brien, Corvese, Lima, Loughlin, MacBeth, Menard, Newberry, Schadone, Wasylyk, Watson.

ARTICLE 12 RELATING TO PUBLIC UTILITIES COMMISSION CATV ASSESSMENT

Representative Giannini moves passage of the article, seconded by Representatives O'Neill and Almeida.

Representatives Watson, Costantino and Handy discuss the article.

The article is read and prevails on a roll call vote, 56 members voting in the affirmative and 17 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, MacBeth, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 17: Representatives Azzinaro, Baldelli-Hunt, Brien, Driver, Edwards, Ehrhardt, Lima, Loughlin, Malik, Menard, Messier, Newberry, Pollard, Savage, Schadone, Trillo, Watson.

ARTICLE 13 RELATING TO EDUCATION AID

Representative Gablinske moves passage of the article, seconded by Representatives Costantino and Almeida.

By unanimous consent, Representative Costantino seconded by Representatives Melo, Gablinske and Silva offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 13, page 1, by deleting all the language contained in the article following the title on line 2 and by substituting the following language in place thereof:

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

16-7.1-15. The Paul W. Crowley Rhode Island student investment initiative. ~~[Effective July 1, 2010.]~~.-- (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 §§ 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 § 16-7.1-8, § 16-7.1-9, § 16-7.1-10, § 16-7.1-11, § 16-7.1-11.1, § 16-7.1-12, § 16-7.1-16, § 16-7.1-19 and 16-77.1-2(b) shall be FY 2004. Calculation and distribution of education aid under §§ 16-5-31, 16-5-32, 16-7-20, 16-7-20.5, 16-7-34.2, 16-7-34.3, 16-24-6, 16-54-4, and 16-67-4 is hereby suspended. 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 § 16-7.1-11.1 shall be in addition to funding received under this section.

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

(d) 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 § 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.

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

	General Revenues	FY 2010 Stimulus Fiscal Stabilization Allocation
Barrington	~~1,863,090~~ 1,629,678	~~128,427~~ 170,513
Burrillville	~~12,928,167~~ 12,220,612	~~681,478~~ 948,730
Charlestown	~~1,697,49 7~~ 1,590,767	~~98,918~~ 134,864
Coventry	~~18,056,601~~ 16,912,980	~~991,787~~ 1,365,674
Cranston	~~31,662,364~~ 29,622,695	~~1,752,647~~ 2,410,080
Cumberland	~~11,829,002~~ 11,066,294	~~654,948~~ 900,586
East Greenwich	~~1,503,975~~ 1,321,451	~~96,326~~ 129,312
East Providence	~~24,199,858~~ 23,047,872	~~1,328,384~~ 1,833,360
Foster	~~1,286,565~~ 1,208,609	~~69,979~~ 96,527

Glocester	~~2,927,949~~ 2,754,277	~~158,776~~ 219,128
Hopkinton	~~5,677,786~~ 5,323,835	~~308,347~~ 425,441
Jamestown	~~398,173~~ 356,229	~~26,278~~ 35,124
Johnston	~~9,596,568~~ 8,971,463	~~531,110~~ 730,358
Lincoln	~~6,363,969~~ 5,884,774	~~365,750~~ 499,702
Little Compton	~~296,650~~ 267,222	~~18,221~~ 24,622
Middletown	~~9,532,081~~ 8,937,990	~~518,598~~ 715,319
Narragansett	~~1,167,137~~ 1,314,267	~~93,727~~ 125,872
Newport	~~10,714683~~ 10,104,222	~~586,477~~ 808,465
New Shoreham	~~64,987~~ 50,323	~~5,254~~ 6,826
North Kingstown	~~10,631,113~~ 9,922,498	~~2,155~~ 813,392
North Providence	~~12,081,507~~ 11,311,934	~~661,166~~ 911,004
North Smithfield	~~4,344,329~~ 4,055,880	~~238,830~~ 328,814
Pawtucket	~~62,176,676~~ 58,731,451	~~3,311,223~~ 4,584,707
Portsmouth	~~5,923,071~~ 5,571,674	~~332,008~~ 454,416
Providence	~~178,309,941~~ 168,378,347	~~9,577,917~~ 13,241,031
Richmond	~~5,652,344~~ 5,300,144	~~305,712~~ 422,147
Scituate	~~2,926,243~~ 2,712,604	~~168,328~~ 229,942
Smithfield	~~4,992,643~~ 4,635,136	~~283,754~~ 388,414
South Kingstown	~~9,224,287~~ 8,575,177	~~521,117~~ 714,097
Tiverton	~~5,271,861~~ 4,923,363	~~293,067~~ 402,699
Warwick	~~32,168,879~~ 31,261,607	~~1,858,870~~ 2,554,650
Westerly	~~5,771,932~~ 5,319,551	~~338,071~~ 460,458
West Warwick	~~18,738,108~~ 17,635,159	~~1,009,842~~ 1,395,236
Woonsocket	~~44,071,702~~ 41,636,569	~~2,342,811~~ 3,244,945
Bristol-Warren	~~18,761,456~~ 17,675,687	~~1,009,726~~ 1,395,455
Exeter-West Greenwich	~~6,814,331~~ 6,378,147	~~374,779~~ 515,945
Chariho	~~378,758~~ 359,704	~~19,679~~ 27,370
Foster-Glocester	~~5,194,804~~ 4,878,574	~~283,077~~ 390,339
Central Falls	~~42,507,399~~ 40,233,714	~~2,167,539~~ 3,021,611

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 § 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.

(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 (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) (1) For FY 2010, payments to charter public schools shall be reduced by the equivalent savings that are realized due to a ~~deferment~~ reduction 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.

(2) For FY 2010, payments to charter public schools shall be further reduced by one million one hundred fifty-eight thousand one dollars ($1,158,001) based on the charter schools' share of total FY 2010 originally enacted education aid. For FY 2010, an additional distribution of stabilization funds per the American Recovery and Reinvestment Act (ARRA) totaling one hundred ninety-seven thousand seven hundred fifty-two dollars ($197,752) shall be allocated to charter public schools proportionately based on their share of total FY 2010 originally enacted education aid.

(3) 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.

(i) There shall be deducted from the final aid payment to each school district any amounts owed to the state at the end of the fiscal year for transportation of the district's students under the statewide transportation system established pursuant to R.I.G.L. 16-21.1-7 and 16-21.1-8. Districts shall receive monthly invoices summarizing the basis of the transportation fees charged. Any such deductions in aid shall be transferred to the statewide student transportation services restricted receipt account.

(j) The provisions of R.I.G.L. 16-26-7.1 notwithstanding, districts shall be assessed tuition to cover the costs of educational services that are additional to the core deaf and hard of hearing education program that is provided to resident students at the Rhode Island School for the Deaf. This tuition shall be based on a graduated tuition schedule that is based on the varying needs of students. The department of elementary and secondary education shall develop and implement the schedule. Districts shall receive monthly invoices summarizing the basis for the tuition charged. There shall be deducted from the final aid payment to each school district at the end of the fiscal year any amounts owed to the state for these additional educational services.

~~(i)~~ (k) 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.

(l) For FY 2011, 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 2011, aid to school districts shall be further reduced by twenty million four hundred ninety thousand one hundred thirty-seven dollars ($20,490,137) from the FY 2010 originally enacted level based on the school district's share of total FY 2010 originally enacted education aid, including aid to state schools and charter schools. For FY 2011, a distribution of federal stabilization funds made available through the American Recovery and Reinvestment Act (ARRA), in the amount of seventeen million four hundred thirty-one thousand nine hundred four dollars ($17,431,904), shall be allocated to school districts proportionately based on their share of total FY 2010 originally enacted education aid, including aid to state schools and charter schools.

~~(f)~~ (m) There shall be an appropriation to ensure that total aid distributed to communities in FY ~~2010~~ 2011 under this section and §§ 16-7.1-11.1, 16-64-1.1 and 16-77.1-2(b), excluding any FY 2009 and FY 2010 Stabilization reappropriations, shall be as follows:

	General Revenues	FY 2011 Stimulus Fiscal Stabilization Allocation
Barrington	~~1,863,090~~ 1,709,541	~~128,427~~ 68,151
Burrillville	~~12,928,167~~ 12,723,172	~~684,478~~ 326,139
Charlestown	~~1,697,497~~ 1,658,980	~~98,948~~ 49,284
Coventry	~~18,056,601~~ 17,625,624	~~991,787~~ 480,946
Cranston	~~31,662,364~~ 30,876,770	~~1,752,647~~ 852,976
Cumberland	~~11,829,002~~ 11,534,855	~~654,948~~ 318,784
East Greenwich	~~1,503,975~~ 1,277,951	~~96,326~~ 49,760
East Providence	~~24,499,858~~ 23,891,690	~~1,328,384~~ 640,267
Foster	~~1,286,565~~ 1,259,241	~~69,979~~ 33,780
Glocester	~~2,927,940~~ 2,869,462	~~158,776~~ 76,538
Hopkinton	~~5,677,786~~ 5,547,160	~~308,347~~ 148,729
Jamestown	~~398,901~~ 373,118	~~26,278~~ 13,728
Johnston	~~9,596,568~~ 9,351,204	~~531,110~~ 258,452
Lincoln	~~6,363,969~~ 6,139,669	~~365,750~~ 181,008
Little Compton	~~296,650~~ 279,301	~~18,221~~ 9,269
Middletown	~~9,533,084~~ 9,312,401	~~518,598~~ 250,345
Narragansett	~~1,467,137~~ 1,375,277	~~93,727~~ 48,407
Newport	~~10,744,683~~ 10,528,468	~~586,477~~ 283,585

New Shoreham	~~64,987~~ 53,154	~~5,254~~ 2,926
North Kingstown	~~10,631,113~~ 10,344,125	~~592,155~~ 289,005
North Providence	~~12,081,507~~ 11,787,482	~~661,166~~ 320,061
North Smithfield	~~4,344,329~~ 4,226,827	~~238,830~~ 115,855
Pawtucket	~~62,176,676~~ 61,160,994	~~3,311,223~~ 1,582,330
Portsmouth	~~5,923,071~~ 5,806,300	~~331,008~~ 161,798
Providence	~~178,309,944~~ 175,216,822	~~9,577,917~~ 4,596,217
Richmond	~~5,652,344~~ 5,522,206	~~305,742~~ 147,191
Scituate	~~2,926,243~~ 2,830,181	~~168,328~~ 83,341
Smithfield	~~4,992,643~~ 4,759,547	~~283,754~~ 139,730
South Kingstown	~~9,224,287~~ 8,942,714	~~521,147~~ 255,978
Tiverton	~~5,271,861~~ 5,132,318	~~293,067~~ 142,905
Warwick	~~33,468,879~~ 32,587,668	~~1,858,870~~ 906,046
Westerly	~~5,774,932~~ 5,552,661	~~338,074~~ 168,643
West Warwick	~~18,738,108~~ 18,369,914	~~1,009,842~~ 485,338
Woonsocket	~~44,074,702~~ 43,237,525	~~2,342,811~~ 1,118,508
Bristol-Warren	~~18,764,456~~ 18,411,506	~~1,009,726~~ 484,936
Exeter-West Greenwich	~~6,814,331~~ 6,527,123	~~374,779~~ 181,826
Chariho	~~378,758~~ 374,376	~~19,679~~ 9,291
Foster-Glocester	~~5,194,804~~ 5,083,179	~~283,077~~ 136,766
Central Falls	~~42,507,399~~ 41,852,580	~~2,167,539~~ 1,013,065

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 § 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.

~~(g)~~ (n) 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 ~~(f)~~ (g). 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

(o) For FY 2011, 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 schools district's aid as noted in subsection (g). For FY 2011, payments to charter public schools shall be further reduced by one million seventy-six thousand nine hundred forty-one dollars ($1,076,941) from the FY 2010 originally enacted education aid based on the charter schools' share of total FY 2010 enacted education aid, including aid to school districts and state schools. For FY 2011, a distribution of federal stabilization funds made available through the American Recovery and Reinvestment Act (ARRA), in the amount of one million forty-eight thousand six hundred dollars ($1,048,600), shall be allocated to charter public schools proportionately based on their share of total FY 2010 originally enacted education aid, including aid to school districts and state schools.

SECTION 2. Section 16-7-23 of the General Laws in Chapter 16-7 entitled "Foundation Level School Support" is hereby amended to read as follows:

16-7-23. Community requirements -- Adequate minimum budget provision. -- (a) The school committee's budget provisions of each community for current expenditures in each budget year shall provide for an amount from all sources sufficient to support the basic program and all other approved programs shared by the state. Each community shall contribute local funds to its school committee in an amount not less than its local contribution for schools in the previous fiscal year. Provided, that for the fiscal years 2010 and 2011 each community shall contribute to its school committee in an amount not less than ninety-five percent (95.0%) of its local contribution for schools for the fiscal year 2009. Calculation of the annual local contribution shall not include Medicaid revenues received by the municipality or district pursuant to chapter 8 of title 40. A community which has a decrease in enrollment may compute maintenance of effort on a per pupil rather than on an aggregate basis when determining its local contribution; furthermore, a community which experiences a nonrecurring expenditure for its schools may deduct the nonrecurring expenditure in computing its maintenance of effort. The deduction of nonrecurring expenditures shall be with the approval of the commissioner. The courts of this state shall enforce this section by writ of mandamus.

(b) Whenever any state funds are appropriated for educational purposes, the funds shall be used for educational purposes only and all state funds appropriated for educational purposes must be used to supplement any and all money allocated by a city or town for educational purposes and, in no event, shall state funds be used to supplant, directly or indirectly, any money allocated by a city or town for educational purposes. All state funds shall be appropriated by the municipality to the school committee for educational purposes in the same fiscal year in which they are appropriated at the state level even if the municipality has already adopted a school budget. All state and local funds unexpended by the end of the fiscal year of appropriation shall remain a surplus of the school committee and shall not revert to the municipality. Any surplus of state or local funds appropriated for educational purposes shall not in any respect affect the requirement that each community contribute local funds in an amount not less than its local contribution for schools in the previous fiscal year, subject to subsection (a) of this section, and shall not in any event be deducted from the amount of the local appropriation required to meet the maintenance of effort provision in any given year.

SECTION 3. Sections 16-7-41 and 16-7-45 of the General Laws in Chapter 16-7 entitled “Foundation Level School Support” are hereby amended to read as follows:

16-7-41. Computation of school housing aid. -- (a) In each fiscal year the state shall pay to each community a grant to be applied to the cost of school housing equal to the following:

The cost of each new school housing project certified to the commissioner of elementary and secondary education not later than July 15 of the fiscal year shall be divided by the actual number of years of the bond issued by the local community or the Rhode Island Health and Educational Building Corporation in support of the specific project, times the school housing aid ratio; and provided, further, with respect to costs of new school projects financed with proceeds of bonds issued by the local community or the Rhode Island Health and Educational Building Corporation in support of the specific project, the amount of the school housing aid payable in each fiscal year shall not exceed the amount arrived at by multiplying the principal and interest of the bonds payable in each fiscal year by the school housing aid ratio and which principal and interest amount over the life of the bonds, shall, in no event, exceed the costs of each new school housing project certified to the commissioner of elementary and secondary education. If a community fails to specify or identify the appropriate reimbursement schedule, the commissioner of elementary and secondary education may at his or her discretion set up to a five (5) year reimbursement cycle for projects under five hundred thousand dollars ($500,000); up to ten (10) years for projects up to three million dollars ($3,000,000); and up to twenty (20) years for projects over three million dollars ($3,000,000).

(b) Aid shall be provided for the same period as the life of the bonds issued in support of the project and at the school housing aid ratio applicable to the local community at the time of the bonds issued in support of the project.

(c) Aid shall be paid either to the community or in the case of projects financed through the Rhode Island Health and Educational Building Corporation, to the Rhode Island Health and Educational Building Corporation or its designee including, but not limited to, a trustee under a bond indenture or loan and trust agreement, in support of bonds issued for specific projects of the local community in accordance with this section, § 16-7-40 and § 16-7-44. Notwithstanding the preceding, in case of failure of any city, town or district to pay the amount due in support of bonds issued on behalf of a city or town school project financed by the Rhode Island Health and Educational Building Corporation, upon notification by the Rhode Island Health and Educational Building Corporation, the general treasurer shall deduct the amount from aid provided under this section, § 16-7-40 and § 16-7-44 due the city, town or district and direct said funding to the Rhode Island Health and Educational Building Corporation or its designee.

(d) Notwithstanding any provisions of law to the contrary, in connection with the issuance of refunding bonds benefiting any local community, any net interest savings resulting from the refunding bonds issued by such community or a municipal public buildings authority for the benefit of the community or by the Rhode Island health and educational building corporation for the benefit of the community, in each case in support of school housing projects for the community, shall be allocated between the community and the state of Rhode Island, by applying the applicable school housing aid ratio at the time of issuance of the refunding bonds, calculated pursuant to § 16-7-39, that would otherwise apply in connection with school housing projects of the community. In connection with any such refunding of bonds, the finance director or the chief financial officer of the community shall certify such net interest savings to the commissioner of elementary and secondary education. Notwithstanding § 16-7-44 or any other provision of law to the contrary, school housing projects costs in connection with any such refunding bond issue shall include bond issuance costs incurred by the community, the municipal public buildings authority or the Rhode Island health and educational building corporation, as the case may be, in connection therewith. In connection with any refunding bond issue, school housing project costs shall include the cost of interest payments on such refunding bonds, if the

cost of interest payments was included as a school housing cost for the bonds being refunded. A local community or municipal public buildings authority shall not be entitled to the benefits of this subsection (d) unless the net present value savings resulting from the refunding is at least three percent (3%) of the refunded bond issue.

(e) Any provision of law to the contrary notwithstanding, the commissioner of elementary and secondary education shall cause to be monitored the potential for refunding outstanding bonds of local communities or municipal public building authorities or of the Rhode Island Health and Educational Building Corporation issued for the benefit of local communities or municipal public building authorities and benefiting from any aid referenced in this section. In the event it is determined by said monitoring that the net present value savings which could be achieved by refunding such bonds of the type referenced in the prior sentence including any direct costs normally associated with such refundings is equal to (i) at least one hundred thousand dollars ($100,000) and (ii) for the state and the communities or public building authorities at least three percent (3%) of the bond issue to be refunded including associated costs then, in such event, the commissioner (or his or her designee) may direct the local community or municipal public building authority for the benefit of which the bonds were issued, to refund such bonds. Failure of the local community or municipal public buildings authority to timely refund such bonds, except due to causes beyond the reasonable control of such local community or municipal public building authority, shall result in the reduction by the state of the aid referenced in this § 16-7-4.1 associated with the bonds directed to be refunded in an amount equal to ninety percent (90%) of the net present value savings reasonably estimated by the commissioner of elementary and secondary education (or his or her designee) which would have been achieved had the bonds directed to be refunded been refunded by the ninetieth (90th) day (or if such day is not a business day in the state of Rhode Island, the next succeeding business day) following the date of issuance of the directive of the commissioner (or his or her designee) to refund such bonds. Such reduction in the aid shall begin in the fiscal year following the fiscal year in which the commissioner issued such directive for the remaining term of the bond.

(f) Payments shall be made in accordance with § 16-7-40 and this section.

16-7-45. Annual appropriations. -- The general assembly shall annually appropriate those sums that it may deem necessary to carry out the purposes of §§ 16-7-35 to 16-7-47, and the state controller is authorized and directed to draw his or her orders upon the general treasurer for the payment of the sum, or so much of it as may be required from time to time, upon the receipt by the controller of properly authenticated vouchers. In the event that the full amount of housing aid has not been appropriated in a particular fiscal year, school housing aid will not be ratably reduced. In such cases, aid computed for school housing costs for debt service which has been paid by the local community prior to project completion will be deferred. Such aid will be paid within three (3) equal installments beginning the fiscal year after project completion. This deferral provision shall only be applicable if the computed aid for debt service paid by the local community prior to project completion exceeds five hundred thousand dollars ($500,000).

SECTION 4. Section 16-5-34 of the General Laws in Chapter 16-5 entitled "State Aid" is hereby repealed.

~~16-5-34. Statewide purchasing system. -- The department of elementary and secondary education, pursuant to the collaborative established in Rhode Island General Laws § 6-2-9.2 along with the department of administration, shall develop a plan for the establishment and implementation of a statewide purchasing system for all public schools in this state. Said statewide purchasing system shall develop requests for proposals relating to goods and services~~

~~to enhance and support the mission of public schools and public education in general throughout this state, including, but not limited to, the purchase of the following goods, supplies, and services:~~

~~(a) General school supplies such as paper goods, office supplies, and cleaning products that are or may be utilized by school departments;~~

~~(b) Textbooks, telecommunications, wireless services, and software that have been identified by local school departments as needed to support local curriculum objectives;~~

~~(c) A statewide school transportation system for children with special needs. Local school departments shall be eligible to participate in this system by purchasing transportation services on a fee-for-service basis. It is stated herein that the goals and intent of establishing this state-wide transportation system shall be as follows:~~

~~(1) To reduce the duplication of bus routes;~~

~~(2) To improve services to children through the development of shorter, more efficient routes that minimize the amount of time spent by the student traveling on school transportation to and from school and school-related/sponsored activities; and~~

~~(3) To reduce transportation costs to local educational authorities through greater efficiency and cost-effective measures.~~

~~(d) General non-medical and dental insurance products and services, provided however,~~

~~that the statewide purchasing system shall permit districts to establish their own benefit and coverage levels.~~

~~(e) The department of elementary and secondary education, in collaboration with the~~

~~department of administration, shall also develop policies and procedures to reduce the cost of health care insurance to local school departments by developing a collaborative process which shall include local educational authorities and representatives of local educational unions in discussions of cost saving efficiencies that could be achieved by including these employees in a state health insurance contract.~~

SECTION 5. Chapter 16-60 of the General Laws entitled "Board of Regents for Elementary and Secondary Education" is hereby amended by adding thereto the following section:

16-60-7.3. Statewide purchasing system and programs. – (a) The department of elementary and secondary education, together with the department of administration, is authorized to develop and implement a voluntary statewide purchasing system for all public schools in this state, including regional school districts. Said system may be utilized for the purchase of all goods, supplies and services to support and enhance public school operations under a statewide contract, and shall include, but not be limited to, the following goods, supplies and services:

(1) General school supplies such as paper goods, office supplies, textbooks and cleaning products that are or may be utilized by school departments;

(2) Telecommunications, wireless services, computer equipment, hardware and software that have been identified by local school departments as needed to support curriculum objectives;

(3) General non-medical and dental insurance products and services; provided however, that the statewide purchasing system shall permit districts to establish their own benefit and coverage levels.

(b) Notwithstanding the provisions of any general or public law to the contrary, including the provisions of chapter 2 of title 37, the department of elementary and secondary education and local and regional school districts are authorized to participate in purchasing collaboratives,

consisting of two (2) or more states. Said participation shall be subject to prior approval of the chief purchasing officer and rules and regulations promulgated by the department.

SECTION 6. Section 37-2-56 of the General Laws in Chapter 37-2 entitled "State Purchases" is hereby amended to read as follows:

37-2-56. Purchasing for municipalities and regional school districts. -- (a) Any municipality or regional school district of the state may participate in state master price agreement contracts for the purchase of materials, supplies, services and equipment entered into by the purchasing agent, provided, however, that the contractor is willing, when requested by the municipality or school district, to extend the terms and conditions of the contract and that the municipality or school district will be responsible for payment directly to the vendor under each purchase contract. Unless a state contract is the result of an intergovernmental cooperative purchase contract to which a municipality or school district is a party, the purchasing agent shall not compel a successful bidder to extend the same terms and conditions to a municipality or school district. However, the purchasing agent may, in the interest of obtaining better pricing on behalf of the state and local entities, solicit offers based upon anticipated master price agreement utilization by municipalities and school districts.

SECTION 7. This article shall take effect upon passage."

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01149/10
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The motion to amend prevails on a roll call vote 56 members voting in the affirmative and 11 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Corvese, Costantino, DaSilva, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Malik, Marcello, Martin, Mattiello, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Winfield.

NAYS - 11: Representatives Brien, Edwards, Jacquard, Lima, Loughlin, MacBeth, Menard, Newberry, Trillo, Wasylyk, Watson.

Representative MacBeth discusses the act, as amended.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 13, page 5, line 21, after the word “Deaf” by inserting the language: “unless the school district has notified the Rhode Island School for the Deaf and the Rhode Island Department of Education that those charges are being disputed, in which case those amounts will not be deducted until the disputed amounts have been resolved by exhausting administrative and judicial remedies”.

Respectfully submitted,

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REPRESENTATIVE MACBETH

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LC01149/7
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Representatives MacBeth discusses the amendment.

The motion to amend fails on a roll call vote 27 members voting in the affirmative and 46 members voting in the negative as follows:

YEAS - 27: Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Corvese, DaSilva, Driver, Ehrhardt, Guthrie, Hearn, Jacquard, Lima, Loughlin, MacBeth, Malik, Martin, Menard, Messier, Newberry, Rice, M., Savage, Schadone, Trillo, Walsh, Wasylyk, Watson, Winfield.

NAYS - 46: The Honorable Speaker Fox and Representatives Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Marcello, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williams, Williamson.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

1. In Article 1, page 7, line 22, by deleting the number "37,474,136" and inserting in

place thereof the number "35,174,136".

2. In Article 1, page 7, line 24, by deleting the number "39,049,144" and inserting in place thereof the number "36,749,144".

3. In Article 13, page 7, between lines 33 and 34, by inserting the following language:

"In addition to the amounts listed above, there shall be an additional appropriation of two million three hundred thousand dollars ($2,300,000), which shall be distributed in the same proportion as the aid distributed above."

Respectfully submitted,

_____
REPRESENTATIVE NEWBERRY

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LC01134/2
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Representatives Newberry, Jacquard, Watson, Lima, Williamson and Gablinske discuss the amendment.

Representative Lima rises on a point of order according to Rule 46B.

The Honorable Speaker Fox rules for Representative Gablinske to keep his comments to the matter at hand.

The motion to amend fails on a roll call vote 29 members voting in the affirmative and 43 members voting in the negative as follows:

YEAS - 29: Representatives Ajello, Azzinaro, Brien, Corvese, DaSilva, Driver, Ehrhardt, Fierro, Guthrie, Hearn, Jacquard, Lima, Loughlin, MacBeth, Malik, Marcello, Menard, Messier, Newberry, Rice, A., Ruggiero, Savage, Schadone, Segal, Trillo, Walsh, Wasylyk, Watson, Winfield.

NAYS - 43: The Honorable Speaker Fox and Representatives Almeida, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Edwards, Fellela, Ferri, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, M., San Bento, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williams, Williamson.

By unanimous consent, Representative Guthrie seconded by Representatives Menard and Brien offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

1. In Article 13, on page 14, between lines 13 and 14, by inserting the following language:

"SECTION 7. Sections 16-7-16, 16-7-22, 16-7-23 and 16-7-24 of the General Laws in Chapter 16-7 entitled "Foundation Level School Support" are hereby amended to read as follows:

16-7-16. Definitions. -- The following words and phrases used in sections 16-7-15 to 16-7-34 have the following meanings:

(1) "Adjusted equalized weighted assessed valuation" means the equalized weighted assessed valuation of a community as determined by the department of revenue or as apportioned by the commissioner pursuant to the provisions of section 16-7-21;

(2) "Average daily membership" means the average number of pupils in a community during a school year as determined pursuant to the provisions of section 16-7-22, less any students who are served in a program operated by the state or attending a public charter school and funded through the permanent foundation education aid formula pursuant to chapter 16-7.2 ~~which program is part of the operations aid formula~~;

(3) "Basic education program" means the cost of education of resident pupils in grades twelve (12) and below in average daily membership for the reference year as determined by the mandated minimum program level ~~plus all transportation costs including school bus monitors~~;

(4) "Certified personnel" means all persons who are required to hold certificates issued by or under the authority of the board of regents for elementary and secondary education;

(5) "Community" means any city, town, or regional school district established pursuant to law and/or the department of children, youth, and families; provided, however, that the department of children, youth, and families shall not have those administrative responsibilities and obligations as set forth in chapter 2 of this title; provided, however, that the member towns of the Chariho regional high school district, created by P.L. 1958, chapter 55 as amended, shall constitute separate and individual communities for the purpose of determining and distributing the foundation level school support including state aid for noncapital excess expenses for the special education of children with disabilities provided for in section 16-24-6 for all grades financed in whole or in part by the towns irrespective of any regionalization and any school operated by the state department of elementary and secondary education;

(6) "Department of children, youth, and families" means that department created pursuant to chapter 72 of title 42. For purposes of this section, sections 16-7-20, 16-24-2, and 42-72-5(b)(22), "children" means those children who are placed, assigned, or otherwise accommodated for residence by the department of children, youth, and families in a state operated or supported community residence licensed by a state agency and the residence operates an educational program approved by the department of elementary and secondary education;

(7) "Equalized weighted assessed valuation" means the equalized weighted assessed valuation for a community as determined by the division of property valuation pursuant to the provisions of section 16-7-21;

(8) "Full time equivalency students" means the time spent in a particular activity divided by the amount of time in a normal school day;

(9) "Incentive entitlement" means the sum payable to a local school district under the formula used;

(10) "Mandated minimum program level" means the amount that shall be spent by a community for every pupil in average daily membership as determined pursuant to the provisions of section 16-7-18;

(11) "Reference year" means the next year prior to the school year immediately preceding that in which the aid is to be paid. For purposes of calculating the permanent foundation education formula as described in section 16-7.2-3, the reference date shall be established by the department of elementary and secondary education and shall not exceed one year prior to the year in which aid is paid; and

(12) "Regularly employed" and "service" as applied to certified personnel have the same meaning as defined in chapter 16 of this title.

16-7-22. Determination of average daily membership. -- Each community shall be paid pursuant to the provisions of section 16-7-17 an amount based upon the following provisions:

(1) On or before September 1 of each year the average daily membership of each city and town for the reference year shall be determined by the commissioner of elementary and secondary education from data supplied by the school committee in each community in the following manner: The aggregate number of days of membership of all pupils enrolled full time in grade twelve (12) and below, except that pupils below grade one who are not full time shall be counted on a full time equivalent basis: (i) increased by the aggregate number of days of membership of pupils residing in the particular city or town whose tuition in schools approved by the department of elementary and secondary education in other cities and towns is paid by the particular city or town; and (ii) decreased by the aggregate number of days of membership of nonresident pupils enrolled in the public schools of the particular city or town and further decreased by the aggregate number of days of membership equal to the number of group home beds calculated for the purposes of reimbursement pursuant to section 14-64-1.1; and (iii) decreased further, in the case of a city or town which is a member of a regional school district during the first year of operation of the regional school district, by the aggregate number of days of membership of pupils residing in the city or town who would have attended the public schools in the regional school district if the regional school district had been operating during the previous year, divided by the number of days during which the schools were officially in session during the reference year. The resulting figures shall be the average daily membership for the city or town for the reference year. For purposes of calculating the permanent foundation education formula as described in subdivisions 16-7.2-3(1) and (2), the average daily membership for school districts shall exclude charter school and state school students.

(2) The average daily membership of pupils attending public schools shall apply for the purposes of determining the percentage of the state's share under the provisions of sections 16-7-16(3), 16-7-16(10), 16-7-18, 16-7-19, 16-7-20, ~~and~~ 16-7-21 and 16-7.2-4.

(3) In the case of regional school districts, the aggregate number of days of membership by which each city or town is decreased in subdivision (1)(iii) of this section divided by the number of days during which the schools attended by the pupils were officially in session shall determine the average daily membership for the regional school district during the first year of operation. After the first year of operation, the average daily membership of each regional school district, except the Chariho regional high school district, shall be determined by the commissioner of elementary and secondary education from data supplied by the school committee of each regional school district for the reference year in the manner provided in subdivision (1) of this section.

16-7-23. Community requirements -- Adequate minimum budget provision. -- (a) The school committee's budget provisions of each community for current expenditures in each budget year shall provide for an amount from all sources sufficient to support the basic education program and all other approved programs shared by the state. Each community shall contribute

local funds to its school committee in an amount not less than its local contribution for schools in the previous fiscal year except to the extent permitted by section 16-7-23.1. Calculation of the annual local contribution shall not include Medicaid revenues received by the municipality or district pursuant to chapter 8 of title 40. A community which has a decrease in enrollment may compute maintenance of effort on a per pupil rather than on an aggregate basis when determining its local contribution; furthermore, a community which experiences a nonrecurring expenditure for its schools may deduct the nonrecurring expenditure in computing its maintenance of effort. The deduction of nonrecurring expenditures shall be with the approval of the commissioner. The courts of this state shall enforce this section by writ of mandamus.

(b) Whenever any state funds are appropriated for educational purposes, the funds shall be used for educational purposes only and all state funds appropriated for educational purposes must be used to supplement any and all money allocated by a city or town for educational purposes and, in no event, shall state funds be used to supplant, directly or indirectly, any money allocated by a city or town for educational purposes. All state funds shall be appropriated by the municipality to the school committee for educational purposes in the same fiscal year in which they are appropriated at the state level even if the municipality has already adopted a school budget. All state and local funds unexpended by the end of the fiscal year of appropriation shall remain a surplus of the school committee and shall not revert to the municipality. Any surplus of state or local funds appropriated for educational purposes shall not in any respect affect the requirement that each community contribute local funds in an amount not less than its local contribution for schools in the previous fiscal year, subject to subsection (a) of this section, and shall not in any event be deducted from the amount of the local appropriation required to meet the maintenance of effort provision in any given year.

16-7-24. Minimum appropriation by a community for approved school expenses. -- Each community shall appropriate or otherwise make available to the school committee for approved school expenditures during each school year, to be expended under the direction and supervision of the school committee of that community, an amount, which, together with state education aid and federal aid: (1) shall be not less than the costs of the basic education program during the reference year, (2) plus the costs in the reference year of all optional programs shared by the state; provided, however, that the state funds provided in accordance with section 16-5-31 shall not be used to supplant local funds. The board of regents for elementary and secondary education shall adopt regulations for determining the basic education program and the maintenance of local appropriation to support the basic education program.

A community that has a local appropriation insufficient to fund the basic education program pursuant to the regulations described in this section and all other approved programs shared by the state and required in law shall be required to increase its local appropriation in accordance with section 44-5-2 or find efficiencies in other non-education programs to provide sufficient funding to support the public schools. The city of Central Falls' annual local contribution to education shall be at least equal to the state share of the Central Falls stabilization fund pursuant subsection 16-7.2-6(d).

SECTION 8. Chapter 16-7 of the General Laws entitled "Foundation Level School Support" is hereby amended by adding thereto the following section:

16-7-23.1. Special maintenance of effort rules for high local contribution and high per pupil expenditure communities. -- (a) Any community that has a local appropriation that funds at least eighty-five percent (85%) of the basic education program shall be defined as a high local contribution community. A high local contribution community that has provided full funding of

the basic education program and all other approved programs required in law is authorized to reduce its local appropriation to schools by an amount up to ten percent (10%) of any increase it receives in state school funds, pursuant to the implementation of the permanent foundation education aid formula as defined in section 16-7.2-3.

(b) Any community that has a local appropriation that, combined with state education aid, provides full funding of the basic education program and exceeds the benchmarks established by the department of elementary and secondary education for costs outside the permanent foundation education aid formula, pursuant to section 16-7.2-3, including, but not limited to, transportation, facility maintenance, and retiree health care, shall be defined as a high per-pupil expenditure community. A high per-pupil expenditure community is authorized to reduce its local appropriation to schools by an amount up to ten percent (10%) of any increase it receives in state school funds, pursuant to the implementation of the permanent foundation education aid formula as defined in section 16-7.2-3.

(c) Upon request of the local community, and for good cause shown, the commissioner of elementary and secondary education may grant variances to subsections (a) and (b) if the commissioner finds that such adjustment does not disrupt the continued effective operation of the public school system of the city or town.

SECTION 9. Sections 16-7.1-1 and 16-7.1-2 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:

16-7.1-1. Legislative findings. -- (a) Legislative intent. - (1) The intent of this legislation is to enact a comprehensive state education aid funding program which addresses four (4) fundamental principles:

(i) Closing the inequitable resource gaps among school districts and schools;

(ii) Closing inequitable gaps in performance and achievement among different groups of students, especially those correlated with poverty, gender, special needs and language background;

(iii) Targeting investments to improve student and school performance; and

(iv) Establishing a predictable method of distributing state education aid in a manner that addresses the over-reliance on the property tax to finance education.

(2) This legislation is further designed to accelerate the implementation of the State Comprehensive Education Strategy. The strategy is an action plan for ensuring that all children achieve at high levels and become lifelong learners, productive workers, and responsible citizens. The standard for expected student achievement is currently being set at a high level both by the board of regents and in Rhode Island's districts and schools. High standards must be supported and these expectations must now be reached by all our students. All the state's children must enjoy the success that comes with proficiency in skill and knowledge.

(b) Evaluation of success. - Improved student and school performance is the key measure of the success of Rhode Island's schools. This success cannot occur without investment based on the four (4) fundamental principles as stated in subsection (a) of this section. The success of these investments shall be evaluated based on: accountability for student and school performance; accountability in terms of whether the state's investment is sufficiently adequate and equitable to support improvement in performance; and on accountability for district and school expenditures.

16-7.1-2. Accountability for student performance. -- (a) The board of regents shall adopt and publish statewide standards of performance and performance benchmarks in core subject

areas to include writing and mathematics (grades four (4), eight (8), and ten (10)). These standards and performance benchmarks shall be ratified by the board and implemented, and performance standards and performance benchmarks for reading in two (2) grades shall be added.

(b) Districts and schools need to be held accountable for student performance results. Therefore, every school district receiving state education aid under this title shall develop a district strategic plan. The district strategic plan shall: (1) be based on high academic standards for student performance consistent with the statewide standards and benchmarks; (2) be the product of a shared community wide process which defines a vision of what students should know and be able to do; (3) address the needs of each school in the district; (4) encourage the development of school-based improvement planning and implementation; (5) include a process for mentoring of new teachers; (6) be designed to improve student achievement with emphasis on closing the performance gaps among groups of students such as the performance gaps correlated with poverty, gender, language background, and disability; (7) include establishment of student intervention teams to address the instructional needs of diverse learners, include high standards of student behavior designed to create an orderly educational environment with due regard for the rights of students, and an asset protection plan; and (8) be consistent with Rhode Island's comprehensive education strategy. In order to assure the most efficient use of resources implementing strategic plans, <u>and to create economies of scale</u> districts and schools are encouraged to work together as consortia and as part of the regional collaboratives.

(c) (1) The strategic plan shall include strategies to improve the performance of students in mathematics, reading, and writing. Each plan must describe a 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 the reading skills of all students in the early grades (kindergarten through grade five (5)) that is aligned with the board of regents reading policy. The district must develop, implement and evaluate a Personal Literacy Program for each student in these grades who is performing below grade level. These strategies shall be based on the adequate yearly progress expected for students and schools. Annual performance targets for determining whether schools and districts have made adequate yearly progress will be set by the commissioner of elementary and secondary education. The general assembly expects these district strategies to increase the number of fourth grade students performing at or above the proficient standard in mathematics, reading, and writing in each district and school. The increase shall be established annually in accordance with section 16-7.1-4.

(2) The general assembly recognizes the contribution of school counselors to positive educational change, to the implementation of the No Child Left Behind Act of 2001, and to the success of students in three (3) developmental domains: academic, career, and personal/social. It endorses the National Standards for School Counseling Programs as developed by the American School Counselor Association (ASCA). Further, the general assembly encourages every district to implement a K-12 standards-based comprehensive, developmental school counseling program.

(d) Each strategic plan must indicate the manner in which self-studies will be completed at the school level in accordance with guidelines established by the commissioner. Funds shall be appropriated to the department of elementary and secondary education to assist districts with on-site reviews. Schools to be visited shall be determined by the commissioner.

(e) Each strategic plan must indicate the method in which school administrators and staff shall achieve and maintain an orderly educational environment in accordance with due process and with due regard for the rights of students.

(f) Each strategic plan shall include the development of inter-agency agreements for the coordination of services among state and local agencies responsible for service to children and families. These agreements shall address the identification and provision of services to pre-school children with disabilities and children and youth with behavioral health care needs.

(g) All district strategic plans and annual updates shall be submitted to the commissioner of elementary and secondary education no later than May 1, of each year.

(h) All strategic plans shall include strategies to decrease obesity and improve the health and wellness of students and employees through nutrition, physical activity, health education, and physical education. Said strategies shall be submitted by May 1st of each year to the Rhode Island department of elementary and secondary education and the Rhode Island department of health.

SECTION 10. Sections 16-7.2-1 and 16-7.2-2 of the General Laws in Chapter 16-7.2 entitled "The Education Equity and Property Tax Relief Act" are hereby amended to read as follows:

16-7.2-1. Legislative findings. -- (a) The general assembly recognizes the need for an equitable distribution of resources among the state's school districts, property tax relief and a predicable method of distributing education aid. The general assembly finds that there is a need to reform the way public education is financed because:

(1) All children should have access to an adequate and meaningful education regardless of their residence or economic means;

(2) A school funding system should treat property taxpayers ~~equably~~ equitably, limit the portion of school budgets financed by property taxes, ~~and~~ establish sufficient cost controls on school spending, and promote efficiency in the use and distribution of limited resources;

(3) The state should ensure that its school funding structure adequately reflects the different needs of students, and closes the educational inequities among the state's school districts; ~~and~~

(4) The state education funding system should provide a predicable amount and source of funding to ensure stability in the funding of schools~~.~~ ; and

(5) The state education funding system must be anchored in systems of fiscal and programmatic accountability that measure whether state and local programs and expenditures actually provide the opportunity for a sound basic education in a manner consistent with Rhode Island law.

(b) The intent of this chapter is to promote a school finance system in Rhode Island that is predicated on student need and taxpayer ability to pay. A new school funding system in the state should promote educational equity for all students and reduce the reliance on the property tax to fund public education. This legislation is intended to ensure educational opportunity to each pupil in each city or town on substantially equal terms. Adequate per pupil support will be provided through a combination of state school aid and local education property tax levies. The successful implementation of this comprehensive funding system will require the full implementation of the uniform system of accounting established by section 16-2-9.4, as well as incorporation of fiscal oversight into the state system of accountability as set forth in chapter 7.1 of this title. Funding shall be allocated on an annual basis to the department of elementary and secondary education for the purpose of implementing an accountability framework designed to ensure fiscal efficiency and program effectiveness.

16-7.2-2. Joint legislative committee to establish a permanent education foundation aid formula for Rhode Island. -- (a) There is hereby established a joint legislative committee to

develop a basic foundation support program and an appropriate transition plan to fully implement a new funding system.

The committee shall consist of ten (10) members, five (5) of which shall be appointed by the speaker of the house, one (1) of which shall be from the minority party, and five (5) members appointed by the president of the senate, one (1) of which shall be from the minority party. The speaker of the house and president of the senate shall each appoint a committee co-chair.

The joint legislative committee ~~is directed to consider the following framework in developing a new education foundation support program:~~ shall monitor the operation and implementation of this chapter and make such recommendations to the general assembly as it may from time to time deem appropriate.

(b) The provisions of this chapter shall apply to the 2010-2011 and subsequent school years. Education is of primary importance to Rhode Island's economic competitiveness. Rhode Island requires a permanent funding formula for education that ensures that education funding is distributed in a responsible and consistently predictable manner and takes into consideration available revenues as determined by the revenue and caseload estimating conference published findings. It will take a period of years to implement a new approach to education funding, making a reliable transition plan a key element of the permanent foundation education aid formula, as well as the funding system that implements that formula on an annual basis.

Successful education funding must be done with transparency, must be based on available data, and must have the flexibility to allow for mid-course corrections over a period of years. The successful implementation of the comprehensive funding system, pursuant to chapter 16-7.2, will require the full implementation of the uniform system of accounting and accountability established by section 16-2-9.4, as well as incorporation of fiscal oversight into the state system of accountability – progressive support and intervention – as set forth in chapters 7.1 and 7.2 of this title. Funding shall be allocated on an annual basis to the department of elementary and secondary education for the purpose of implementing an accountability framework designed to ensure fiscal efficiency and program effectiveness.

~~(1) A state education funding formula that is student population and needs driven. Student counts should include enrollments, students eligible for free and reduced lunch, those participating in language assistance programs, and special education. Provisions should be made for those school districts that experience declining enrollments.~~

~~(2) The accounting for "extraordinary special education expenditures" in special education spending for one child in a given fiscal year.~~

~~(3) A per pupil foundation amount to be used in the calculation of school funding. The per pupil foundation amount should be based on what the cost is to provide an equitable and adequate education, and consider various cost factors, such as pupil-teacher ratios, teacher and staff compensation, technology investments, educational supplies, teacher training and professional development, student performance assessments, curriculum offerings and support services and other costs associated with the delivery of educational services.~~

~~(4) Per pupil cost, based on a least cost option plan to provide purchase of service contracts in areas such as equipment, repair, benefits, transportation, general purchasing, capital construction, data processing and health and other insurance programs. In addition, the department of education should assist regional collaboratives in identifying opportunities to maximize multiple school district participation for "high cost" programs.~~

~~(5) Various methods of funding the system.~~

~~(6) A transition education funding plan.~~

~~(b) The speaker of the house and president of the senate, in consultation with the committee co-chairs, are hereby directed to appoint a foundation aid technical advisory group, and a property tax relief technical advisory group~~

~~(c) The foundation aid technical advisory group shall advise and assist the committee in recommending foundation aid amounts by:~~

~~(1) Identifying specific resources and least cost options to provide every child the opportunity to necessary educational opportunities to meet education performance standards; and~~

~~(2) Systematically calculating the amount of per pupil funding necessary to support an effective and efficient educational system. The group may create task forces to consider the needs of special populations, comprehensive education programs, and noneducational support activities, composed of experts in these areas. In developing a foundation aid amount, the group shall consider, among other factors, pupil-teacher ratios, compensation, collective bargaining practices, technology investments, educational supplies, teacher training and professional development, student performance assessments, curriculum offerings and support services and all other costs and needs associated with the delivery of educational services.~~

~~(d) The property tax relief technical advisory group shall advise and assist the committee in identifying the options and the impact of replacing existing local education property tax levies that support the funding of elementary and secondary education with other resources.~~

~~(e) The joint committee shall issue a report outlining its findings and recommendations no later than May 15, 2007.~~

~~All state agencies and departments shall be directed to cooperate with and provide all necessary information to the joint legislative committee.~~

SECTION 11. Chapter 16-7.2 of the General Laws entitled "The Education Equity and Property Tax Relief Act" is hereby amended by adding thereto the following sections:

16-7.2-3. Permanent foundation education aid established. – (a) Beginning in the 2011 fiscal year, the following foundation education aid formula shall take effect. The foundation education aid for each district shall consist of three (3) components:

(1) An amount equal to a statewide per pupil core instruction amount as established by the department of elementary and secondary education, derived from the average of northeast regional expenditure data from the National Center for Education Statistics (NCES) that will adequately fund the student instructional needs as described in the basic education program. The core instruction amount is multiplied by the district average daily membership as defined in section 16-7-22. For the purpose of calculating this formula, school districts resident average daily membership shall exclude charter school and state-operated school students.

(2) An amount in support of high need students that provides additional funding to support student needs beyond the core instruction amount to close inequitable gaps in performance and achievement among different groups of students, especially those correlated with poverty, gender, special needs, and language background. These funds shall be determined by multiplying a student success factor of forty percent (40%) by the core instruction per pupil amount described in subdivision 16-7.2-3(1) and applying that amount to all resident children eligible for USDA reimbursable school meals. Other poverty data may be substituted for USDA reimbursable school meals data if such poverty data is determined by the department of elementary and secondary education to be a more accurate indicator of poverty. To the extent that additional data for such purposes is needed from other state agencies, including, but not limited to, the executive office of health and human services, those agencies are hereby authorized to provide the necessary information to the department of elementary and secondary

education. For the purpose of calculating the permanent foundation education aid formula described in this section, charter school and state operated school children shall be excluded from the school district poverty data but will be included in the calculation for the individual charter and state operated schools.

The core instruction amount and the amount to support high need students shall be multiplied by the district state share ratio calculated pursuant to section 16-7.2-4.

(b) The statewide per pupil core instruction amount shall be adjusted every three (3) years or more frequently, if deemed necessary, by the department of elementary and secondary education based on the results of a comprehensive cost study using northeast regional expenditure data from the NCES and RI's uniform chart of accounts expenditure data.

(c) LEAs may set aside a portion of funds received under subsection (a) to expand learning opportunities such as after school and summer programs, full-day kindergarten and/or multiple pathway programs provided that the basic education program and all other approved programs required in law are funded.

16-7.2-4. Determination of state's share. – For each district, the state's share of the foundation education aid calculated pursuant to subsection 16-7.2-3(a) shall use a calculation that considers a district's revenue generating capacity and concentration of high-need students. The calculation takes the square root of the sum of the state share ratio for the community calculation (SSRC), pursuant to section 16-7-20, squared plus the district's percentage of students eligible for USDA reimbursable school meals in grades PK-6 (PK6FRPL) squared, divided by two.

$$State\ Share\ Ratio\ (SSR) = \sqrt{\frac{SSRC^2 + \%PK6FRPL^2}{2}}$$

For purposes of determining the state's share, school district student data used in this calculation shall include charter school and state school students. These ratios are used in the permanent foundation education aid formula calculation described in section 16-7.2-5. Other poverty data may be substituted for USDA reimbursable school meals data if such poverty data is determined by the department of elementary and secondary education to be a more accurate indicator of poverty. To the extent that additional data is needed for such purposes from other state agencies, including, but not limited to, the executive office of health and human services, those agencies are hereby authorized to provide the necessary information to the department of elementary and secondary education.

16-7.2-5. Charter schools, the William M. Davies, Jr. Career and Technical High School, and the Metropolitan Regional Career and Technical Center. – (a) Charter schools, the William M. Davies, Jr. Career and Technical High School (Davies) and the Metropolitan Regional Career and Technical Center (the Met Center) shall be funded pursuant to section 16-7.2-3. These schools shall provide enrollment projections by district of residence annually on a date determined by the department of elementary and secondary education for the following school year. Education aid shall be adjusted on October 1st for actual enrollments. The state share of the permanent foundation education aid shall be paid by the state directly to the charter public school, Davies, and the Met Center pursuant to section 16-7.2-9 and shall be calculated using the state share ratio of the district of residence of the student as set forth in section 16-7.2-4. The local share of education funding as defined by the department of elementary and secondary education shall be paid to the charter public schools, Davies, and the Met Center by the district of residence of the student and shall be the local per pupil cost calculated by dividing the local

appropriation to education from property taxes by the average daily membership for each city and town, pursuant to section 16-7-22, for the reference year.

(b) Local district payments to charter public schools, Davies, and the Met Center for each district's students enrolled in these schools shall be made on a quarterly basis in July, October, January and April; however, the first local district payment shall be made by August 15 instead of July. Failure of the community to make the local district payment for its student(s) enrolled in a charter public school, Davies, and/or the Met Center may result in the withholding of state education aid pursuant to section 16-7-31.

16-7.2-6. Categorical programs, state funded expenses. – In addition to the foundation education aid provided pursuant to section 16-7.2-3 the permanent foundation education aid program shall provide direct state funding for:

(1) Excess costs associated with special education students. Excess costs are defined when an individual special education student's cost shall be deemed to be "extraordinary." Extraordinary costs are those educational costs that exceed the state approved threshold based on an amount above the core foundation amount (total of core instruction amount plus student success amount) as determined by the department of elementary and secondary education. The department of elementary and secondary education shall establish criteria for the purpose of allocating any and all special education funds for excess costs. The department of elementary and secondary education shall prorate the funds available for distribution among those eligible school districts if the total approved costs for which school districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

(2) Career and technical education costs to help meet initial capital investment requirements needed to transform existing or create new comprehensive career and technical education programs and career pathways in critical and emerging industries and to help offset the higher than average costs associated with facilities, equipment maintenance and repair, and supplies necessary for maintaining the quality of highly specialized programs that are a priority for the state. The department of elementary and secondary education shall establish criteria for the purpose of allocating any and all career and technical education funds. The department of elementary and secondary education shall prorate the funds available for distribution among those eligible school districts if the total approved costs for which school districts are seeking reimbursement exceed the amount of funding available in any fiscal year;

(3) High quality pre-kindergarten programs to increase access to voluntary, free, high-quality pre-kindergarten programs to help close the achievement gaps for children in the highest need communities of the state. The high quality pre-kindergarten programs shall begin in communities that have a high proportion of children eligible for USDA reimbursable school meals. The department of elementary and secondary education shall establish criteria for the purpose of allocating any and all pre-kindergarten funds;

(4) Central Falls Stabilization Fund to assure that appropriate funding is available to support the community, including students from the community that attend the charter schools, Davies, and the Met pursuant to section 16-7.2-5, due to concerns regarding the local capacity to fully fund its share of education. This fund requires that the state and city share equally the local contribution to education aid, as defined in section 16-7-24, as determined by the transition period pursuant to section 16-7.2-7. This fund will be paid directly to the Central Falls school district upon verification that the city has transferred its share of the local contribution for education. At the end of the transition period, the municipality will continue its contribution toward the education of their students pursuant to section 16-7.2-4; and

(5) Funding for the categorical programs defined in subdivisions (1) through (5) shall be funded in accordance with the transition plan as defined by the department of elementary and secondary education pursuant to section 16-7.2-7.

16-7.2-7. Transition plan. – The department of elementary and secondary education shall annually determine the appropriation of education aid pursuant to this section using a transition plan not to exceed five (5) years for underfunded LEAs and ten (10) years for overfunded LEAs pursuant to section 16-7.2-3. The local share of funding pursuant to section 16-7.2-5 shall be transitioned proportionately over a period not to exceed five (5) years. The transition shall provide a combination of direct aid to districts, funds for the categorical programs as defined in section 16-7.2-6, and district savings through state-assumed costs, as determined by the general assembly on an annual basis. Updates to any components of the permanent foundation education aid formula, such as student data, property values, and/or median family income, that result in an increase or decrease in state education aid that impacts the total state and local contribution by more than three percent (3%) shall be transitioned over a period of time as determined by the department of elementary and secondary education.

16-7.2-8. Accountability. – (a) Pursuant to sections 16-7.1-3 and 16-7.1-5, the department of elementary and secondary education shall use the uniform chart of accounts to maintain fiscal accountability for education expenditures that comply with applicable laws and regulations, including, but not limited to, the basic education program. This data shall be used to develop criteria and priorities for cost controls, efficiencies, and program effectiveness.

(b) The department of elementary and secondary education shall establish and/or implement program standards to be used in the oversight of foundation aid calculated pursuant to section 16-7.2-3. The intent of such program standards is to ensure that state aid for targeted populations results in improved student performance, and that such funds be used in accordance with state standards for curricula, student proficiency, and performance-based graduation requirements. Such oversight will be carried out in accordance with the progressive support and intervention protocols established in chapter 7.1 of this title.

16-7.2-9. Applicability. – This chapter applies to education aid for any city, town or regional school district including the Central Falls state operated school district, charter schools, the William M. Davies, Jr. Career and Technical High School, and the Metropolitan Regional Career and Technical Center. Calculation and distribution of aid under sections 16-7-20.5, 16-7.1-6, 16-7.1-8, 16-7.1-9, 16-7.1-10, 16-7.1-11, 16-7.1-11.1, 16-7.1-12, 16-7.1-15, 16-7.1-16, 16-7.1-17, 16-7.1-18, 16-7.1-19, 16-67-4, and 16-77.1 is hereby suspended until further action by the general assembly. Aid under this chapter will be paid pursuant to section 16-7-17, except that aid to the Central Falls state operated school district and charter schools, Davies, and the Met Center pursuant to section 16-7.2-5 shall be paid in twelve (12) equal installments on the first of each month.

SECTION 12. Section 16-45-6 of the General Laws in Chapter 16-45 entitled "Regional Vocational Schools" is hereby amended to read as follows:

16-45-6. Powers additional to previous authority. -- (a) The powers delegated and authorized in this chapter for the board of regents for elementary and secondary education and the department of elementary and secondary education shall be in addition to those previously authorized by any other general or public law.

(b) The governance, funding, and programming of the William M. Davies, Jr. vocational technical school and the Metropolitan Career and Technical School shall be in accordance with the rules and regulations formulated by the board of regents for elementary and secondary

education pursuant to chapter 35 of title 42. Provided, however, the additional appropriation by the General Assembly in fiscal year 2005 for the William M. Davies, Jr. Vocational Technical School shall be used to fund sixty (60) additional placements. Forty (40) of those placements shall be made available to students from the City of Providence.

(c) The purpose of this chapter is to restructure the system of career and technical schools in Rhode Island for the benefit of the students, the economy, and the general welfare. The paramount aim is to enable the schools to make more significant contributions in providing the state's students with the career preparation they need to compete and succeed in the world of today and of the future. To ensure student success, a system of model career and technical schools will be established and supported. These schools will provide: integrated academic and vocational curricula, up to date technology, programs to meet the varying needs of all students, and strong links to business, industry, postsecondary education, and the community.

(d) (1) There shall be a system of state operated career and technical schools serving geographic areas of the state. Students attending these regional schools will do so on a full time basis with the costs for their education at the regional school being shared by the state and the district of residence as described in section 16-7.2-5 ~~fully funded by the state~~. State schools currently participating in the state retirement system that are not receiving reimbursement according to the method of financing prescribed in the state retirement act in chapter 8-10 of title 36 shall receive one hundred percent (100%) reimbursement for pension costs for those staff employed by the state.

(2) These schools shall be operated as local education agencies and each shall be governed by a board of trustees. With the exception of those powers and duties reserved by the director, the commissioner of elementary and secondary education, and the board of regents for elementary and secondary education, the board of trustees shall have the powers and duties of school committees. The Davies school shall be the first school operated under the provisions of this chapter and shall be renamed the William M. Davies, Jr. career and technical high school. The Metropolitan Career and Technical School shall be the second school operated under the provisions of this chapter.

(e) (1) The board of regents for elementary and secondary education shall appoint the members of the board of trustees from nominations made by the commissioner of elementary and secondary education. The chairperson shall also be selected in this manner. The board of regents shall determine the number, qualifications, and terms of office of members of the board of trustees. The board of trustees will be broadly representative of the local communities served by each school and the larger statewide workforce interests.

(2) The board of regents shall establish strategic directions for the career and technical education system that are consistent with the state's economic development plans, workforce requirements, and educational priorities and learner outcomes established by the board of regents.

(3) The board of regents shall provide parameters for the overall budget requests, approve the budget, and participate in budget development as required in subsection (i).

(f) (1) The commissioner of elementary and secondary education shall recommend parameters for the overall budget requests, recommend a budget and participate in budget development as required in subsection (i).

(2) The commissioner shall approve the process for selection of a director of each regional school. The commissioner shall develop a plan for statewide implementation of the provisions of this chapter.

(g) The board of trustees shall meet monthly and serve without compensation. Nine (9) members of the board of trustees shall be required to attend teacher appeal hearings conducted pursuant to section 16-13-4. The board of trustees shall have broad policy making authority for the operation of the school consistent with subsection (e) and the following powers and duties:

(1) To identify the educational needs of the communities in the district.

(2) To develop educational policies to meet the needs of students in the communities served by the school district.

(3) To appoint a director of its regional school to serve as its chief executive officer and to approve assistant and associate directors from nominations made by the director.

(4) To provide policy guidance and participate in budget development as required in subsection (i).

(5) To develop staffing policies which ensure that all students are taught by educators of the highest possible quality.

(h) (1) The director will serve at the pleasure of the board of trustees with the initial appointment to be for a period of not more than three (3) years, provided, that the term and conditions of employment are subject to the approval of the board of regents for elementary and secondary education.

(2) It is the responsibility of the director to manage and operate the school on a day to day basis. The director's duties shall include the following:

(i) To be responsible for the entire care, supervision, and management of the career and technical high school.

(ii) To recommend to the board of trustees educational policies to meet the needs of the district, and to implement policies established by the board of trustees.

(iii) To present nominations to the board of trustees for assistant and associate directors and to appoint all other school personnel.

(iv) To provide for the evaluation of all school district personnel.

(v) To establish a school based management approach for decision making for the operation of the school.

(vi) To prepare a budget and participate in budget development as required in subsection (i), and to authorize purchases consistent with the adopted school district budget.

(vii) To report to the board of trustees on a regular basis the financial condition and operation of the school, and to report annually on the educational progress of the school.

(viii) To establish appropriate advisory committees as needed to provide guidance on new directions and feedback on the operation of the school.

(i) With policy guidance from the board of trustees and extensive involvement of the administrators and faculty in the school, the director of each regional school shall annually prepare a budget. The board of trustees will approve the budget and transmit it to the commissioner. The board of regents for elementary and secondary education, upon recommendation of the commissioner of elementary and secondary education, shall provide parameters for the overall budget request. Based on review and recommendation by the commissioner, the board of regents shall approve the total budget and incorporate it into its budget request to the governor and to the general assembly. Line item budgeting decisions shall be the responsibility of the director.

(j) Nothing in this section shall be deemed to limit or interfere with the rights of teachers and other school employees to bargain collectively pursuant to chapters 9.3 and 9.4 of title 28 or to allow the board of trustees or the director to abrogate any agreement by collective bargaining.

Employees at the William M. Davies school shall continue to be state employees and the bargaining units which are presently established at the school shall remain intact.

SECTION 13. Section 16-21.1-2 of the General Laws in Chapter 16-21.1 entitled "Transportation of School Pupils Beyond City and Town Limits" is hereby amended to read as follows:

16-21.1-2. School bus districts established. -- (a) There are hereby established school bus districts within the state to provide bus transportation in the interest of public safety, health, and welfare for pupils in grades kindergarten through twelve (12), or in special education programs, who attend public schools, including vocational schools and special education programs provided in accord with regulations of the board of regents for elementary and secondary education, consolidated schools, regional schools established under the provisions of section 16-3-1 et seq., or who participate in cooperative programs as provided by section 16-3.1-1 et seq., and nonpublic nonprofit schools which are consolidated, regionalized, or otherwise established to serve residents of a specific area within the state which schools satisfy the requirements of law for any of the grades of school, kindergarten through twelve (12), as follows:

(1) Region I: The towns of Burrillville, North Smithfield, and Cumberland, and the city of Woonsocket;

(2) Region II: The county of Kent, except the town of West Greenwich and the towns of Foster, Glocester, and Scituate;

(3) Region III: The towns of Lincoln, Smithfield, Johnston, North Providence, Barrington, Warren, and Bristol, and the cities of Cranston, Central Falls, East Providence, Pawtucket, and Providence;

(4) Region IV: The county of Washington and the towns of Jamestown and West Greenwich;

(5) Region V: The towns of Little Compton, Middletown, Portsmouth, and Tiverton, and the city of Newport.

(b) A pupil attending a school, including a public school, vocational school, special education program provided in accord with regulations of the board of regents for elementary and secondary education, a regional school established under the provisions of section 16-3-1 et seq., as authorized by section 16-3.1-1 et seq., or a nonpublic nonprofit school for grades kindergarten through twelve (12), consolidated, regionalized, or otherwise established to serve residents of a specific area within the state for any of the grades of schools, kindergarten through twelve (12), in the interest of public safety, health, and welfare, shall be provided with bus transportation to the school or facility which the pupil attends, within the region in which the pupil resides, by the school committee of the city or town within which the pupil resides. The cost for transporting a pupil attending a charter school, the William M. Davies, Jr. Career and Technical High School ("Davies"), or the Metropolitan Regional Career and Technical Center ("the Met Center") within the established region shall be charged to the receiving school at the same grade level transportation per pupil cost of the resident district. Districts may offer transportation to charter school, Davies, or the Met Center outside the established region in order to facilitate efficiency provided there is no additional cost to the resident district."

2. In Article 13, on page 14, line 14, by deleting the numeral "7" and inserting in pace thereof the numeral "14".

3. In Article 13, on page 14, line 15, after the language "2009." by adding the following language:

"The remaining sections of this Article shall take effect upon passage."

Respectfully submitted,

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REPRESENTATIVE GUTHRIE

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LC01149/4
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Representatives Guthrie, Ajello, Costantino, Jacquard and Williamson discuss the amendment.

Representative Williamson rises on a point of order and questions whether the amendment is germane to the budget. The Honorable Speaker Fox rules that the amendment is germane to the budget.

Representatives Gablinske, Kennedy and Hearn discuss the amendment.

Representative Petrarca moves to lay the amendment on the table, seconded by Representatives Murphy, O'Neill and M. Rice.

Representative Guthrie discusses the motion to lay on the table.

The motion to lay the amendment on the table prevails on a roll call vote 55 members voting in the affirmative and 14 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Fox and Representatives Ajello, Almeida, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Malik, Marcello, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 14: Representatives Azzinaro, Brien, Corvese, DaSilva, Guthrie, Jacquard, Lima, Loughlin, MacBeth, Menard, Pollard, Schadone, Wasylyk, Winfield.

By unanimous consent, Representative Brien seconded by Representatives Jacquard, Lima and Carter offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A
AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

1. In Article 13, on page 14 between lines 13 and 14, by adding the following language:

"SECTION 7. Section 16-21-1 of the General Laws in Chapter 16-21 entitled "Health and Safety of Pupils" is hereby amended to read as follows:

16-21-1. Transportation of public and private school pupils. -- (a) The school committee of any town or city shall provide suitable transportation to and from school for pupils attending public and private schools of elementary and high school grades, except private schools that are operated for profit, who reside so far from the public or private school which the pupil attends as to make the pupil's regular attendance at school impractical and for any pupil whose regular attendance would otherwise be impracticable on account of physical disability or infirmity.

(b) For transportation provided to children enrolled in grades kindergarten through five (5), school bus monitors, other than the school bus driver, shall be required on all school bound and home bound routes. ~~Variances to the requirement for a school bus monitor may be granted by the commissioner of elementary and secondary education if he or she finds that an alternative plan provides substantially equivalent safety for children. For the purposes of this section a "school bus monitor" means any person sixteen (16) years of age or older.~~

(c) No school committee shall negotiate, extend, or renew any transportation contract unless such contract enables the district to participate in the statewide transportation system, without penalty to the district, upon implementation of the statewide transportation system described in RIGL sections 16-21.1-7 and 16-21.1-8. Notice of the implementation of the statewide transportation system for in-district transportation shall be provided in writing by the department of elementary and secondary education to the superintendent of each district upon implementation. Upon implementation of the statewide system of transportation for all students, each school committee shall purchase transportation services for their own resident students by accessing the statewide system on a fee-for-service basis for each student; provided, however, that any school committee that fulfills its transportation obligations primarily through the use of district-owned buses or district employees may continue to do so.

(d) Each school district shall be granted the ability to determine the necessity for school bus monitors on each bus route within that municipality. In the event the school district determines that a school bus monitor is not necessary on a specific route, the school district shall have the authority to eliminate the school bus monitor from that route. For the purposes of this section, a "school bus monitor" shall mean any person sixteen (16) years of age or older."

2. In Article 13, on page 14, line 14, by deleting the numeral "7" and by inserting in place thereof the numeral "8".

Respectfully submitted,

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REPRESENTATIVE BRIEN

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LC01149/5
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Representatives Brien, A. Rice, Gemma, Diaz, Gablinske and Gallison discuss the amendment.

Representative Gallison moves to lay the amendment on the table, seconded by Representative O'Neill.

Representative Brien discusses the motion to lay on the table.

The motion to lay the amendment on the table prevails on a roll call vote 44 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 44: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Costantino, DaSilva, DeSimone, Diaz, Edwards, Fellela, Ferri, Gablinske, Gallison, Gemma, Guthrie, Handy, Hearn, Jackson, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Petrarca, Rice, A., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Sullivan, Ucci, Vaudreuil, Williams, Williamson.

NAYS - 22: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, Driver, Ehrhardt, Fierro, Jacquard, Kennedy, Lima, Loughlin, MacBeth, Malik, Menard, Messier, Newberry, Pollard, Rice, M., Savage, Schadone, Walsh, Winfield.

By unanimous consent, Representative Brien seconded by Representatives Schadone, Lima and Jacquard offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 13 on page 14 between lines 13 and 14 by adding the following language:

"SECTION 7. Section 16-21-1 of the General Laws in Chapter 16-21 entitled "Health and Safety of Pupils" is hereby amended to read as follows:

16-21-1. Transportation of public and private school pupils. -- (a) The school committee of any town or city shall provide suitable transportation to and from school for pupils attending public and private schools of elementary and high school grades, except private schools that are operated for profit, who reside so far from the public or private school which the pupil attends as to make the pupil's regular attendance at school impractical and for any pupil whose regular attendance would otherwise be impracticable on account of physical disability or infirmity.

(b) For transportation provided to children enrolled in grades kindergarten through five (5), school bus monitors, other than the school bus driver, shall be required on all school bound and home bound routes. ~~Variances to the requirement for a school bus monitor may be granted by the commissioner of elementary and secondary education if he or she finds that an alternative plan provides substantially equivalent safety for children.~~ For the purposes of this section a "school bus monitor" means any person sixteen (16) years of age or older. Each school district shall be granted the ability to determine the necessity for school bus monitors on each bus route within that municipality. In the event the school district determines that a school bus monitor is not necessary on a specific route, the school district shall have the authority to eliminate the school bus monitor from that route. Notwithstanding the foregoing, a school committee of any city, town, and/or district may, after a public hearing, vote to forego and be exempt from the school bus monitor requirement contained herein.

(c) No school committee shall negotiate, extend, or renew any transportation contract

unless such contract enables the district to participate in the statewide transportation system, without penalty to the district, upon implementation of the statewide transportation system described in RIGL sections 16-21.1-7 and 16-21.1-8. Notice of the implementation of the statewide transportation system for in-district transportation shall be provided in writing by the department of elementary and secondary education to the superintendent of each district upon implementation. Upon implementation of the statewide system of transportation for all students, each school committee shall purchase transportation services for their own resident students by accessing the statewide system on a fee-for-service basis for each student; provided, however, that any school committee that fulfills its transportation obligations primarily through the use of district-owned buses or district employees may continue to do so."

(2) In Article 13 on page 14, line 14 by deleting the numeral "7" and inserting in place thereof the numeral "8".

Respectfully submitted,

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REPRESENTATIVE BRIEN

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LC01149/6
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Representatives Brien discusses the amendment.

Representative Gallison moves to lay the amendment on the table, seconded by Representatives A. Rice, O'Neill and Gablinske.

Representative Brien discusses the motion to lay on the table.

The motion to lay the amendment on the table prevails on a roll call vote 45 members voting in the affirmative and 23 members voting in the negative as follows:

YEAS - 45: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Edwards, Ferri, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Petrarca, Rice, A., Ruggiero, San Bento, Segal, Serpa, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williams, Williamson, Winfield.

NAYS - 23: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, Driver, Ehrhardt, Fellela, Fierro, Jacquard, Kennedy, Lima, Loughlin, MacBeth, Malik, Menard, Messier, Newberry, Pollard, Rice, M., Savage, Schadone, Shallcross, Walsh.

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

Representatives Malik and Marcello discuss the amendment.

Representative Corvese offers an oral amendment.

The Honorable Speaker Fox rules that Representative Corvese can not offer an oral amendment.

Representative Corvese appeals the ruling of the Chair.

The ruling of the Chair is upheld on a roll call vote 52 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 15: Representatives Azzinaro, Corvese, DaSilva, Ehrhardt, Guthrie, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Pollard, Savage, Schadone, Wasylyk.

Representatives Gemma and MacBeth discuss the amendment.

Representative Malik withdraws the amendment.

Representative Ajello requests to vote page 9, lines 3-5 in separately.

The Honorable Speaker rules it is divisible.

Representative MacBeth discusses the Article, as amended.

Page 9, lines 3-5, prevails on a roll call vote, 44 members voting in the affirmative and 28 members voting in the negative as follows:

YEAS - 44: The Honorable Speaker Fox and Representatives Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Edwards, Fellela, Ferri, Gablinske, Gallison, Gemma, Handy, Hearn, Jackson, Kennedy, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williams, Williamson.

NAYS - 28: Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Corvese, DaSilva, Driver, Ehrhardt, Fierro, Giannini, Guthrie, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Newberry, Pollard, Rice, A., Savage, Schadone, Segal, Trillo, Walsh, Wasylyk, Watson, Winfield.

The remainder of the article, as amended, 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 Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Driver, Fellela, Ferri, Fierro,

Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williams, Williamson.

NAYS - 23: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, DaSilva, Edwards, Ehrhardt, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Newberry, Pollard, Savage, Schadone, Segal, Trillo, Walsh, Wasylyk, Watson, Winfield.

ARTICLE 14 RELATING TO MENTAL HEALTH LAW

Representative Naughton moves passage of the article, seconded by Representatives Savage, M. Rice, Gemma, Carter, Ruggerio and Melo.

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

YEAS - 70: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 1: Representative Newberry.

ARTICLE 15 RELATING TO HOSPITAL UNCOMPENSATED CARE

Representative Costantino moves passage of the article, seconded by Representatives Melo, Carter, Almeida, San Bento and Gemma.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR

ENDING JUNE 30, 2011", as follows:

1) In Article 15, page 4, line 21, by deleting the number “70.26” and inserting in place thereof the number “82.95”.

Respectfully submitted,

CHAIRMAN COSTANTINO

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LC01152/2
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Representative Costantino discusses the amendment.

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

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

NAYS - 0.

Representatives Costantino, Kennedy and Guthrie discuss the act, as amended.

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

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

NAYS - 1: Representative Newberry.

STATE OF RHODE ISLANDAND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Peter F. Kilmartin State Representative, District 61, 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: (2010-H 7397 SUB A-Article 16)

2. (Nature of the potential conflict) I have the following interest in the matter:
The article directly affects my spouse.

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

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

PETER F. KILMARTIN
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 3rd day of June, 2010.

AMY G. RICE
NOTARY PUBLIC

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

GORDON D. FOX
SPEAKER OF THE HOUSE OF REPRESENTATIVES

ARTICLE 16 RELATING TO PENSION REFORM

Representative Costantino moves passage of the article, seconded by Representatives O'Neill, Gemma and Gablinske.

By unanimous consent, Representative Schadone seconded by Representatives Lima, MacBeth and Menard offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

1. In Article 16, on 5, between lines 10 and 11, by inserting the following language:

"(g) Notwithstanding any provisions to the contrary contained in this or any other chapter, the cost-of-living retirement adjustments shall be eliminated for all state employees and their surviving spouses or domestic partners who have been hired on or after the effective date of this article."

2. In Article 16, on page 7, between lines 4 and 5, by inserting the following language:

"(f) Notwithstanding any provisions to the contrary contained in this or any other chapter, the cost-of-living retirement adjustments shall be eliminated for all teachers and their surviving spouses or domestic partners who have been hired on or after the effective date of this article."

3. In Article 16, on page 7, after line 34, by inserting the following language:

"(d) Notwithstanding any provisions to the contrary contained in this or any other chapter, the cost-of-living retirement adjustments shall be eliminated for all justices and their surviving spouses or domestic partners who have been hired on or after the effective date of this article."

4. In Article 16, on page 8, between lines 32 and 33, by inserting the following language:

"(d) Notwithstanding any provisions to the contrary contained in this or any other chapter, the cost-of-living retirement adjustments shall be eliminated for all judges and their surviving spouses or domestic partners who have been hired on or after the effective date of this article."

5. In Article 16, on page 9, between lines 29 and 30, by inserting the following language:

"(d) Notwithstanding any provisions to the contrary contained in this or any other chapter, the cost-of-living retirement adjustments shall be eliminated for all judges and their surviving spouses or domestic partners who have been hired on or after the effective date of this article."

Respectfully submitted,

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REPRESENTATIVE SCHADONE

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LC01154/6
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Representatives Schadone, Costantino, Corvese, Watson, MacBeth, Jacquard, Handy, Williamson, Brien, Loughlin, Gemma, Driver, Gallison, M. Rice, Mattiello, Trillo, Menard, Almeida, Segal and Martin discuss the amendment.

Representative McCauley requests to vote page 1, line 15 - line 10 page 2 separately.

The Honorable Speaker rules it is divisible.

Page 1, line 15 thru line 10 page 2 fails on a roll call vote, 21 members voting in the affirmative and 50 members voting in the negative as follows

YEAS - 21: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, Driver, Ehrhardt, Hearn, Jacquard, Kennedy, Lima, Loughlin, Malik, Marcello, Menard, Newberry, Pollard, Schadone, Trillo, Watson, Winfield.

NAYS - 50: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Jackson, Lally, MacBeth, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

The remainder of the amendment fails on a roll call vote, 22 members voting in the affirmative and 49 members voting in the negative as follows

YEAS - 22: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, Driver, Ehrhardt, Ferri, Hearn, Jacquard, Lima, Loughlin, MacBeth, Malik, Marcello, McCauley, Menard, Newberry, Pollard, Schadone, Trillo, Watson, Winfield.

NAYS - 49: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Edwards, Fellela, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Jackson, Kennedy, Lally, Martin, Mattiello, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

Representative Lima, Baldelli-Hunt, and Costantino discuss the Article.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

1. By striking all the language appearing in Article 16 and substituting in place thereof the following language:

"ARTICLE 16
RELATING TO PENSION REFORM

SECTION 1. Section 36-10-2 of the General Laws in Chapter 36-10 entitled “Retirement System Contribution and Benefits” is hereby amended to read as follows:

36-10-2. State contributions. -- (a) The State of Rhode Island shall make its contribution for the maintenance of the system, including the proper and timely payment of benefits in accordance with the provisions of this chapter and chapters 8, 16, 28, 31 and 42 of this title, by annually appropriating an amount equal to a percentage of the total compensation paid to the active membership. The percentage shall be computed by the actuary employed by the retirement system and shall be certified by the retirement board to the director of administration on or before the fifteenth day of October in each year. In arriving at the yearly employer contribution the actuary shall determine the value of:

(1) The contributions made by the members;

(2) Income on investments; and

(3) Other income of the system.

(b) The Actuary shall thereupon compute the yearly employer contribution that will:

(1) Pay the actuarial estimate of the normal cost for the next succeeding fiscal year;

(2) Amortize the unfunded liability of the system as of June 30, 1999 utilizing a time period not to exceed thirty (30) years.

(c) The State of Rhode Island shall remit to the general treasurer the employer's share of the contribution for state employees, state police, and judges on a payroll frequency basis, and for teachers in a manner pursuant to § 16-16-22.

(d) In accordance with the intent of § 36-8-20 that the retirement system satisfy the requirements of § 401(a) of the Internal Revenue Code of 1986, the state shall pay to the retirement system:

(i) By June 30, 1995, an amount equal to the sum of the benefits paid to state legislators pursuant to § 36-10-10.1 in excess of ten thousand dollars ($10,000) per member (plus accrued interest on such amount at eight percent (8%)) for all fiscal years beginning July 1, 1991, and ending June 30, 1995, but this amount shall be paid only if § 36-10-10.1(e) becomes effective January 1, 1995; and

(ii) By December 31, 1994, twenty million seven hundred eighty eight thousand eight hundred twelve dollars and nineteen cents ($20,788,812.19) plus accrued interest on that amount at eight percent (8%) compounded monthly beginning March 1, 1991, and ending on the date this payment is completed (reduced by amortized amounts already repaid to the retirement system with respect to the amounts withdrawn by the state during the fiscal year July 1, 1990 – June 30, 1991); and

(iii) By June 30, 1995, the sum of the amounts paid by the retirement system for retiree health benefits described in § 36-12-4 for all fiscal years beginning July 1, 1989, and ending June 30, 1994, to the extent that the amounts were not paid from the restricted fund described in subsection (c).

(2) Any and all amounts paid to the retirement system under this subsection shall not increase the amount otherwise payable to the system by the state of Rhode Island under subsection (a) for the applicable fiscal year. The actuary shall make such adjustments in the amortization bases and other accounts of the retirement system as he or she deems appropriate to carry out the provisions and intent of this subsection.

(e) In addition to the contributions provided for in subsection (a) through (c) and in order to provide supplemental employer contributions to the retirement system, commencing in fiscal year 2006, and each year thereafter:

(1) Except for fiscal year 2009, fiscal year 2010 and fiscal year 2011, ~~For~~ for each fiscal year in which the actuarially determined state contribution rate for state employees is lower than

that for the prior fiscal year, the governor shall include an appropriation to that system equivalent to twenty percent (20%) of the rate reduction for the state's contribution rate for state employees to be applied to the actuarial accrued liability of the state employees' retirement system for state employees for each fiscal year;

(2) Except for fiscal year 2009, fiscal year 2010 and fiscal year 2011, ~~For~~ for each fiscal year in which the actuarially determined state contribution rate for teachers is lower than that for the prior fiscal year, the governor shall include an appropriation to that system equivalent to twenty percent (20%) of the rate reduction for the state's share of the contribution rate for teachers to be applied to the actuarial accrued liability of the state employees' retirement system for teachers for each fiscal year;

(3) The amounts to be appropriated shall be included in the annual appropriation bill and shall be paid by the general treasurer into the retirement system.

(f) While the retirement system's actuary shall not adjust the computation of the annual required contribution for the year in which supplemental contributions are received, such contributions once made may be treated as reducing the actuarial liability remaining for amortization in the next following actuarial valuation to be performed.

SECTION 2. Section 36-10-35 of the General Laws in Chapter 36-10 entitled "Retirement System-Contributions and Benefits" is hereby repealed.

~~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. Such cost of living adjustments are available to members who retire before October 1, 2009 or are eligible to retire as of September 30, 2009.~~

~~(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 or were not eligible to retire as of September 30, 2009, 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.~~

~~(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.~~

SECTION 3. Section 16-16-40 of the General Laws in Chapter 16-16 entitled "Teachers' Retirement" is hereby repealed.

~~16-16-40. Additional benefits payable to retired teachers. -- (a) All teachers and all beneficiaries of teachers receiving any service retirement or ordinary disability retirement allowance pursuant to the provisions of this chapter and chapter 17 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 year the retirement allowance has been in effect. For 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 retirement adjustment shall be added to the amount of the service retirement allowance as of January 1, 1970, and payment shall begin as of July 1, 1970. An additional cost of living retirement adjustment shall be added to the original retirement allowance equal to three percent~~

~~(3%) of the original retirement allowance on the first day of January, 1971, and each year thereafter through December 31, 1980.~~

~~(b) All teachers and beneficiaries of teachers receiving any service retirement or ordinary disability retirement allowance pursuant to the provisions of this title who retired on or after January 1, 1968, shall, on the first day of January, next following the third (3rd) year on retirement, receive a cost of living adjustment, in addition to his or her retirement allowance, an amount equal to three percent (3%) of the original retirement allowance. In each succeeding year thereafter, on the first day of January, the retirement allowance shall be increased an additional three percent (3%) of the original retirement allowance, not compounded, to be continued through December 31, 1980.~~

~~(c) (1) Beginning on January 1, 1981, for all teachers and beneficiaries of teachers receiving any service retirement and all teachers and all beneficiaries of teachers 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 teachers and beneficiaries of teachers who receive a disability retirement allowance pursuant to sections 16-16-14 -- 16-16-17, 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 16-16-40.1, 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. Such cost of living adjustments are available to teachers who retire before October 1, 2009 or are eligible to retire as of September 30, 2009.~~

~~(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 teachers and all beneficiaries of teachers who have not completed at least ten (10) years of contributory service on or before July 1, 2005 or were not eligible to retire as of September 30, 2009, shall, on the month following the third anniversary date of the 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.~~

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

SECTION 4. Section 8-3-15 of the General Laws in Chapter 8-3 entitled "Justices of Supreme, Superior, and Family Courts" is hereby repealed.

~~8-3-15. Cost of living allowance. -- (a) All justices of the supreme court, superior court, family court, or district court, or their surviving spouses or domestic partners, who retire after January 1, 1970 and who receive a retirement allowance pursuant to the provisions of this title shall, on the first day of January next following the third anniversary date of 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 during the month of January, the retirement allowance shall be increased an additional three percent (3%) of the original allowance, not compounded, to be continued during the lifetime of the justice or his or her surviving spouse or domestic partner. For the purpose of such~~

~~computation, credit shall be given for a full calendar year regardless of the effective date of the retirement allowance.~~

~~(b) Any justice who retired prior to January 31, 1977 shall be deemed for the purpose of this section to have retired on January 1, 1977.~~

SECTION 5. Section 8-8.2-12 of the General Laws in Chapter 8-8.2 entitled "Traffic tribunal" is hereby repealed.

~~8-8.2-12. Additional benefits payable to retired judges and their surviving spouses or domestic partners. -- (a) All judges of the administrative adjudication court and all judges of the administrative adjudication court who have been reassigned to the traffic tribunal, or their surviving spouses or domestic partners, who retire after January 1, 1970 and who receive a retirement allowance pursuant to the provisions of this title, shall, on the first day of January, next following the third anniversary 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 during the month of January, the retirement allowance shall be increased an additional three percent (3%) of the original allowance, compounded annually from the year cost of living adjustment was first payable to be continued during the lifetime of the judge or his or her surviving spouse or domestic partner. For the purpose of such computation, credit shall be given for a full calendar year regardless of the effective date of the retirement allowance.~~

~~(b) Any judge who retired prior to January 31, 1980, shall be deemed for the purpose of this section to have retired on January 1, 1980.~~

SECTION 6. Section 28-30-18 of the General Laws in Chapter 28-30 entitled "Workers' Compensation Court" is hereby repealed.

~~28-30-18. Additional benefits payable to retired judges and their surviving spouses or domestic partners. -- (a) All judges of the workers' compensation court, or their surviving spouses or domestic partners, who retire after January 1, 1970 and who receive a retirement allowance pursuant to the provisions of this title, shall, on the first day of January next following the third anniversary date of their 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 subsequent year during the month of January the retirement allowance shall be increased an additional three percent (3%) of the original allowance, compounded annually from the year the cost of living adjustment was first payable to be continued during the lifetime of that judge or his or her surviving spouse or domestic partner. For the purpose of that computation, credit shall be given for a full calendar year regardless of the effective date of the retirement allowance.~~

~~(b) Any judge who retired prior to January 31, 1980, shall be deemed for the purpose of this section to have retired on January 1, 1980.~~

SECTION 7. Section 44-34.1-2 of the General Laws in Chapter 44-34.1 entitled "Motor Vehicle and Trailer Excise Tax Elimination Act of 1998" is hereby amended to read as follows:

44-34.1-2. City and town and fire district reimbursement. -- (a) In fiscal years 2000 and thereafter, cities and towns and fire districts shall receive reimbursements, as set forth in this section, from state general revenues equal to the amount of lost tax revenue due to the phase out or reduction of the excise tax. Cities and towns and fire districts shall receive advance reimbursements through state fiscal year 2002. In the event the tax is phased out, cities and towns and fire districts shall receive a permanent distribution of sales tax revenue pursuant to section 44-18-18 in an amount equal to any lost revenue resulting from the excise tax

elimination. Lost revenues must be determined using a base tax rate fixed at fiscal year 1998 levels for each city, town, and fire district, except that the Town of Johnston's base tax rate must be fixed at a fiscal year 1999 level.

(b) (1) The director of administration shall determine the amount of general revenues to be distributed to each city and town and fire district for the fiscal years 1999 and thereafter so that every city and town and fire district is held harmless from tax loss resulting from this chapter, assuming that tax rates are indexed to inflation through fiscal year 2003.

(2) The director of administration shall index the tax rates for inflation by applying the annual change in the December Consumer Price Index -- All Urban Consumers (CPI-U), published by the Bureau of Labor Statistics of the United States Department of Labor, to the indexed tax rate used for the prior fiscal year calculation; provided, that for state reimbursements in fiscal years 2004 and thereafter, the indexed tax rate shall not be subject to further CPI-U adjustments. The director shall apply the following principles in determining reimbursements:

(i) Exemptions granted by cities and towns and fire districts in the fiscal year 1998 must be applied to assessed values prior to applying the exemptions in section 44-34.1-1(c)(1). Cities and towns and fire districts will not be reimbursed for these exemptions.

(ii) City, town, and fire districts shall be reimbursed by the state for revenue losses attributable to the exemptions provided for in section 44-34.1-1 and the inflation indexing of tax rates through fiscal 2003. Reimbursement for revenue losses shall be calculated based upon the difference between the maximum taxable value less personal exemptions and the net assessed value.

(iii) Inflation reimbursements shall be the difference between:

(A) The levy calculated at the tax rate used by each city and town and fire district for fiscal year 1998 after adjustments for personal exemptions but prior to adjustments for exemptions contained in section 44-34.1-1(c)(1); provided, that for the town of Johnston the tax rate used for fiscal year 1999 must be used for the calculation; and

(B) The levy calculated by applying the appropriate cumulative inflation adjustment through state fiscal 2003 to the tax rate used by each city and town and fire district for fiscal year 1998; provided, that for the town of Johnston the tax rate used for fiscal year 1999 shall be used for the calculation after adjustments for personal exemptions but prior to adjustments for exemptions contained in section 44-34.1-1.

(c) (1) Funds shall be distributed to the cities and towns and fire districts as follows:

(i) On October 20, 1998, and each October 20 thereafter through October 20, 2001, twenty-five percent (25%) of the amount calculated by the director of administration to be the difference for the upcoming fiscal year.

(ii) On February 20, 1999, and each February 20 thereafter through February 20, 2002, twenty-five percent (25%) of the amount calculated by the director of administration to be the difference for the upcoming fiscal year.

(iii) On June 20, 1999, and each June 20 thereafter through June 20, 2002, fifty percent (50%) of the amount calculated by the director of administration to be the difference for the upcoming fiscal year.

(iv) On August 1, 2002, and each August 1 thereafter, twenty-five percent (25%) of the amount calculated by the director of administration to be the difference for the current fiscal year.

(v) On November 1, 2002, and each November 1 thereafter, twenty-five percent (25%) of the amount calculated by the director of administration to be the difference for the current

fiscal year.

(vi) On February 1, 2003, and each February 1 thereafter, twenty-five percent (25%) of the amount calculated by the director of administration to be the difference for the current fiscal year.

(vii) On May 1, 2003, and each May 1 thereafter, twenty-five percent (25%) of the amount calculated by the director of administration to be the difference for the current fiscal year.

Provided, however, the February and May payments shall be subject to submission of final certified and reconciled motor vehicle levy information.

(2) Each city, town, or fire district shall submit final certified and reconciled motor vehicle levy information by August 30 of each year. Any adjustment to the estimated amounts paid in the previous fiscal year shall be included or deducted from the payment due November 1.

(3) On any of the payment dates specified in paragraphs (1)(i) through (vii) of this subsection, the director is authorized to deduct previously made over-payments or add supplemental payments as may be required to bring the reimbursements into full compliance with the requirements of this chapter.

(4) For the city of East Providence, the payment schedule is twenty-five percent (25%) on February 20, 1999, and each February 20 thereafter through February 20, 2002, twenty-five percent (25%) on June 20, 1999, and each June 20 thereafter through June 20, 2002, which includes final reconciliation of the previous year's payment, and fifty percent (50%) on October 20, 1999, and each October 20 thereafter through October 20, 2002. For local fiscal years 2003 and thereafter, the payment schedule is twenty-five percent (25%) on each November 1, twenty-five percent (25%) on each February 1, twenty-five percent (25%) on each May 1, which includes final reconciliation of the previous year's payment, and twenty-five percent (25%) on each August 1; provided, the May and August payments shall be subject to submission of final certified and reconciled motor vehicle levy information.

(5) When the tax is phased out, funds distributed to the cities, towns, and fire districts for the following fiscal year shall be calculated as the funds distributed in the fiscal year of the phase-out. Twenty-five percent (25%) of the amounts calculated shall be distributed to the cities and towns and fire districts on August 1, in the fiscal year of the phase-out, twenty-five percent (25%) on the following November 1, twenty-five percent (25%) on the following February 1, and twenty-five percent (25%) on the following May 1. The funds shall be distributed to each city and town and fire district in the same proportion as distributed in the fiscal year of the phase-out.

(6) When the tax is phased out to August 1, of the following fiscal year the director of administration shall calculate to the nearest tenth of one cent ($.001) the number of cents of sales tax received for the fiscal year ending June 30, of the year following the phase-out equal to the amount of funds distributed to the cities, towns, and fire districts under this chapter during the fiscal year following the phase-out and the percent of the total funds distributed in the fiscal year following the phase-out received by each city, town, and fire district, calculated to the nearest one-hundredth of one percent (0.01%). The director of the department of administration shall transmit those calculations to the governor, the speaker of the house, the president of the senate, the chairperson of the house finance committee, the chairperson of the senate finance committee, the house fiscal advisor, and the senate fiscal advisor. The number of cents, applied to the sales taxes received for the prior fiscal year, shall be the basis for determining the amount of sales tax to be distributed to the cities and towns and fire districts under this chapter for second fiscal year

following the phase-out and each year thereafter. The cities and towns and fire districts shall receive that amount of sales tax in the proportions calculated by the director of administration as that received in the fiscal year following the phase-out.

(7) When the tax is phased out, twenty-five percent (25%) of the funds shall be distributed to the cities, towns, and fire districts on August 1, of the following fiscal year and every August 1 thereafter; twenty-five percent (25%) shall be distributed on the following November 1, and every November 1 thereafter; twenty-five percent (25%) shall be distributed on the following February 1, and every February 1 thereafter; and twenty-five percent (25%) shall be distributed on the following May 1, and every May 1 thereafter.

(8) For the city of East Providence, in the event the tax is phased out, twenty-five percent (25%) shall be distributed on November 1, of the following fiscal year and every November 1 thereafter, twenty-five percent (25%) shall be distributed on the following February 1, and every February 1 thereafter; twenty-five percent (25%) shall be distributed on the following May 1, and every May 1 thereafter; and twenty-five percent (25%) of the funds shall be distributed on the following August 1, and every August 1 thereafter.

(9) As provided for in section 44-34-6, the authority of fire districts to tax motor vehicles is eliminated effective with the year 2000 tax roll and the state reimbursement for fire districts shall be based on the provisions of section 44-34-6. All references to fire districts in this chapter do not apply to the year 2001 tax roll and thereafter.

(10) For reimbursements payable in the year ending June 30, 2008 and thereafter, the director of administration shall discount the calculated value of the exemption to ninety-eight percent (98%) in order to establish a collection rate that is comparable to the collection rate achieved by municipalities in the levy of the motor vehicle excise tax.

(d) Funds not expended as a result of the repeal of sections 36-10-35, 16-16-40, 8-3-15, 8-8.2-12, and 28-30-18 shall be used to reduce the general fund contribution toward the funding of this section.

SECTION 8. This act shall take effect on July 1, 2010."

Respectfully submitted,

REPRESENTATIVE TRILLO

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LC01154/3
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Representatives Trillo, Costantino, Gemma, DaSilva and Mattiello discuss the amendment.

The motion to amend fails on a roll call vote 2 members voting in the affirmative and 64 members voting in the negative as follows:

YEAS - 2: Representatives Trillo, Winfield.

NAYS - 64: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo,

Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 16, page 4, lines 22 and 23, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(2) In Article 16, page 4, line 25, by deleting the words and numerals "thirty-five thousand dollar ($35,000)" and inserting in place thereof "twelve thousand five hundred dollar ($12,500)".

(3) In Article 16, page 4, lines 28 and 29, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(4) In Article 16, page 6, lines 25 and 26, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(5) In Article 16, page 6, line 28, by deleting the words and numerals "thirty-five thousand dollar ($35,000)" and inserting in place thereof "twelve thousand five hundred dollar ($12,500)".

(6) In Article 16, page 6, lines 31 and 32, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(7) In Article 16, page 7, line 22, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(8) In Article 16, page 7, line 25, by deleting the words and numerals "thirty-five thousand dollar ($35,000)" and inserting in place thereof "twelve thousand five hundred dollar ($12,500)".

(9) In Article 16, page 7, line 28, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(10) In Article 16, page 8, line 20, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(11) In Article 16, page 8, line 23, by deleting the words and numerals "thirty-five thousand dollar ($35,000)" and inserting in place thereof "twelve thousand five hundred dollar ($12,500)".

(12) In Article 16, page 8, line 26, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(13) In Article 16, page 9, line 17, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(14) In Article 16, page 9, line 20, by deleting the words and numerals "thirty-five thousand dollar ($35,000)" and inserting in place thereof "twelve thousand five hundred dollar ($12,500)".

(15) In Article 16, page 9, line 23, by deleting the words and numerals "thirty-five thousand dollars ($35,000)" and inserting in place thereof "twelve thousand five hundred dollars ($12,500)".

(16) In Article 16, page 9, between lines 29 and 30, by inserting the following:

"SECTION 6. Any savings realized by reducing the cost-of-living adjustment to be applied to the first twelve thousand five hundred dollars ($12,500) rather than to the first thirty-five thousand dollars ($35,000) in sections 36-10-35, 16-16-40, 8-3-15, 8-8.2-12 and 28-30-18 shall be distributed to the towns and cities in accordance with the provisions of chapter 45-13."

(17) In Article 16, page 9, line 30, by deleting the numeral "6" and by inserting in place thereof the numeral "7".

Respectfully submitted,

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REPRESENTATIVE TRILLO

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LC01154/7
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Representatives Schadone, Williamson and Trillo discuss the amendment.

The motion to amend fails on a roll call vote 2 members voting in the affirmative and 62 members voting in the negative as follows:

YEAS - 2: Representatives Trillo, Williamson.

NAYS - 62: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

Representatives MacBeth, Gablinske and Savage discuss the act.

NOW PRESIDING

At 11:05 o'clock P.M. the Honorable Speaker Fox yields the rostrum to the Honorable Speaker Pro Tempore Coderre.

Representatives Menard, Lima, Trillo, Gemma, Mattiello and Costantino discuss the Article.

At 11:31 o'clock P.M. the Honorable Speaker Pro Tempore Coderre yields the rostrum to the Honorable Speaker Fox. \

The article is read and prevails on a roll call vote, 39 members voting in the affirmative and 33 members voting in the negative as follows:

YEAS - 39: The Honorable Speaker Fox and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Coderre, Costantino, Driver, Edwards, Ehrhardt, Ferri, Gablinske, Gallison, Gemma, Hearn, Jackson, Kennedy, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Petrarca, Rice, M., Ruggiero, Serpa, Shallcross, Silva, Trillo, Vaudreuil, Williams, Williamson, Winfield.

NAYS - 33: Representatives Azzinaro, Carnevale, Carter, Corvese, DaSilva, DeSimone, Diaz, Fellela, Fierro, Giannini, Guthrie, Handy, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Messier, Newberry, Palumbo, Pollard, Rice, A., San Bento, Savage, Schadone, Segal, Slater, Sullivan, Ucci, Walsh, Wasylyk, Watson.

ARTICLE 17 RELATING TO GENERAL PUBLIC ASSISTANCE – HARDSHIP CONTINGENCY FUND

Representative Naughton moves passage of the article, seconded by Representatives Gemma, Carter, Melo, Ruggiero, San Bento, M. Rice and Savage.

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

NAYS - 1: Representative Newberry.

ARTICLE 18 RELATING TO TREATMENT ALTERNATIVES TO STREET CRIME

Representative Naughton moves passage of the article, seconded by Representative O'Neill and San Bento

The article is read and prevails on a roll call vote, 69 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Newberry, Watson.

STATE OF RHODE ISLANDAND 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: (Article 19)

2. (Nature of the potential conflict) I have the following interest in the matter:
Collect Kids Connect monies/services for child care services.

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

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

MARY ANN SHALLCROSS SMITH
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 3rd day of June, 2010.

J. PATRICK O'NEILL
NOTARY PUBLIC

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

GORDON D. FOX
SPEAKER OF THE HOUSE OF REPRESENTATIVES

ARTICLE 19 RELATING TO CHILDREN'S HEALTH ACCOUNT

Representative Naughton moves passage of the article, seconded by Representatives Carter, Coderre, Giannini, San Bento, Gemma, M. Rice and Savage.

Representatives MacBeth and Naughton discuss the article.

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

NAYS - 2: Representatives Newberry, Watson.

ARTICLE 20 RELATING TO MEDICAL ASSISTANCE

Representative Costantino moves passage of the article, seconded by Representatives Melo, Almeida, Carter and Gemma

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 20, page 1, by deleting all the language contained in the article following the title on line 2 and by substituting the following language in place thereof:

"SECTION 1. Sections 40-8-13.3, 40-8-13.4 and 40-8-29 of the General Laws in

Chapter 40-8 entitled "Medical Assistance" are hereby amended to read as follows:

40-8-13.3. Payment for services provided by in state and out of state hospitals. -- The department of human services and/or the secretary of executive office of health and human services is hereby authorized and directed to amend its rules and regulations and amend the Rhode Island state plan for medical assistance (Medicaid) pursuant to Title XIX of the federal Social Security Act in order to provide for payment to hospitals for services provided to eligible recipients in accordance with this chapter. Such amended rules and regulations will continue to recognize the importance, impact, and cost of the Graduate Medical Education and training programs supported by the hospitals in Rhode Island. The provisions of this section shall be effective upon the promulgation of the amendments and new payment methodology pursuant to this section and section 40-8-13.4, ~~which shall in any event be no later than March 30, 2010~~ on July 1, 2010, at which time the provisions of sections 40-8-13.2, 27-19-14, 27-19-15 and 27-19-16 shall be repealed in their entirety.

40-8-13.4. Rate methodology for payment for in state and out of state hospital services. -- (a) The department of human services shall implement a new methodology for payment for in state and out of state hospital services in order to ensure access to and the provision of high quality and cost-effective hospital care to its eligible recipients.

(b) In order to improve efficiency and cost effectiveness, the department of human services shall:

(1)(A) With respect to inpatient services~~: Implement~~ for persons in fee for service Medicaid, which is non-managed care, implement a new payment methodology for inpatient services utilizing the Diagnosis Related Groups (DRG) method of payment, which is, a patient classification method which provides a means of relating payment to the hospitals to the type of patients cared for by the hospitals. It is understood that a payment method based on Diagnosis Related Groups may include cost outlier payments and other specific exceptions. The department will review the DRG payment method and the DRG base price annually, making adjustments as appropriate in consideration of such elements as trends in hospital input costs, patterns in hospital coding, beneficiary access to care, and the Center for Medicare and Medicaid Services national CMS Prospective Payment System (IPPS) Hospital Input Price index.

(B) With respect to inpatient services for persons enrolled in Medicaid managed care plans, it is required effective January 1, 2011, that: (i) Medicaid managed care payment rates to any hospital, in aggregate on a case mix adjusted basis (adjusting payment for a beneficiary's condition and needs), shall be reduced by 9.9 percent for the state fiscal year 2011 of that hospital's Medicaid payment rates; (ii) Medicaid managed care payment rates between each hospital and health plan shall not exceed contracted payment rates between the hospital and the health plan that were in effect during calendar year 2009 as adjusted by the Center for Medicare and Medicaid Services national CMS Prospective Payment System (IPPS) Hospital Input Price index as measured annually and using calendar year 2009 as a base year. Calculation of each hospital's aggregate payment rates on a case mix adjusted basis, shall be based using a single statewide rate schedule notwithstanding hospital-specific rates that may be paid on a transitional basis under fee-for-service Medicaid; (iii) all hospitals licensed in Rhode Island shall accept such payment rates as payment in full; and (iv) for all such hospitals, compliance with the provisions of this section shall be a condition of participation in the Rhode Island Medicaid program.

(2) With respect to outpatient services~~.: Notwithstanding~~ and notwithstanding any provisions of the law to the contrary, for persons enrolled in fee for service Medicaid, the department will reimburse hospitals for outpatient services using a rate methodology determined

by the department and in accordance with federal regulations. With respect to the outpatient rate, it is required as of January 1, 2011 that the Medicaid managed care payment rates between each hospital and health plan shall not exceed one hundred percent (100%) of the rate in effect as of July 1, 2010 for state fiscal year 2011.

(c) It is intended that payment utilizing the Diagnosis Related Groups method shall reward hospitals for providing the most efficient care, and provide the department the opportunity to conduct value based purchasing of inpatient care.

(d) The director of the department of human services and/or the secretary of executive office of health and human services is hereby authorized to promulgate such rules and regulations consistent with this chapter, and to establish fiscal procedures he or she deems necessary for the proper implementation and administration of this chapter in order to provide payment to hospitals using the Diagnosis Related Group payment methodology. Furthermore, amendment of the Rhode Island state plan for medical assistance (Medicaid) pursuant to Title XIX of the federal Social Security Act is hereby authorized to provide for payment to hospitals for services provided to eligible recipients in accordance with this chapter.

(e) The department shall comply with all public notice requirements necessary to implement these rate changes.

(f) As a condition of participation in the DRG methodology for payment of hospital services, every hospital shall submit year-end settlement reports to the department within one year from the close of a hospital's fiscal year. Should a participating hospital fail to timely submit a year-end settlement report as required by this section, the department shall withhold financial cycle payments due by any state agency with respect to this hospital by not more than ten percent (10%) until said report is submitted.

(g) The provisions of this section shall be effective upon implementation of the amendments and new payment methodology pursuant to this section and section 40-8-13.3, which shall in any event be no later than March 30, 2010, at which time the provisions of §§ 40-8-13.2, 27-19-14, 27-19-15 and 27-19-16 shall be repealed in their entirety.

(h) The director of the Department of Human Services shall establish an independent study commission comprised of representatives of the hospital network, representatives from the communities the hospitals serve, state and local policy makers and any other stakeholders or consumers interested in improving the access and affordability of hospital care.

The study commission shall assist the director in identifying: issues of concern and priorities in the community hospital system, the delivery of services and rate structures, including graduate medical education and training programs; and opportunities for building sustainable and effective pubic-private partnerships that support the missions of the department and the state's community hospitals.

The director of the Department of Human Services shall report to the chairpersons of the House and Senate Finance Committees the findings and recommendations of the study commission by December 31, 2010.

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, non-emergency transportation, 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) 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.

SECTION 2. Section 40-8.3-5 of the General Laws in Chapter 40-8.3 entitled "Uncompensated Care" is hereby amended to read as follows:

40-8.3-5. Hospital payments. -- Due to the high ratio of unqualified uncompensated care expenses to qualified uncompensated care expenses, the department of human services is hereby authorized and directed to pay ~~during state fiscal years 2009 and~~ by September 1, 2010 from revenues derived from taxes imposed in accordance with § 44-17-1: (1) acute care hospitals in Washington County the amount of five hundred thousand dollars ($500,000) to South County Hospital, and seven hundred and fifty thousand dollars ($750,000) to The Westerly Hospital; (2) any acute care hospital in Kent County the amount of eight hundred thousand dollars ($800,000); and (3) Miriam Hospital the amount of one million six hundred thousand dollars ($1,600,000). The department of human services is authorized and directed to pay four million seven hundred fifty thousand dollars ($4,750,000) during state fiscal year 2011 to the following hospitals: one million seven hundred seventy-eight thousand eight hundred forty-three dollars ($1,778,843) to Kent Hospital; six hundred and forty-two thousand three hundred forty dollars ($642,340) to Saint Joseph's Hospital; one million one hundred thirty-one thousand, nine hundred twenty-nine dollars ($1,131,929) to Miriam Hospital; four hundred thirty-eight thousand and four hundred eighty-two dollars ($438,482) to South County Hospital; two hundred ninety seven thousand eight hundred and six dollars ($297,806) to Westerly Hospital; one hundred thirty-three thousand and six hundred seventy-two dollars ($133,672) to Newport Hospital; one hundred seventy thousand nine hundred and sixty-four dollars ($170,964) to Butler Hospital; and one hundred fifty-five thousand and nine hundred sixty-three dollars ($155,963) to Bradley Hospital of Rhode Island.

SECTION 3. Section 40-8.5-1.1 of the General Laws in Chapter 40-8.5 entitled "The Health Care for Elderly and Disabled Residents Act" is hereby amended to read as follows:

40-8.5-1.1. Managed health care delivery systems. -- (a) To ensure that all medical assistance beneficiaries, including the elderly and all individuals with disabilities, have access to quality and affordable health care, the department of human services is authorized to implement mandatory managed care health systems.

(b) "Managed care" is defined as systems that: integrate an efficient financing mechanism with quality service delivery; provides a "medical home" to assure appropriate care and deter unnecessary services; and place emphasis on preventive and primary care. For purposes of Medical Assistance, managed care systems are also defined to include a primary care case management model in which ancillary services are provided under the direction of a physician in a practice that meets standards established by the department of human services. Managed care systems may also include services and supports that optimize the health and independence of recipients who are determined to need Medicaid funded long-term care under § 40-8.10 or to be at risk for such care under applicable rules and regulations promulgated by the department. ~~Those~~ Any medical assistance recipients who have third-party medical coverage or

insurance may be provided such services through an entity certified by or in a contractual arrangement with the department or, as deemed appropriate, exempt from mandatory managed care in accordance with rules and regulations promulgated by the department of human services. ~~The department is further authorized to redesign benefit packages for medical assistance beneficiaries subject to appropriate federal approval.~~

(c) ~~The~~ In accordance with § 42-12.4-7, the department is authorized to obtain any approval through waiver(s), category II or III changes, and/or state plan amendments, from the secretary of the United States department of health and human services, that are necessary to implement mandatory managed health care delivery systems for all medical assistance recipients, including the primary case management model in which ancillary services are provided under the direction of a physician in a practice that meets standards established by the department of human services. The waiver(s), category II or III changes, and/or state plan amendments shall include the authorization to ~~exempt~~ extend managed care to cover long-term care services and supports. Such authorization shall also include, as deemed appropriate, exempting certain beneficiaries with third-party medical coverage or insurance from mandatory managed care in accordance with rules and regulations promulgated by the department of human services.

(d) To ensure the delivery of timely and appropriate services to persons who become eligible for Medicaid by virtue of their eligibility for a U.S. social security administration program, the department of human services is authorized to seek any and all data sharing agreements or other agreements with the social security administration as may be necessary to receive timely and accurate diagnostic data and clinical assessments. Such information shall be used exclusively for the purpose of service planning, and shall be held and exchanged in accordance with all applicable state and federal medical record confidentiality laws and regulations.

SECTION 4. Section 35-17-1 of the General Laws in Chapter 35-17 entitled "Medical Assistance and Public Assistance Caseload Estimating Conferences" is hereby amended to read as follows:

35-17-1. Purpose and membership. -- (a) In order to provide for a more stable and accurate method of financial planning and budgeting, it is hereby declared the intention of the legislature that there be a procedure for the determination of official estimates of anticipated medical assistance expenditures and public assistance caseloads, upon which the executive budget shall be based and for which appropriations by the general assembly shall be made.

(b) The state budget officer, the house fiscal advisor, and the senate fiscal advisor shall meet in regularly scheduled caseload estimating conferences (C.E.C.). These conferences shall be open public meetings.

(c) The chairpersonship of each regularly scheduled C.E.C. will rotate among the state budget officer, the house fiscal advisor, and the senate fiscal advisor, hereinafter referred to as principals. The schedule shall be arranged so that no chairperson shall preside over two (2) successive regularly scheduled conferences on the same subject.

(d) Representatives of all state agencies are to participate in all conferences for which their input is germane.

(e) The department of human services shall provide monthly data to the members of the caseload estimating conference by the fifteenth day of the following month. Monthly data shall include, but is not limited to, actual caseloads and expenditures for the following case assistance programs: temporary assistance to needy families, SSI federal program and SSI state program, general public assistance, child care, state food stamp program, and weatherization. The report

shall include relevant caseload information and expenditures for the following medical assistance categories: hospitals, nursing homes, managed care, special education, and all other. In the category of managed care, caseload information and expenditures for the following populations shall be separately identified and reported: children with disabilities, children in foster care, and children receiving adoption assistance. The information shall include the number of Medicaid recipients whose estate may be subject to a recovery, the anticipated recoveries from the estate and the total recoveries collected each month.

SECTION 5. 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 ~~excluding~~ ,in addition to services for persons with developmental disabilities and mental disabilities, to home and community-based care on or before December 31, 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 reformed long-term care system 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, long-term care hospitals, intermediate care facilities and/or skilled nursing facilities.

(c) Pursuant to federal authority procured under section 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, to the extent feasible, any consumer group, advisory board, or other entity designated for such purposes, and shall encompass eligibility determinations for long-term care services in nursing facilities, hospitals, and intermediate care facilities for the mentally retarded as well as home and community-based alternatives, and shall provide a common standard of income eligibility for both institutional and home and community-based care. The department is, subject to prior approval of the general assembly, 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:

(1) The department shall apply pre-waiver level of care criteria for any Medicaid recipient eligible for a nursing facility, hospital, or intermediate care facility for the mentally retarded as of June 30, 2009, unless the recipient transitions to home and community based services because he or she: (a) Improves to a level where he/she would no longer meet the pre-waiver level of care criteria; or (b) The individual chooses home and community based services over the nursing facility, hospital, or intermediate care facility for the mentally retarded. For the purposes of this section, a failed community placement, as defined in regulations promulgated by the department, shall be considered a condition of clinical eligibility for the highest level of care. The department shall confer with the long-term care ombudsperson with respect to the determination of a failed placement under the ombudsperson's jurisdiction. Should any Medicaid recipient eligible for a nursing facility, hospital, or intermediate care facility for the mentally retarded as of June 30, 2009 receive a determination of a failed community placement, the recipient shall have access to the highest level of care; furthermore, a recipient who has experienced a failed community placement shall be transitioned back into his or her former nursing home, hospital, or intermediate care facility for the mentally retarded whenever possible. Additionally, residents shall only be moved from a nursing home, hospital, or intermediate care facility for the mentally retarded in a manner consistent with applicable state and federal laws.

(2) Any Medicaid recipient eligible for the highest level of care who voluntarily leaves a nursing home, hospital, or intermediate care facility for the mentally retarded shall not be subject to any wait list for home and community based services.

(3) 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 section 1915(c) of title XIX of the United States Code into a single system of home and community-based services that include options for consumer direction and shared living. The resulting single home and community-based services system shall replace and supersede all section 1915(c) programs when fully implemented. Notwithstanding the foregoing, the resulting single program home and community-based services system 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 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.

(g) The department, in collaboration with the executive office of human services, shall implement a long-term care options counseling program to provide individuals or their representatives, or both, with long-term care consultations that shall include, at a minimum, information about: long-term care options, sources and methods of both public and private payment for long-term care services and an assessment of an individual's functional capabilities and opportunities for maximizing independence. Each individual admitted to or seeking admission to a long-term care facility regardless of the payment source shall be informed by the facility of the availability of the long-term care options counseling program and shall be provided with long-term care options consultation if they so request. Each individual who applies for Medicaid long-term care services shall be provided with a long-term care consultation.

(h) The department of human services is also authorized, subject to availability of appropriation of funding, to pay for certain 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 section 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.

(j) To ensure persons with long-term care needs who remain living at home have adequate resources to deal with housing maintenance and unanticipated housing related costs, the department of human services is authorized to develop higher resource eligibility limits for persons on home and community waiver services who are living in their own homes or rental units.

SECTION 6. Section 40-8-19 of the General Laws in Chapter 40-8 entitled "Medical Assistance" is hereby amended to read as follows:

<u>40-8-19. Rates of payment to nursing facilities. --</u> (a) Rate reform.

(1) The rates to be paid by the state to nursing facilities licensed pursuant to chapter 17 of title 23, and certified to participate in the Title XIX Medicaid program for services rendered to Medicaid-eligible residents, shall be reasonable and adequate to meet the costs which must be

incurred by efficiently and economically operated facilities in accordance with 42 U.S.C. section 1396a(a)(13). The department of human services shall promulgate or modify the principles of reimbursement for nursing facilities currently in effect on July 1, 2003 to be consistent with the provisions of this section and Title XIX, 42 U.S.C. section 1396 et seq., of the Social Security Act.

(2) The department of human services shall review the current methodology for providing Medicaid payments to nursing facilities, including other long-term care services providers, and is authorized to modify the principles of reimbursement to provide for an acuity based rate adjustment to nursing facilities. The department of human services is authorized to implement changes to the payment structure for the purpose of basing compensation for Medicaid services to nursing facilities and long term care service providers for services which shall be based upon performance, quality, and the scope and the intensity of the services required by the provider to meet the Medicaid recipient's level of care needs. ~~The acuity based rate adjustment shall take effect on January 15, 2010, provided the Department of Human Services has held public hearings and submitted the final implementation plan to the Chairpersons of the House and Senate Finance Committees no later than December 1, 2009.~~

No adjustment, subject to this section, that is made on the basis of, or in order to accommodate or address, resident acuity shall be designed or implemented in such a way as to:

(i) Decrease the total of Medicaid funding for nursing facility care, although such methodology may reallocate such funding from one nursing facility to another;

(ii) Provide incentives, financial or otherwise, that would disproportionately influence the nursing facilities that loses funding under the acuity adjustment to accommodate those losses by decreasing nursing staff, as opposed to non-nursing staff or other areas of expense. Such a prohibited incentive would be created by incorporating incentives for cost containment only with regard to nursing labor costs, or disproportionately disfavoring nursing labor costs.

(iii) Result, by itself, in any single nursing facility gaining or losing more than two and two tenths percent (2.2%) of its existing per diem rate between July 1, 2010 and October 1, 2011.

(3) By no later than October 1, 2011, under the direction of the Secretary of Health and Human Services, the Department of Human Services shall modify the principles of reimbursement to include the acuity needs of patients as a factor in determining the reimbursement rates to nursing facilities.

(b) Rate reform. - Subject to the phase-in provisions in subsections (c) and (d), the department shall, on or before October 1, 2005, modify the principles of reimbursement for nursing facilities to include the following elements:

(1) Annual base years;

(2) Four (4) cost centers: direct labor, property, other operating, and pass through items;

(3) Re-array of costs of all facilities in the labor and other operating cost centers every three (3) years beginning with calendar year 2002;

(4) A ceiling maximum for allowable costs in the direct labor cost center to be established by the department between one hundred ten percent (110%) and one hundred twenty-five percent (125%) of the median for all facilities for the most recent array year.

(5) A ceiling maximum for allowable costs in the other operating cost center to be established by the department between ninety percent (90%) and one hundred fifteen percent (115%) of the median for all facilities for the most recent array year;

(6) Adjustment of costs and ceiling maximums by the increase in the National Nursing Home Price Index ("NNHPI") for the direct labor cost center and the other operating cost center

for year between array years; such adjustments to be applied on October 1st of each year beginning October 1, 2003 for the direct labor cost center and October 1, 2005 for the other operating cost center, except for the fiscal year beginning July 1, 2006 for which the price index shall be applied on February 1, 2007 and for the fiscal year beginning October 1, 2007 for which the adjustment of costs and ceiling maximums shall be one and one-tenth percent (1.1%). For the fiscal year beginning July 1, 2008, the price index shall be applied on April 1, 2009.

(7) Application of a fair rental value system to be developed by the department for calculating allowable reimbursement for the property cost center;

(8) Such quality of care and cost containment incentives as may be established by departmental regulations.

(9) Notwithstanding the above provisions, for FY 2009 the department is authorized to reduce the per diem room and board rate calculated in accordance with the principles of reimbursement as described above, paid to the nursing facilities certified to participate in the Title XIX Medicaid program for services rendered to Medicaid-eligible residents by five percent (5%). This reduction is deemed to be reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in accordance with 42 U.S.C. section 1396a(a)(13).

(c) Phase I Implementation. - The department shall file a state plan amendment with the U.S. Department of Health and Human Services on or before August 1, 2003 to modify the principles of reimbursement for nursing facilities, to be effective on October 1, 2003, or as soon thereafter as is authorized by an approved state plan amendment, to establish the direct labor cost center and the pass through items cost center utilizing calendar year 2002 cost data, and to apply the ceiling maximums in subsections (b)(4) and (b)(5). Nursing facilities whose allowable 2002 direct labor costs are below the median in the direct labor cost center may make application to the department for a direct labor cost interim payment adjustment equal to twenty-five percent (25%) of the amount such allowable 2002 direct labor costs are below the median in the direct labor cost center, provided that the interim payment adjustment granted by the department on or after October 1, 2003 must be expended by the facility on expenses allowable within the direct labor cost center, and any portion of the interim payment not expended on allowable direct labor cost center expenses shall be subject to retroactive adjustment and recoupment by the department upon the department's determination of a final direct labor payment adjustment after review of the facility's actual direct labor expenditures. The final direct labor payment adjustment will be included in the facility's October 1, 2004 rate until the facility's next base year.

(d) Phase II Implementation. - The department shall file a state plan amendment with the U.S. Department of Health and Human Services to modify the principles of reimbursement for nursing facilities, to be effective on September 1, 2004, or as soon thereafter as is authorized by an approved state plan amendment, to establish a fair rental value system for calculating allowable reimbursement for the property cost center in accordance with subsection (b)(7); provided, however, that no facility shall receive a payment as of September 1, 2004 for property-related expenses pursuant to the fair rental value system that is less than the property-related payment they would have received for the other property-related ("OPR") cost center system in effect as of June 30, 2004."

(2) In Article 20, on page 10, line 2, by deleting the numeral "6" and inserting in place thereof the numeral "7".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01158/3
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Representative Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 64 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Loughlin, Newberry.

The article is read and prevails, as amended, on a roll call vote, 63 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Loughlin, Newberry.

ARTICLE 21 RELATING TO MEDICAID REFORM

Representative Naughton moves passage of the article, seconded by Representatives Carter, Gemma, M. Rice and Petrarca.

Representative Naughton discusses the article.

The article is read and prevails on a roll call vote, 67 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gablinske, Gemma, Giannini,

Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 3: Representatives Loughlin, Newberry, Watson.

ARTICLE 22 RELATING TO UNEMPLOYMENT INSURANCE

Representative Costantino moves passage of the article, seconded by Representatives Carter, Melo, Gemma, Almeida, A. Rice, San Bento and Silva.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

In Article 22, page 3, line 24, by deleting all language thereon and inserting in place thereof the following language:

"SECTION 3. Sections 28-43-8 and 28-43-8.5 of the General Laws in Chapter 28-43 entitled "Employment Security - Contributions" are hereby amended to read as follows:

28-43-8. Experience rates -- Tables. -- (a) (1) Whenever, as of September 30, 1987, or any subsequent computation date, the amount in the employment security fund available for benefits is six and four tenths percent (6.4%) or more of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year shall be determined in accordance with schedule A in this subsection.

(2) Whenever, as of September 30, 1987, or any subsequent computation date, the amount in the employment security fund available for benefits is six and one-tenth percent (6.1%) but less than six and four-tenths (6.4%) of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year shall be determined in accordance with schedule B in this subsection.

(3) Whenever, as of September 30, 1987, or any subsequent computation date the amount in the employment security fund available for benefits is five and eight-tenths percent (5.8%) but less than six and one-tenth (6.1%) of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year

shall be determined in accordance with schedule C in this subsection.

(4) Whenever, as of September 30, 1987, or any subsequent computation date the amount in the employment security fund available for benefits is five and three-tenths percent (5.3%) but less than five and eight-tenths (5.8%) of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year shall be determined in accordance with schedule D in this subsection.

(5) Whenever, as of September 30, 1987, or any subsequent computation date the amount in the employment security fund available for benefits is four and seven-tenths percent (4.7%) but less than five and three-tenths (5.3%) of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year shall be determined in accordance with schedule E in this subsection.

(6) Whenever, as of September 30, 1987, or any subsequent computation date the amount in the employment security fund available for benefits is three and six-tenths percent (3.6%) but less than four and seven-tenths (4.7%) of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year shall be determined in accordance with schedule F in this subsection.

(7) Whenever, as of September 30, 1987, or any subsequent computation date the amount in the employment security fund available for benefits is three percent (3%) but less than three and six-tenths (3.6%) of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year shall be determined in accordance with schedule G in this subsection.

(8) Whenever, as of September 30, 1987, or any subsequent computation date the amount in the employment security fund available for benefits is two and seventy five hundredths percent (2.75%) but less than 3 percent (3%) of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year shall be determined in accordance with schedule H in this subsection.

(9) Whenever, as of September 30, 1987, or any subsequent computation date the amount in the employment security fund available for benefits is less than two and seventy five hundredths percent (2.75%) of total payrolls as determined in section 28-43-1(9), an experience rate for each eligible employer for the immediately following calendar year shall be determined in accordance with schedule I in this subsection.

~~(10) Whenever the amount in the employment security fund available for benefits, net of obligations owed to the federal government, is less than zero at the end of the second month in any calendar quarter, every employer subject to the contribution provisions of this chapter shall be required to pay a surtax of three-tenths of one percent (.3%) of the individual employer's taxable wages for the calendar quarter, in addition to any other contribution which the employer is required to make under any other provision of this chapter; provided, however, that this surtax shall not be imposed during any quarter of calendar years 2009 and 2010 during which the interest on federal Title XII advances under section 1201 of the Social Security Act has been waived.~~

(b) The contribution rate for each employer for a given calendar year shall be determined and the employer notified of it not later than April 1 next succeeding each computation date. That determination shall be binding unless an appeal is taken in accordance with provisions of section 28-43-13.

28-43-8.5. Job development assessment. -- For the tax year ~~2001~~ 2011 and subsequent tax years each employer subject to this chapter shall be required to pay a job development

assessment of ~~twenty-one hundredths of one percent (0.21%)~~ fifty-one hundredths of one percent (0.51%) of that employer's taxable payroll, in addition to any other payment which that employer is required to make under any other provision of this chapter; provided, that the assessment shall not be considered as part of the individual employer's contribution rate for the purpose of determining the individual employer's balancing charge pursuant to section 28-43-9. The tax rate for all employers subject to the contribution provisions of chapters 42 -- 44 of this title shall be reduced by twenty-one hundredths of one percent (0.21%).

SECTION 4. Section 28-42-84 of the General Laws in Chapter 28-42 entitled "Employment Security - General Provisions" is hereby amended to read as follows:

28-42-84. Job development fund -- Disbursements -- Unexpended balance. -- (a) The moneys in the job development fund shall be used for the following purposes:

(1) To reimburse the department of labor and training for the loss of any federal funds resulting from the collection and maintenance of the fund by the department;

(2) To make refunds of contributions erroneously collected and deposited in the fund;

(3) To pay any administrative expenses incurred by the department of labor and training associated with the collection of the contributions for employers paid pursuant to section 28-43-8.5, and any other administrative expenses associated with the maintenance of the fund, including the payment of all premiums upon bonds required pursuant to section 28-42-85;

(4) To provide for job training, counseling and assessment services, and other related activities and services. Services will include, but are not limited to, research, development, coordination, and training activities to promote workforce development and business development as established by the human resource investment council;

(5) To support the state's job training for economic development; ~~and~~

(6) (i) Beginning January 1, 2001, two hundredths of one percent (0.02%) out of the twenty-one hundredths of one percent (0.21%) job development assessment paid pursuant to section 28-43-8.5 shall be used to support necessary core services in the unemployment insurance and employment services programs operated by the department of labor and training~~.~~; and

(ii) Beginning January 1, 2011, two hundredths of one percent (0.02%) out of the fifty-one hundredths of one percent (0.51%) job development assessment paid pursuant to section 28-43-8.5 shall be used to support necessary core services in the unemployment insurance and employment services programs operated by the department of labor and training; and

(7) Beginning January 1, 2011, three tenths of one percent (0.3%) out of the fifty-one hundredths of one percent (0.51%) job development assessment paid pursuant to section 28-43.8.5 shall be deposited into a restricted receipt account to be used solely to pay the principal and/or interest due on Title XII advances received from the federal government in accordance with the provisions of Section 1201 of the Social Security Act; provided, however, that if the federal Title XII loans are repaid through a state revenue bond or other financing mechanism, then these funds may also be used to pay the principal and/or interest that accrues on that debt.

(b) The general treasurer shall pay all vouchers duly drawn by the council upon the fund, in any amounts and in any manner that the council may prescribe. Vouchers so drawn upon the fund shall be referred to the controller within the department of administration. Upon receipt of those vouchers, the controller shall immediately record and sign them and shall promptly transfer those signed vouchers to the general treasurer. Those expenditures shall be used solely for the purposes specified in this section and its balance shall not lapse at any time but shall remain continuously available for expenditures consistent with this section. The general assembly shall

annually appropriate the funds contained in the fund for the use of the human resource investment council and, in addition, for the use of the department of labor and training effective July 1, 2000~~.~~, and for the payment of the principal and interest due on federal Title XII loans beginning July 1, 2011; provided, however, that if the federal Title XII loans are repaid through a state revenue bond or other financing mechanism, then the funds may also be used to pay the principal and/or interest that accrues on that debt.

SECTION 5. Sections 1 and 2 of this Article shall take effect on January 1, 2011, and Sections 3 and 4 shall take effect on July 1, 2010."

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01160/3
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Representatives Costantino discusses the amendment.

The motion to amend prevails on a roll call vote 66 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Hearn, Watson.

The article is read and prevails, as amended, on a roll call vote, 64 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DeSimone, Diaz, Driver, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Martin, Mattiello, McCauley, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 5: Representatives Brien, Hearn, Marcello, Newberry, Watson.

AT EASE

At 7:23 o’clock P.M. the Honorable Speaker Fox declares the House to be at ease.

ORDER

At 8:43 o'clock P.M. the Honorable Speaker Fox calls the House to order.

ARTICLE 23 RELATING TO MOTOR VEHICLE REIMBURSEMENTS

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

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

(1) In Article 23, page 6, lines 2 and 3, by deleting the language and number "three thousand dollars ($3,000)," and inserting in place thereof the language and number "five hundred dollars ($500)."

(2) In Article 23, page 6, lines 3 and 4, by deleting the language and number "three thousand dollars ($3,000), and inserting in place thereof the language and number "five thousand five hundred dollars ($5,500)".

(3) In Article 23, page 6, lines 12 and 13, by striking the language: "and in no event shall the final taxable value of a vehicle be higher than assessed in the prior fiscal year,".

Respectfully submitted,

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REPRESENTATIVE COSTANTINO

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LC01161/10
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Representatives Costantino, Menard, Trillo, Pollard, Guthrie, DaSilva, MacBeth, Gemma, Kennedy, Malik, Savage and Ehrhardt discuss the amendment.

The motion to amend prevails on a roll call vote 54 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 54: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Brien, Carnevale, Carter, Coderre, Costantino, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, MacBeth,

Malik, Marcello, Martin, Mattiello, McCauley, Melo, Menard, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Serpa, Shallcross, Silva, Sullivan, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 15: Representatives Baldelli-Hunt, Caprio, Corvese, DaSilva, Giannini, Guthrie, Jacquard, Lima, Loughlin, Messier, Newberry, Schadone, Trillo, Wasylyk, Watson.

Representative Gemma discusses the Article, as amended.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

By adding thereto the following new Article:

"ARTICLE _____

RELATING TO EXCISE TAX ON MOTOR VEHICLES

SECTION 1. Section 44-34-6 of the General Laws in Chapter 44-34 entitled "Excise on Motor Vehicles and Trailers" is hereby amended to read as follows:

44-34-6. Fire districts. -- The provisions of this chapter shall apply in all respects in the case of taxes assessed upon motor vehicles by any fire district.

(1) Effective with the year 2000 tax roll based upon values of December 31, 1999, the authority of fire districts as authorized by general or public law to levy excise taxes on motor vehicles is eliminated and each district shall be reimbursed for one hundred percent (100%) of current year lost revenues based upon what the levy net of personal exemptions would otherwise have been. That reimbursement shall be based upon submission of information to the department of revenue on the dates specified in section 44-34.1-2, and reimbursements shall be paid on the dates specified in that section. Future year reimbursements shall be based upon the year 2000 tax roll and values of December 31, 1999, and indexed by applying the annual change in the December Consumer Price Index -- All Urban Consumers (CPI-U). Provided, that effective July 1, 2010, and thereafter, the authority of fire districts to levy excise taxes shall be deemed restored, as set forth in subsection (2) herein.

(2) Effective July 1, 2010, and thereafter, the authority of fire districts as authorized by general or public law to levy excise taxes on motor vehicles is, and shall be deemed to be restored. The year 2010 tax roll shall be based upon values of December 31, 2009, with corresponding adjustments made for each subsequent year based on the valuation of vehicles as of December 31 of the year preceding the tax year.

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

Respectfully submitted,

REPRESENTATIVE GUTHRIE

=======
LC01130/10
=======

Representatives Guthrie, Menard, M. Rice and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 24 members voting in the affirmative and 46 members voting in the negative as follows:

YEAS - 26: Representatives Azzinaro, Brien, Carnevale, Corvese, DaSilva, Diaz, Guthrie, Jacquard, Kilmartin, Lima, MacBeth, Malik, Martin, Menard, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Schadone, Shallcross, Sullivan, Walsh, Wasylyk, Winfield.

NAYS - 44: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carter, Coderre, Costantino, DeSimone, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Handy, Hearn, Jackson, Kennedy, Lally, Loughlin, Marcello, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, Newberry, O'Neill, Palumbo, San Bento, Savage, Serpa, Silva, Slater, Trillo, Ucci, Vaudreuil, Watson, Williams, Williamson.

Representatives Lima and Newberry discuss the Article.

By unanimous consent, Representative MacBeth seconded by Representatives Jacquard and Menard offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

In Article 23, page 4, by adding the following language between lines 31 and 32:

"(13) All reimbursements subject to subdivisions (c)(11) and (c)(12) above shall be based on a tax rate of twenty-six dollars ($26.00) per one thousand dollars ($1,000) of valuation assessed on personal property by each city and town multiplied by the average retail value of each vehicle."

Respectfully submitted,

REPRESENTATIVE MACBETH

=======
LC01161/7
=======

Representative MacBeth discusses the amendment.

The motion to amend fails on a roll call vote 19 members voting in the affirmative and 50 members voting in the negative as follows:

YEAS - 19: Representatives Azzinaro, Brien, Corvese, Driver, Giannini, Guthrie, Jacquard, Lima, Loughlin, MacBeth, Malik, Menard, Newberry, Pollard, Rice, A., Rice, M., Trillo, Wasylyk, Watson.

NAYS - 50: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Walsh, Williams, Williamson, Winfield.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

1. In Article 23, page 6, by deleting lines 31 through 34 in their entirety.
2. In Article 23, page 7, by deleting lines 1 through 10 in their entirety.
3. In Article 23, page 7, line 11, by deleting the language "SECTION 4" and inserting in place thereof the language "SECTION 3".

Respectfully submitted,

_____
REPRESENTATIVE GUTHRIE

=======
LC01161/3
=======

Representative Guthrie discusses the amendment.

Representative Costantino moves to lay the amendment on the table, seconded by Representatives O'Neill and San Bento.

Representative Martin discusses the motion to lay on the table.

The motion to lay the amendment on the table prevails on a roll call vote 42 members voting in the affirmative and 27 members voting in the negative as follows:

YEAS - 42: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Coderre, Costantino, DeSimone, Diaz, Edwards, Ferri, Gablinske, Gallison, Gemma, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Ucci, Vaudreuil, Walsh, Williamson.

NAYS - 27: Representatives Azzinaro, Baldelli-Hunt, Brien, Corvese, DaSilva, Driver, Ehrhardt, Fellela, Fierro, Giannini, Guthrie, Jacquard, Loughlin, MacBeth, Menard, Messier, Newberry, Pollard, Rice, M., Savage, Schadone, Segal, Sullivan, Trillo, Wasylyk, Watson, Winfield.

Representatives Menard and Corvese discuss the Article.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

1. In Article 23, page 4, line 28, by deleting the language "eighty-eight percent (88%)" and inserting in place thereof the language "ninety-four percent (94%)".

2. In Article 23, page 6, lines 2 and 3, by deleting the language "three thousand dollars ($3,000)" and inserting in place thereof the language "four thousand five hundred dollars ($4,500)".

3. In Article 23, page 6, lines 3 and 4, by deleting the language "three thousand dollars ($3,000)" and inserting in place thereof the language "four thousand five hundred dollars ($4,500)".

4. In Article 16, page 5, between lines 10 and 11, by adding the following:

"(g) Notwithstanding any other provision of this section, the cost-of-living increases payable under this section by that percentage necessary to offset the loss of revenue due to the provisions of section 44-34.1-2 as most recently amended."

Respectfully submitted,

_____
REPRESENTATIVE TRILLO

=======
LC01161/2
=======

Representatives Trillo, Costantino, MacBeth and Gemma discuss the amendment.

The motion to amend fails on a roll call vote 5 members voting in the affirmative and 62 members voting in the negative as follows:

YEAS - 5: Representatives Baldelli-Hunt, Brien, Corvese, Schadone, Trillo.

NAYS - 62: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lima, MacBeth, Marcello, Martin, Mattiello, McCauley, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

Representative Guthrie discusses the Article, as amended and moves to lay the Article on the table. There is objection.

Representatives Gemma, MacBeth, Trillo, Azzinaro, Costantino, Corvese and Caprio discuss the Article, as amended.

The article is read and prevails, as amended, on a roll call vote, 50 members voting in the affirmative and 22 members voting in the negative as follows:

Yeas - 50: The Honorable Speaker Fox And Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Handy, Hearn, Jackson, Kennedy, Lally, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams, Williamson.

Nays - 22: Representatives Baldelli-Hunt, Brien, Corvese, DaSilva, Ehrhardt, Giannini, Guthrie, Jacquard, Kilmartin, Lima, Loughlin, Macbeth, Menard, Messier, Newberry, Rice, A., Savage, Schadone, Segal, Slater, Wasylyk, Winfield.

ARTICLE 24 RELATING TO EFFECTIVE DATE

Representative Costantino moves passage of the article, seconded by Representatives O'Neill, Gemma, Williamson, San Bento, Melo and Fierro.

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

YEAS - 68: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima,

MacBeth, Marcello, Martin, Mattiello, McCauley, Melo, Menard, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

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

NEW ARTICLES

Representative Costantino moves passage of the (LC01130/28), seconded by Representatives Gallison and Edwards

Representative Melo discusses the amendment.

Minority Leader Watson rises on a Point of Order on the content of this new article and the hour in which it is taken up.

Representative Costantino withdraws the amendment.

By unanimous consent, Representative Schadone seconded by Representatives Jacquard and Lima offers a written motion to amend.

Representatives Schadone, M. Rice, Lima, Gemma and DaSilva discuss the amendment.

Representative DaSilva motions to recess. There is objection.

Representative Gablinske discusses the amendment.

Representative Schadone withdraws the amendment.

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

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

By adding thereto the following new Article:

"Article_____

RELIEF FROM UNFUNDED MANDATES

SECTION 1. 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, whether contained in the appropriations for the support of the state for the fiscal year ending June 30, 2011, or in any general or public law, rule or regulation, the general assembly hereby relieves the school committee and city or town council of any city or town, to the extent that expenditure for compliance would exceed the city or town's maximum spending level permitted by law, from compliance with any unfunded mandates with the exception of those mandates pertaining to transportation, transportation safety and fire safety.

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

Respectfully submitted,

_____

REPRESENTATIVE LOUGHLIN

=======
LC01130/20
=======

Representatives Loughlin, Gemma and Watson discuss the amendment.

Representative Corvese rises on a Point of Order for Watson to speak to the merit of the amendment.

The Honorable Speaker Fox Rules for Watson to speak to the merits of the amendment.

Representatives Mattiello and Newberry discuss the amendment.

The motion to amend fails on a roll call vote 17 members voting in the affirmative and 54 members voting in the negative as follows:

YEAS - 17: Representatives Azzinaro, Baldelli-Hunt, Brien, Carter, Driver, Ehrhardt, Hearn, Kennedy, Lima, Loughlin, MacBeth, Menard, Newberry, Savage, Schadone, Trillo, Watson.

NAYS - 54: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Jackson, Jacquard, Kilmartin, Lally, Marcello, Martin, Mattiello, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

By unanimous consent, Representative MacBeth seconded by Representatives Menard and Jacquard offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

By adding thereto the following new Article:

"ARTICLE _____

SECTION 1. All legislative grants that have not yet been appropriated for the current fiscal year shall be eliminated and the remaining funds shall be returned to the general fund. All future legislative grants shall be prohibited.

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

Respectfully submitted,

_____

REPRESENTATIVE MACBETH

======
LC01130/17
======

Representatives MacBeth, Lima, Baldelli-Hunt, Diaz, Driver, Gemma, Sullivan and Guthrie discuss the amendment.

The motion to amend fails on a roll call vote 16 members voting in the affirmative and 53 members voting in the negative as follows:

YEAS - 16: Representatives Brien, Driver, Ehrhardt, Fierro, Hearn, Jacquard, Lima, Loughlin, MacBeth, Marcello, Menard, Messier, Newberry, Savage, Schadone, Trillo.

NAYS - 53: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DeSimone, Diaz, Edwards, Fellela, Ferri, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Jackson, Kennedy, Kilmartin, Lally, Martin, Mattiello, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

By unanimous consent, Representative MacBeth seconded by Representatives Lima and Menard offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

By adding thereto the following new Article:

"ARTICLE _____

"SECTION 1. Chapter 22-6 of the General Laws entitled "Committees and Staff" is hereby amended by adding thereto the following section:

22-6-16. Health insurance co-share. -- Members of the general assembly electing to receive health insurance benefits or health insurance buy back shall pay a co-share equal to fifteen percent (15%) of the applicable premium or buy back amount.

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

Respectfully submitted,

_____

REPRESENTATIVE MACBETH

======
LC01130/16
======

Representative MacBeth discuss the amendment.

Representative Petrarca moves to lay the article on the table, seconded by Representative O'Neill.

The motion to lay on the table prevails on a roll call vote 43 members voting in the affirmative and 26 members voting in the negative as follows:

YEAS - 43: The Honorable Speaker Fox and Representatives Almeida, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, DeSimone, Diaz, Edwards, Fellela, Ferri, Gablinske, Gallison, Gemma, Handy, Jackson, Kilmartin, Lally, Martin, Mattiello, Melo, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williams, Williamson, Winfield.

NAYS - 26: Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Corvese, Driver, Ehrhardt, Fierro, Giannini, Guthrie, Hearn, Jacquard, Lima, Loughlin, MacBeth, Marcello, Menard, Messier, Newberry, Pollard, Savage, Schadone, Segal, Trillo, Walsh, Wasylyk.

By unanimous consent, Representative Menard offers Representative MacBeth's amendment seconded by Representatives MacBeth.

F L O O R A M E N D M E N T
TO
2010 -- H 7397 SUBSTITUTE A

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Mr. Speaker:

I hereby move to amend 2010 -- H 7397 SUBSTITUTE A, entitled "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2011", as follows:

By adding thereto the following new Article:

"ARTICLE _____

TOWNS AND CITIES – UNFUNDED MANDATES

SECTION 1. Notwithstanding any provision of the general or public laws, or any rule or

regulation to the contrary, all unfunded state mandates, not attached to federal funds, required of the cities and towns in municipal areas of operation under their jurisdiction are hereby repealed.

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

Respectfully submitted,

_____

REPRESENTATIVE MACBETH

=======
LC01130/13
=======

Representatives Menard, Petrarca and Corvese discuss the amendment.

The motion to amend fails roll call vote 15 members voting in the affirmative and 56 members voting in the negative as follows:

YEAS - 15: Representatives Azzinaro, Baldelli-Hunt, Brien, Driver, Ehrhardt, Fierro, Jacquard, Loughlin, MacBeth, Menard, Newberry, Savage, Schadone, Trillo, Watson.

NAYS - 56: The Honorable Speaker Fox and Representatives Ajello, Almeida, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, DeSimone, Diaz, Edwards, Fellela, Ferri, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

Representative Costantino moves passage of the budget as a whole, seconded by Representatives Melo, O'Neill, Coderre, Naughton, Almeida, Shallcross Smith, San Bento, Williams, Gemma, Carnevale, Lally, Gablinske, Palumbo, Jackson, Gallison, Fierro, Silva, M. Rice, Mattiello, Martin, Carter, Kilmartin and Williamson.

Representatives Watson and Costantino discuss the budget.

The bill marked Substitute "A" is read and passed, as amended and the original bill indefinitely postponed, on a roll call vote, 53 members voting in the affirmative and 19 members voting in the negative as follows.

YEAS - 53: The Honorable Speaker Fox and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Costantino, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Marcello, Martin, Mattiello, McCauley, Melo, Messier, Murphy, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 19: Representatives Baldelli-Hunt, Brien, Corvese, DaSilva, Ehrhardt, Guthrie, Hearn, Jacquard, Lima, Loughlin, MacBeth, Menard, Newberry, Pollard, Savage, Schadone, Trillo, Wasylyk, Watson.

TRANSMITTAL

By unanimous consent, (10-H 7397 SUB A, as amended), on the Clerk's desk is ordered to be transmitted to the Honorable Senate, forthwith.

THANK YOU

Representative Costantino extends thanks to all who worked hard on his last budget- 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 John-Paul Verducci, Robert Carr and legal counsel.

The Honorable Speaker Fox and Minority Leader Watson extend heartfelt thanks to Chairman Costantino.

ANNOUNCEMENTS

Representative Giannini congratulates her niece Melissa Gamble Campopiano on the birth of her son, Garrett, 8lbs 1oz.

Representative Corvese announces the North Providence baseball Cougar Anthony Aceto has been named the Gatorade Rhode Island Baseball Player if the Year.

Representative Marcello congratulates House Paige, Isaiah Odunlami on being named the Mt. Pleasant High School Kilties Most Valuable Player.

Majority Leader Mattiello announces tomorrow at 11 o'clock A.M. there will be a hearing on the tax bill in Finance.

Majority Leader Mattiello announces session will convene this afternoon at 3 o'clock P.M.

PERSONAL PRIVILEGE

Representative Lima rises on a point of personal privilege in regards to a newspaper article in the Providence Journal.

ADJOURNMENT

At 2:30 o'clock A.M. on June 4th on motion of Representative Mattiello seconded by Representative Watson the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DEBORAH RUGGIERO

Ladies and gentlemen of the House, as we reconvene in this chamber, let us once again contemplate our reasons for being here. Let us also ask for special blessings today to guide us in serving the people of our great state. Amen.

APPENDIX

CALENDAR

IN ORDER FOR FRIDAY, JUNE 4, 2010 AT 3:00 PM:

1. **2010-H 7024 SUB A**
   BY Rice M
   ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

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

2. **2010-H 7121 SUB A**
   BY Newberry
   ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

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

3. **2010-H 7352 SUB A**
   BY Kilmartin
   ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

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

4. **2010-H 7910**
   BY Winfield
   ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF SMITHFIELD

   Committee on Municipal Government recommends passage.

5. **2010-H 7970**
   BY Malik
   ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- CONTRACTORS' BONDS

   Committee on Municipal Government recommends passage.

6. **2010-H 7973**
BY Pacheco
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - PASCOAG UTILITY DISTRICT

Committee on Municipal Government recommends passage.

7. **2010-H 7975**
BY McCauley
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE

Committee on Municipal Government recommends passage.

8. **2010-H 8051**
BY Pacheco
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Municipal Government recommends passage.

9. **2010-H 8052**
BY Pacheco
ENTITLED, AN ACT RELATING TO TAX EXEMPTIONS FOR THE ELDERLY IN BURRILLVILLE

Committee on Municipal Government recommends passage.

10. **2010-H 8200**
BY McCauley
ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Municipal Government recommends passage.

11. **2010-H 7803**
BY Melo
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION INSURANCE

Committee on Labor recommends passage.

12. **2010-H 7087**
BY Diaz
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Committee on Judiciary recommends passage.

13. **2010-H 7209**
BY Melo
ENTITLED, AN ACT CRIMINAL PROCEDURE -- ARREST

Committee on Judiciary recommends passage.

14. **2010-H 7630**
BY O`Neill JP
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC TICKET QUOTAS

Committee on Judiciary recommends passage.

15. **2010-H 7759**
BY Pacheco
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR ACTIONS -- DEATH BY WRONGFUL ACT

Committee on Judiciary recommends passage.

16. **2010-H 8112 SUB A**
BY Driver
ENTITLED, AN ACT RELATING TO ALTON VILLAGE WATER DISTRICT

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

17. **2010-H 8217**
BY Lally
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar.

18. **2010-H 8218**
BY Lally
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar.

19. **2010-H 8219**
BY Lally
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar.

20. **2010-H 8152 SUB A**
BY Palumbo
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- COMMUNITY NOTIFICATION

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

21. **2010-S 2025**
BY Bates
ENTITLED, AN ACT AUTHORIZING THE TOWN OF BARRINGTON TO ISSUE CLASS A LIQUOR LICENSES

Committee on Municipal Government recommends passage in concurrence.

22. **2010-S 2104**
BY Fogarty P
ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

Committee on Municipal Government recommends passage in concurrence.

23. **2010-S 2297**
BY Tassoni
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF SMITHFIELD

Committee on Municipal Government recommends passage in concurrence.

24. **2010-S 2618 SUB A**
BY Goodwin
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LIQUOR LICENSES

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

25. **2010-S 2751**
BY Felag
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- CONTRACTORS' BONDS

Committee on Municipal Government recommends passage in concurrence.

26. **2010-S 2754**
BY Gallo
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE

Committee on Municipal Government recommends passage in concurrence.

27. **2010-S 2807**
BY Fogarty P
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - PASCOAG UTILITY DISTRICT

Committee on Municipal Government recommends passage in concurrence.

28. **2010-S 2241**
BY Miller
ENTITLED, JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS AND MEMBERS OF THE RHODE ISLAND CONGRESSIONAL DELEGATION TO CO-SPONSOR, SUPPORT, AND VOTE IN FAVOR OF DESIGNATED PENDING LEGISLATION

Committee on Constituent Services recommends passage in concurrence.

29. **2010-S 2301 as amended**
BY Connors
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC TICKET QUOTAS

Committee on Judiciary recommends passage as amended in concurrence.

30. **2010-S 2560**
BY McCaffrey
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- THE ESCHEATMENT OF UNCLAIMED FUNDS IN COURT REGISTRIES

Committee on Judiciary recommends passage in concurrence.

31. **2010-S 2647 SUB A**
BY Walaska
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES

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

32. **2010-S 2761 SUB A**
BY McCaffrey
ENTITLED, AN ACT RELATING TO PROPERTY - RECORDING OF INSTRUMENTS

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

33. **2010-S 2882**
BY Algiere
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

34. **2010-S 2894**
BY Algiere
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

35. **2010-S 2896**
BY Blais
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

36. **2010-S 2173**
BY DiPalma
ENTITLED, JOINT RESOLUTION SUPPORTING THE NEW ENGLAND SECONDARY SCHOOL CONSORTIUM

Ordered on the Calendar for passage in concurrence.

37. **2010-S 2888**
BY Gallo
ENTITLED, JOINT RESOLUTION SUPPORTING THE FEDERAL "RACE TO