

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 third day of January in the year of Our Lord two thousand and six.

Volume 133, No. 69

Thursday, June 22 2006

Sixty-ninth Day

The House of Representatives meets at the State House in Providence, Thursday, June 22, 2006 and is called to order at 3:00 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 73 members present and 2 members absent as follows:

PRESENT - 73: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Waslyk, Watson, Williams, Williamson, Winfield.

ABSENT -2: Representatives Crowley, Voccola.

INVOCATION

The Honorable Speaker presents Representative Savage 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 21, 2006 is approved as printed.

**REPORTS OF COMMITTEES
COMMITTEE ON CORPORATIONS**

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

House Bill No. 6905 SUB A (Lieutenant Governor)

BY Kennedy, Corvese, McNamara, Gemma, Coderre E

ENTITLED, AN ACT RELATING TO INSURANCE -- THE RHODE ISLAND HEALTHCARE AFFORDABILITY ACT OF 2006 - PART VII - SMALL BUSINESSES

(establish a Rhode Island affordable health plan and reinsurance program) {LC889/3/A}

06/22/2006 Placed on House Calendar

House Bill No. 7970

BY Carter

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

ENERGY FACILITY SITING ACT (allow towns or cities to request funding from applicants of facilities generating or transmitting electricity) {LC1425/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 3172 SUB A

BY Tassoni, Perry, Roberts, Gibbs

ENTITLED, AN ACT THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART V {LC3467/1/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2777 SUB A (Attorney General)

BY Metts, Pichardo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - MORTGAGE FORECLOSURE CONSULTANT REGULATION (regulate the actions of mortgage

foreclosure consultants and mortgage foreclosure purchasers) {LC2043/1/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2684 SUB A

BY Gibbs

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES (allow town of Middletown to impose regulations through a permit process on excavation activity) {LC1801/1/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2055

BY Doyle, McBurney, Tassoni

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --

CERTIFICATES OF TITLE AND SECURITY INTERESTS (authorize the registrar to establish and maintain an electronic data and communication system for the purpose of recording the existence of security interests) {LC540/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2681 SUB A

BY Alves

ENTITLED, AN ACT RELATING TO REGULATORY POWERS OF ADMINISTRATION -
- KENT COUNTY WATER AUTHORITY (provide water to qualified biotechnology
manufacturing facilities located within the Kent County Water District) {LC2435/1/A}
06/22/2006 Placed on House Calendar

Senate Bill No. 2480 SUB A (by request)

BY Goodwin

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES
(increase the amount of wine and beer samplings for holders of retail Class A licenses and
forbids samplings of wine and beer to be conducted simultaneously on the same licensed
premise) {LC1403/3/A}
06/22/2006 Placed on House Calendar

Senate Bill No. 2457 as amended

BY McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO THE CITY OF WARWICK -- SEWER AUTHORITY
(require any abutting owned/occupant of land upon any street where a sewer in the city of
Warwick to connect the sewage of the premises to sewer and destroy any cesspool/receptacle of
sewage prior to any sale of the premises) {LC1541/1}
06/22/2006 Placed on House Calendar

Senate Bill No. 2178 SUB A

BY Gibbs, Breene, Perry, Pichardo, Algieri

ENTITLED, AN ACT RELATING TO HEATH INSURANCE (mandatory health insurance
coverage for cranial prosthetics for persons who lose their hair as a result of treatment for
cancer) {LC493/1/A}
06/22/2006 Placed on House Calendar

Senate Bill No. 2348 SUB A (Attorney General)

BY Levesque C, McCaffrey, Connors, Pichardo

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- DECEPTIVE TRADE
PRACTICES (ag to take legal action under the Deceptive Trade Practices Act for actions or
transactions not permitted or formally authorized by other state agencies or agencies of the
United States) {LC914/2/A}
06/22/2006 Placed on House Calendar

Senate Bill No. 2264 SUB A

BY Cote

ENTITLED, AN ACT RELATING TO INSURANCE - THE RHODE ISLAND HEALTH
CARE AFFORDABILITY ACT OF 2006 - PART IV - HIGH RISK POOL (create the High-
Risk Health Insurance Pool Act) {LC1507/1/A}
06/22/2006 Placed on House Calendar

Senate Bill No. 2120 SUB A**BY** Blais, Paiva-Weed**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- DECEPTIVE TRADE PRACTICES (issuers of rebates to remit the rebate to the purchaser within thirty (30) days of receipt 2) {LC65/1/A}

06/22/2006 Placed on House Calendar

House Bill No. 8025 SUB A**BY** Fox, Kennedy, Kilmartin, Lima, Ajello**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND ENERGY EFFICIENCY MANAGEMENT (establish the Rhode Island energy efficiency management corporation act) {LC2862/3/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2903 SUB A**BY** Walaska, Sosnowski, Paiva-Weed, Montalbano J, Lenihan**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (create Rhode Island Energy Resources Act) {LC2697/1/A}

06/22/2006 Placed on House Calendar

COMMITTEE ON FINANCE

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

House Bill No. 8000**BY** Fox, Kilmartin, Sullivan, Church, Jackson**ENTITLED**, AN ACT RELATING TO TAXATION - INCENTIVES FOR INNOVATION AND GROWTH (establish incentives for innovation and growth by granting tax credits to eligible qualified innovative companies as defined in this act) {LC2915/1}

06/22/2006 Placed on House Calendar

House Bill No. 7979**BY** Shanley, Lally, Caprio D, Carter, McHugh**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (establish the University of Rhode Island Commission for Research and Innovation) {LC2914/1}

06/22/2006 Placed on House Calendar

House Bill No. 8268**BY** Church**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION AND PRESERVATION IN PERPETUITY OF OPEN SPACE AND/OR THE PURCHASE OF DEVELOPMENT RIGHTS TO OPEN SPACE IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$3,000,000 OF BONDS AND/OR NOTES THEREFOR {LC3553/1}

06/22/2006 Placed on House Calendar

House Bill No. 7502 (Transportation)**BY** Loughlin, Long, Ehrhardt**ENTITLED**, AN ACT RELATING TO GOVERNMENTAL TORT LIABILITY {LC1310/1}
06/22/2006 Placed on House Calendar**House Bill No. 8142****BY** Moffitt, Sullivan, Williamson**ENTITLED**, AN ACT RELATING TO REGISTRATION OF VEHICLES -- SECRETARY OF STATE EMERITUS -- EDWARD S. INMAN III (Secretary of State Emeritus license plate to former Secretary of State, Edward S. Inman III) {LC3268/1}
06/22/2006 Placed on House Calendar**House Bill No. 8226** SUB A**BY** Amaral, Loughlin**ENTITLED**, AN ACT RELATING TO TAXATION - TAX SALES {LC3384/1/A}
06/22/2006 Placed on House Calendar**House Bill No. 7814** SUB A**BY** McCauley, Almeida, Schadone, Shanley, McHugh**ENTITLED**, AN ACT RELATING TO PROPERTY -- RHODE ISLAND HOME LOAN PROTECTION ACT {LC2515/1/A}
06/22/2006 Placed on House Calendar**House Bill No. 8266****BY** Gallison, Anguilla**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF BRISTOL TO FINANCE THE DESIGN, ENGINEERING AND CONSTRUCTION OF CAPITOL IMPROVEMENT PROJECTS INCLUDING, WITHOUT LIMITATION, DRAINAGE AND WASTE WATER TREATMENT FACILITY SEWER PROJECTS, OPEN SPACE AND PROPERTY ACQUISITION FOR MUNICIPAL PURPOSES, ROAD REPAIRS AND IMPROVEMENTS, ADDITIONS AND REPAIRS TO PUBLIC SAFETY BUILDINGS, AND THE ACQUIRING OF EQUIPMENT IN CONNECTION THEREWITH
BY ISSUANCE OF NOT MORE THAN \$15,000,000 BONDS THEREFOR {LC3532/1}
06/22/2006 Placed on House Calendar**House Bill No. 8258****BY** Church**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND AND OTHER PROPERTY FOR, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF, A NEW ELEMENTARY SCHOOL AND SCHOOL FACILITIES IN THE TOWN (INCLUDING DEMOLITION OF EXISTING SCHOOLS AND SCHOOL FACILITIES) IN ACCORDANCE WITH PHASE II OF THE COMPREHENSIVE SCHOOL FACILITIES MASTER PLAN BY THE ISSUANCE OF NOT MORE THAN \$22,000,000 BONDS AND/OR NOTES THEREFOR {LC3502/1}
06/22/2006 Placed on House Calendar

House Bill No. 7976 (by request)**BY** Winfield, Petrarca**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$1,000,000 GENERAL OBLIGATION BONDS OR NOTES FOR LAND ACQUISITION {LC2835/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2851 SUB A as amended**BY** Pichardo, Paiva-Weed, Metts, Perry, Goodwin**ENTITLED**, AN ACT RELATING TO PROPERTY -- RHODE ISLAND HOME LOAN PROTECTION ACT {LC1467/2/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 3104**BY** Sosnowski**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE NEIGHBORHOOD GUILD IMPROVEMENTS AND TO ISSUE NOT MORE THAN \$1,000,000 BONDS THEREFOR {LC3232/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2892**BY** Algieri, Breene**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION (religious organization exemption) {LC2654/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2417 (Transportation)**BY** Bates**ENTITLED**, AN ACT RELATING TO GOVERNMENTAL TORT LIABILITY (Massachusetts Bay Transportation Authority) {LC1308/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 3100**BY** Revens, McCaffrey, Walaska, Lenihan, Roberts**ENTITLED**, AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$25,000,000 FOR THE REPAIR AND RENOVATION OF SCHOOL FACILITIES {LC3121/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2454 (Transportation)**BY** Breene, Blais**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF TRANSPORTATION (repeal the requirement that the dept of transportation contract with outside firms for the repair and/or maintenance of state property damaged by motor vehicles) {LC1299/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 3116**BY** Gallo, Roberts, Lanzi**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,710,000 BONDS AND NOTES TO FINANCE THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, RENOVATION, REPAIR, ALTERATION AND EQUIPPING OF PLAYGROUNDS AND ATHLETIC FIELDS {LC3276/1}

06/22/2006 Placed on House Calendar

House Bill No. 8269 SUB A**BY** Kennedy**ENTITLED**, AN ACT RELATING TO TAXATION {LC3550/1/A}

06/22/2006 Placed on House Calendar

House Bill No. 6782 SUB A**BY** Gemma, Jacquard, Lima, Schadone, O'Neill**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY (require the lottery director to withhold video lottery terminal winnings for the payment of child support arrearages) {LC76/2/A}

06/22/2006 Placed on House Calendar

House Bill No. 8245 SUB A**BY** Lima, Gallison, Wasylyk, Melo, Moffitt**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONTRACTORS' REGISTRATION {LC3492/2/A}

06/22/2006 Placed on House Calendar

House Bill No. 8285**BY** Landroche, Gorham, Moffitt, Williamson, Sullivan**ENTITLED**, AN ACT IN AMENDMENT OF THE INCORPORATION OF THE CENTRAL COVENTRY FIRE DISTRICT IN FURTHERANCE OF THE "CONSOLIDATION PLAN" OF THE CENTRAL COVENTRY FIRE DISTRICT, THE WASHINGTON LIGHTING DISTRICT, THE HARRIS FIRE & LIGHTING DISTRICT AND THE TIOGUE FIRE DISTRICT, AS APPROVED BY THE QUALIFIED VOTERS OF SAID DISTRICTS, AT DULY CALLED MEETINGS HELD ON MARCH 28, 2006 {LC3514/1}

06/22/2006 Placed on House Calendar

House Bill No. 8280**BY** Landroche, Laroche, Sullivan, Moffitt, Williamson**ENTITLED**, AN ACT VALIDATING THE CONSOLIDATION OF THE HARRIS FIRE AND LIGHTING DISTRICT WITH THE CENTRAL COVENTRY FIRE DISTRICT AND THE TRANSFER OF THE ASSETS AND UNPAID LIABILITIES OF THE HARRIS FIRE AND LIGHTING DISTRICT TO THE CENTRAL COVENTRY FIRE DISTRICT, SECURING TO THE CENTRAL COVENTRY FIRE DISTRICT, THE LIEN OF THE HARRIS FIRE AND LIGHTING DISTRICT FOR UNPAID TAXES, AND THE SECURITY OF EXISTING LABOR CONTRACTS {LC3561/1}

06/22/2006 Placed on House Calendar

House Bill No. 8279**BY** Landroche, Laroche, Sullivan, Moffitt, Williamson**ENTITLED**, AN ACT VALIDATING THE CONSOLIDATION OF THE TIOGUE LIGHTING DISTRICT WITH THE CENTRAL COVENTRY FIRE DISTRICT AND THE TRANSFER OF THE ASSETS AND UNPAID LIABILITIES OF THE TIOGUE LIGHTING DISTRICT TO THE CENTRAL COVENTRY FIRE DISTRICT, SECURING TO THE CENTRAL COVENTRY FIRE DISTRICT, THE LIEN OF THE TIOGUE LIGHTING DISTRICT FOR UNPAID TAXES, AND THE SECURITY OF EXISTING LABOR CONTRACTS {LC3560/1}

06/22/2006 Placed on House Calendar

House Bill No. 8278**BY** Landroche, Laroche, Sullivan, Moffitt**ENTITLED**, AN ACT VALIDATING THE CONSOLIDATION OF THE WASHINGTON LIGHTING DISTRICT WITH THE CENTRAL COVENTRY FIRE DISTRICT AND THE TRANSFER OF THE ASSETS AND UNPAID LIABILITIES OF THE WASHINGTON LIGHTING DISTRICT TO THE CENTRAL COVENTRY FIRE DISTRICT, SECURING TO THE CENTRAL COVENTRY FIRE DISTRICT, THE LIEN OF THE WASHINGTON LIGHTING DISTRICT FOR UNPAID TAXES, AND THE SECURITY OF EXISTING LABOR CONTRACTS {LC3559/1}

06/22/2006 Placed on House Calendar

House Bill No. 8110**BY** Flaherty, McNamara, Naughton, Gemma, Ginaitt**ENTITLED**, AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$25,000,000 FOR THE REPAIR AND RENOVATION OF SCHOOL FACILITIES {LC3199/1}

06/22/2006 Placed on House Calendar

House Bill No. 7652 SUB A**BY** Long, Jackson, Rice**ENTITLED**, AN ACT RELATING TO TOWNS AND {LC2054/3/A}

06/22/2006 Placed on House Calendar

House Bill No. 7357**BY** Shanley, Rice, Long, Scott, Malik**ENTITLED**, AN ACT RELATING TO LEVY AND ASSESSMENT OF LOCAL TAXES (exempt greenhouses constructed or altered at a rate of 50% of its values from taxation if used for agriculture or as a farm) {LC2272/1}

06/22/2006 Placed on House Calendar

House Bill No. 7232 SUB A (Lieutenant Governor)**BY** Dennigan, Rose, Almeida, Kennedy, Slater**ENTITLED**, AN ACT RELATING TO ASSISTED LIVING (additional personnel unannounced annual on-site inspections, and more frequent inspections) {LC2171/1/A}

06/22/2006 Placed on House Calendar

House Bill No. 7087**BY** Kilmartin, McManus, Coderre E**ENTITLED**, AN ACT RELATING TO RECREATIONAL AREAS -- GENERAL PROVISIONS (Field B. Shelter at Lincoln State Woods the John 'Jack' F. Duffy Shelter) {LC1128/1}

06/22/2006 Placed on House Calendar

House Bill No. 6917 SUB A**BY** Rice, Handy, Sullivan, Faria, Almeida**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- FAIR SHARE HEALTH CARE FUND (require employers of 1,000 employees or more to file annual reports relating to the portion of total employees health care costs paid by the employer) {LC525/2/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2347 SUB B**BY** Tassoni, Doyle, McBurney**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY (require the lottery director to withhold video lottery terminal winnings for the payment of child support arrearages) {LC1740/1/B}

06/22/2006 Placed on House Calendar

Senate Bill No. 2028 SUB A**BY** Tassoni, Issa, Doyle, McBurney, Damiani**ENTITLED**, AN ACT RELATING TO CHILD CARE ASSISTANCE {LC26/3/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2092 SUB A as amended**BY** Metts, Pichardo, Sheehan, Perry**ENTITLED**, AN ACT RELATING TO TAX SALES (provide that where a property is residential and contains less than four units and is subject to a tax sale, the RIHMFC would have the right of first refusal to acquire the tax lien) {LC643/6/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2871 SUB A**BY** Badeau**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (in addition to a regular registration plate, a special registration plate for the private passenger motor vehicle of each former speaker of the house of representatives and of each former majority leader of the senate and each president of the senate) {LC2389/1/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 3041 SUB A**BY** Levesque C, Bates, Felag**ENTITLED**, AN ACT EXEMPTING FROM TAXATION AND AUTHORIZING THE HERRESHOFF MARINE MUSEUM TO INCREASE ITS HOLDING TO AN AMOUNT NOT EXCEEDING \$5,000,000 {LC3108/1/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 3122**BY** Ruggerio, Montalbano J, Paiva-Weed, Alves, Felag**ENTITLED**, AN ACT RELATING TO DAYS OF SPECIAL OBSERVANCE -- GOLD STAR PARENTS DAY {LC3338/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 3148 as amended**BY** Felag, Gibbs**ENTITLED**, AN ACT RELATING TO TAXATION - TAX SALES {LC3403/1}

06/22/2006 Placed on House Calendar

Senate Resolution No. 3153 as amended**BY** Goodwin, Issa, Ciccone, DaPonte, Pichardo**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE METHOD OF CHILD CARE IN THE STATE OF RHODE ISLAND {LC3405/1}

06/22/2006 Placed on House Calendar

Senate Resolution No. 3177**BY** Ciccone**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS {LC3496/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 3180**BY** Alves**ENTITLED**, AN ACT RELATING TO MEDICAL ASSISTANCE -- PRESCRIPTION DRUGS {LC3542/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2338**BY** Sosnowski, Breene, Polisena, Gibbs, Blais**ENTITLED**, AN ACT RELATING TO LEVY AND ASSESSMENT OF LOCAL TAXES {LC1606/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2540 SUB A (Lt. Governor)

BY Fogarty P, Roberts, Perry, Gibbs, Gallo

ENTITLED, AN ACT RELATING TO ASSISTED LIVING (additional unannounced on-site inspections to assisted living communities) {LC1621/2/A}

06/22/2006 Placed on House Calendar

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

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

House Bill No. 6918 SUB A

BY Gallison, McNamara, Lewiss, Sullivan, Moura

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - - HEALTH CARE FACILITIES STAFFING (establish a maximum workday for certain hourly wage employees and provide penalties for violations) {LC58/2/A}

06/22/2006 Placed on House Calendar

House Bill No. 8167

BY Lima, Ucci, Wasylyk, McCauley

ENTITLED, AN ACT RELATING TO EDUCATION - ELIGIBILITY FOR ATTENDANCE {LC3321/1}

06/22/2006 Placed on House Calendar

House Bill No. 8034 SUB A

BY Slater, Almeida, Williams, Diaz, Lima

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS (authorize Ocean State University to be recognized and chartered as a university in the state) {LC3057/3/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2990 SUB A

BY Pichardo, Connors, Roberts, Issa, Gallo

ENTITLED, AN ACT RELATING TO YOUTH -- YOUTH COMMISSION (commission to examine legislation relating to youth and would require the general assembly to have an opinion from the commission prior to acting on the legislative proposal {LC2886/1/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2616 as amended

BY Blais, Breene

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM ANATOMICAL GIFT ACT (medical examiner to provide to the federally designated organ procurement organization all information necessary to facilitate organ and tissue donations.) {LC260/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 3037**BY** Fogarty P, Gallo, Tassoni, Ruggerio, Ciccone**ENTITLED**, AN ACT RELATING TO CURATIVE SERVICES (provide that there would no longer be any requirement that an employee of Zambarano Hospital reside within the state) {LC3031/1}

06/22/2006 Placed on House Calendar

COMMITTEE ON JUDICIARY

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

House Bill No. 8136**BY** Schadone, Ucci, Corvese**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- MUNICIPAL COURTS (ensure that the 1992 State and Municipal Court Compact applies to all lawfully created municipal courts) {LC3281/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 3065 SUB A**BY** Polisena, Damiani, Tassoni, McCaffrey, Ruggerio**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- THEFT OF MOTOR FUEL (stealing of motor fuel from a retail dealer a larceny and punishable as a felony or misdemeanor depending upon the retail value of the fuel taken) {LC3119/1/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2378 SUB A**BY** McCaffrey, Alves, Goodwin, Polisena, Caprio F**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULTS (establish a protective services program for victims of assault, abuse, or neglect of any person who is severely impaired or mentally disabled within the department of mental health, retardation and hospitals) {LC1787/2/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2776 (Attorney General)**BY** Levesque C, McBurney, McCaffrey, Polisena**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (change the jurisdiction of section 11-9-5.3, "Brendan's Law," to the Superior Court) {LC2041/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2423 (Human Services)**BY** Breene**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- UNIFORM INTERSTATE FAMILY SUPPORT ACT (legal counsel for the department of human services and office of child support services would represent the state of RI) {LC1306/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2296**BY** Caprio F**ENTITLED**, AN ACT RELATING TO FIDUCIARIES -- CHARITABLE TRUSTS (increase the maximum value of a charitable trust) {LC1060/1}

06/22/2006 Placed on House Calendar

Senate Bill No. 2110 SUB A (Attorney General)**BY** Tassoni, Polisena, Doyle, Issa**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - VICTIM'S RIGHTS (provide that when a defendant is released prior to final conviction/responsibility of the governmental entity/final responsibility for the defendant's supervised custody, to give notice to the victim) {LC657/1/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2797 SUB A as amended (by request)**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO ELECTIONS - CAMPAIGN EXPENDITURES (separate reporting requirements for expenditures on ballot questions from political campaigns) {LC1752/2/A}

06/22/2006 Placed on House Calendar

Senate Bill No. 2927 SUB A as amended (by request)**BY** Issa, Algieri**ENTITLED**, AN ACT RELATING TO PROPERTY -- FORM AND EFFECT OF CONVEYANCES (require all deeds of real property and mobile and manufactured homes to include on the deed the actual sale price of the property) {LC2747/1/A}

06/22/2006 Placed on House Calendar

COMMITTEE ON LABOR

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

House Bill No. 7914**BY** Moura, Palumbo**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS**BY** CONTRACTORS (require any contractor who is awarded a public works contract after July 1, 2006 to ascertain the prevailing wage rate and make the necessary adjustments) {LC509/1}

06/22/2006 Placed on House Calendar

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

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

Senate Bill No. 2042 SUB A as amended
BY Cote, Tassoni, Doyle, Fogarty P, McBurney
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (areas that a bicycle may be operated) {LC9/1/A}
06/22/2006 Placed on House Calendar

Senate Bill No. 2511 SUB A
BY Gallo, Lanzi, Ciccone, Fogarty P
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - STORM DRAIN MAINTENANCE {LC1468/1/A}
06/22/2006 Placed on House Calendar

Senate Bill No. 2701 as amended
BY DaPonte
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL (expand the solid waste beneficial use determination process) {LC2417/1}
06/22/2006 Placed on House Calendar

Senate Bill No. 3174 as amended
BY Felag, Gibbs
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND HOUSING AND MORTGAGE FINANCE CORPORATION {LC3512/1}
06/22/2006 Placed on House Calendar

COMMITTEE ON SEPARATION OF POWERS

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

Senate Bill No. 2597 SUB A (General Treasurer)
BY Lenihan
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (financial functions of the state and make other changes to these boards and commissions in accord with recent amendments to the state constitution) {LC2212/3/A}
06/22/2006 Placed on House Calendar

Senate Bill No. 3158
BY Lenihan, Cote, Levesque C
ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS {LC3366/1}
06/22/2006 Placed on House Calendar

NEW BUSINESS**House Resolution No. 8286****BY** Almeida, Costantino, Moura, Williams, Slater**ENTITLED**, HOUSE RESOLUTION PROCLAIMING JUNE 22, 2006 AS "PROVIDENCE BLACK REPERTORY COMPANY APPRECIATION DAY" IN THE STATE OF RHODE ISLAND {LC3509/1}

Representative Almeida requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Almeida seconded by Representatives Diaz, Williams, Melo, Giannini, Dennigan, Williamson, Carter, Ajello, Gemma and Faria by unanimous consent, on a voice vote.

House Resolution No. 8287**BY** Dennigan, Rose, McNamara, Malik, Laroche**ENTITLED**, HOUSE RESOLUTION HONORING THE 1884 PROVIDENCE GRAYS OF THE MAJOR LEAGUE BASE BALL'S NATIONAL LEAGUE, RECOGNIZING THE TEAM'S INAUGURAL CHAMPIONSHIP OF AMERICA, AND THANKING THE PROVIDENCE GRAYS VINTAGE BASE BALL CLUB FOR ENTERTAINING AND EDUCATING THE PUBLIC REGARDING RHODE ISLAND'S UNIQUE AND LITTLE KNOWN 19TH CENTURY BASE BALL HISTORY {LC3322/1}

Representative Dennigan requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Dennigan seconded by Representatives Savage, Laroche, Loughlin O'Neill and Williamson by unanimous consent, on a voice vote.

House Bill No. 8288 SUB A**BY** Costantino**ENTITLED**, AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2007 {LC3594/1/A}

06/22/2006 Introduced, referred to House Finance

House Resolution No. 8289**BY** Carter, Murphy, Watson, Fox, Gorham**ENTITLED**, HOUSE RESOLUTION HONORING REPRESENTATIVE JAMES F. DAVEY FOR HIS OUTSTANDING SERVICE TO THE CITIZENS OF THE STATE OF RHODE ISLAND {LC3569/1}

Minority Leader Watson requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Minority Leader Watson seconded by the entire House of Representatives by unanimous consent, on a voice vote.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2654 SUB A

BY Ruggerio, DaPonte, Badeau, Goodwin, Connors

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS {LC1799/3/A}

06/22/2006 Referred to House Finance

Senate Bill No. 2995

BY Walaska, Bates, Sheehan, DaPonte

ENTITLED, AN ACT RELATING TO TAXATION - INCENTIVES FOR INNOVATION AND GROWTH (establish incentives for innovation and growth by granting tax credits to eligible qualified innovative companies as defined in this act.) {LC2943/1}

06/22/2006 Referred to House Finance

Senate Bill No. 2741 SUB A

BY Roberts, Perry, Sosnowski, Gibbs

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE SERVICES (reduce the size and make-up of the health services council) {LC1736/2/A}

06/22/2006 Referred to House Finance

Senate Bill No. 2882

BY Badeau

ENTITLED, AN ACT RELATING TO INSURANCE -- BEACON MUTUAL INSURANCE COMPANY (subject the governor's appointments to the Beacon Mutual Insurance Company's board of directors to the advice and consent of the senate) {LC2520/1}

06/22/2006 Referred to House Finance

Senate Bill No. 3048 SUB A as amended

BY Goodwin

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- REGULATORY POWERS OF ADMINISTRATION {LC3021/2/A}

06/20/2006 Referred to House Finance

Senate Bill No. 3170 SUB A as amended

BY Roberts, Perry, Tassoni, Pichardo, Gibbs

ENTITLED, AN ACT RELATING TO INSURANCE - THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART II - TRANSPARENCY OF INFORMATION ON HEALTH CARE QUALITY AND COST {LC3248/1/A}

06/22/2006 Referred to House Corporations

Senate Bill No. 2920**BY** Goodwin, Perry**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- REDEVELOPMENT AGENCIES (blighted and substandard areas) {LC531/1}

06/22/2006 Referred to House Corporations

Senate Bill No. 2848 SUB A as amended (by request)**BY** Pichardo, Walaska**ENTITLED**, AN ACT RELATING TO INSURANCE -- THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 -- PART I - SMALL GROUP AND INDIVIDUAL HEALTH INSURANCE (grant the commissioner of health insurance) {LC1956/3/A}

06/22/2006 Referred to House Corporations

Senate Bill No. 2107 SUB A as amended (Lieutenant Governor)**BY** Roberts, Walaska, Perry, Fogarty P, Algieri**ENTITLED**, AN ACT RELATING TO INSURANCE -- THE RHODE ISLAND HEALTHCARE AFFORDABILITY ACT OF 2006 - PART VII - SMALL BUSINESSES (establish a Rhode Island affordable health plan and reinsurance program) {LC762/3/A}

06/22/2006 Referred to House Corporations

Senate Bill No. 2211 SUB A as amended (Lieutenant Governor)**BY** Perry, Roberts, Fogarty P, Walaska, Tassoni**ENTITLED**, AN ACT RELATING TO HEALTH INSURANCE - THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 PART III - COVERAGE OF DEPENDENT CHILDREN (gradually increasing the coverage age for dependent children from age 19 to 25 over 3 years.) {LC1014/2/A}

06/22/2006 Referred to House Corporations

Senate Bill No. 2361 SUB A as amended**BY** Lanzi, Ciccone, Tassoni, DaPonte**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS (require consumer reporting agencies to place security freezes on consumer credit reports if requested to do so/prohibit the release of info from a consumer credit report while the freeze is in place) {LC752/2/A}

06/22/2006 Referred to House Corporations

Senate Bill No. 3194**BY** Breene**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF WICKABOXET CAMP ASSOCIATION {LC3576/1}

06/22/2006 Referred to House Corporations

Senate Bill No. 2912 SUB A as amended**BY** Badeau**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION {LC2717/1/A}

06/22/2006 Referred to House Labor

Senate Bill No. 2109 (Attorney General)**BY** Montalbano J, McCaffrey, Polisen, Paiva-Weed, Algieri**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS (provide that grounds for issuance of a search warrant would apply, without limitation, to all criminal investigations and prosecution) {LC644/1}

06/22/2006 Referred to House Judiciary

Senate Bill No. 3163**BY** Goodwin**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3481/1}

06/22/2006 Referred to House Judiciary

Senate Bill No. 2613 as amended**BY** Blais**ENTITLED**, AN ACT RELATING TO LICENSING OF HEALTH CARE FACILITIES {LC1364/1}

06/22/2006 Referred to House Health, Education and Welfare

Senate Bill No. 2531**BY** Doyle, Polisen, Walaska, Issa, Ruggerio**ENTITLED**, AN ACT RELATING TO EDUCATION (statewide purchasing system) {LC2283/1}

06/22/2006 Referred to House Health, Education and Welfare

Senate Bill No. 2193**BY** Lanzi**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- EXPLOSIVES - - SEISMIC LIMITS (licensed blasters to provide a blasting plan to the state fire marshal) {LC647/1}

06/22/2006 Referred to House Health, Education and Welfare.

CALENDAR

From the Calendar are taken:

IN ORDER FOR THURSDAY, JUNE 22, 2006:**1 2006-H 7042 SUB A****BY** Jacquard**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION

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

Read, and by unanimous consent, ordered to be placed on the Calendar after item # 43 as item #43A.

2 2006-H 8220**BY Handy****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY
REDUCTION AND EDUCATION ACT**

Committee on Environment and Natural Resources recommends passage.

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

Representative Handy, seconded by Representatives Lima and Ajello offers a written motion to amend.

**F L O O R A M E N D M E N T
T O
2006 -- H 8220**

AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY REDUCTION AND
EDUCATION ACT

Mr. Speaker:

I hereby move to amend 2006 -- H 8220, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY REDUCTION AND EDUCATION ACT", as follows:

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

"SECTION 1. Section 23-24.9-10 of the General Laws in Chapter 23-24.9 entitled "Mercury Reduction and Education Act" is hereby amended to read as follows:

23-24.9-10. Collection of mercury-added products. -- (a) After January 1, 2006, no mercury-added product shall be offered for final sale or use or distribution for promotional purposes in Rhode Island unless the manufacturer, either on its own or in concert with other persons, has implemented a system, after review and approval of the director, for the convenient and accessible collection of such products when the consumer is finished with them. Where a mercury-added product is a component of another product, the collection system must provide for removal and collection of the mercury-added component or collection of both the mercury-added component and the product containing it. Mercury-added components in motor vehicles shall be collected and recycled as provided for in subdivision (b)(2) of this section.

(b) (1) This section shall not apply to the collection of mercury-added button cell batteries or mercury-added lamps or products where the only mercury contained in the product comes from a mercury-added button cell battery or a mercury-added lamp; and

(2) Mercury-added components in motor vehicles at end-of-life shall be collected and recycled as provided in this subsection. Significant, willful failure to comply with rules and/or regulations to implement the provisions of this section shall constitute, as may be determined by the department, a violation of the ban established in section 23-24.9-9. No scrap recycling facility or other person that receives a flattened, crushed or baled end-of-life vehicle shall be deemed to be in violation of subdivision 23-24.9-10(b)(2) and rules and regulations pursuant thereto or section 23-24.9-9 if a mercury switch is found in the vehicle after its acquisition.

For the purposes of subdivision 23-24.9-10(b)(2) the following terms shall have the

following meanings: (i) "Capture rate" means the annual removal, collection, and recovery of mercury switches, as a percentage of the total number of mercury switches available for removal from end-of-life vehicles as determined by the Department of Environmental Management. Capture rate shall not include mercury switches that are inaccessible due to significant damage to the motor vehicle in the area where the mercury switch is located; (ii) "Mercury added component" or "Mercury switch" means a mercury-added convenience light switch assembly or capsule from an end-of-life motor vehicle; (iii) "Scrap recycling facility" means a fixed location where machinery and equipment are utilized for processing and manufacturing scrap metal into prepared grades and whose principal product is scrap iron, scrap steel, or nonferrous metallic scrap for sale for remelting purposes; and (iv) "Vehicle recycler" means an individual or entity licensed under the provisions of section 42-14.2-3 that engages in the business of acquiring, dismantling, parts recycling from, or destroying six (6) or more end-of-life vehicles in a calendar year.

(A) Manufacturers of motor vehicles sold in Rhode Island that contain mercury switches shall, individually or collectively, establish and implement a collection program for mercury switches to achieve a capture rate of not less than fifty percent (50%) for calendar year 2006, and not less than seventy percent (70%) for calendar year 2007 and each calendar year thereafter through calendar year 2017. ~~The collection program shall be subject to the following requirements:~~

~~(i) On or before September 1, 2005, manufacturers of motor vehicles subject to the collection program requirement shall submit to the department a plan setting forth a proposed collection program. At a minimum, the plan shall:~~

~~(I) Explain how capture rate requirements are anticipated to be met through implementation of the plan;~~

~~(II) Ensure that mercury switches collected are managed in accordance with the universal waste rules adopted by the department;~~

~~(III) Provide the department and scrap recycling facilities and vehicle recyclers with information, training and other technical assistance required to facilitate removal and recycling of mercury switches in accordance with the universal waste rules;~~

~~(IV) Make available to the public information concerning services to remove mercury switches in motor vehicles;~~

~~(V) The proposed collection program plan shall be subject to the review and approval of the department, which may require adjustments or modifications to the plan.~~

~~(ii) By January 1, 2006, manufacturers of motor vehicles subject to the collection program requirement shall implement a collection program plan approved by the department; and~~

~~(iii) For the calendar quarter ending March 31, 2006, and each calendar quarter thereafter, not later than forty five (45) days following the close of the calendar quarter, manufacturers of motor vehicles subject to the collection program requirement shall provide quarterly implementation reports to the department, which reports shall include the number of mercury switches collected and the amount of mercury collected and recycled through the collection program. The report shall further include, but not be limited to: a detailed description and documentation of the capture rate.~~

~~(B) In the event that the program set forth in subparagraph 23-24.9-10(b)(2)(A) does not achieve the specified capture rates for any calendar year, the The department shall develop, issue, administer and enforce regulation compelling the manufacturers of motor vehicles sold in~~

Rhode Island that contain mercury switches to undertake a collection program as set forth in this subparagraph, 23-24.9-10(b)(2)(B). ~~Provided, however, that if the~~ The department shall determine that the ~~failure to achieve the required capture rate in any each year of the program~~ and shall access whether any failure to achieve the capture rate was the result of a force-majeure; The department shall report publicly on or before March 31, each year its findings with regard to the capture rate during the prior year. ~~the department may extend the program established pursuant to subparagraph 23-24.9-10(b)(2)(A) for a period of not less than one calendar quarter and not greater than the number of whole calendar quarters equal to the number of calendar quarters affected by the force majeure and shall substitute the capture rates achieved in such calendar quarter(s) for the captures rates achieved in the calendar quarter(s) affected by the force majeure; the department shall recalculate the annual capture rate for the year affected by the force majeure using the substitute calendar quarter(s) to determine whether the annual capture rate requirements set forth in subparagraph 23-24.9-10(b)(2)(A) were met. The manufacturer or manufacturers shall pay the~~ The total cost of the removal, replacement, collection and recovery system for mercury switches, under this subparagraph, 23-24.9-10(b)(2)(B), to the vehicle recycler or scrap recycling facility that removed the switch. ~~shall be borne by the manufacturer or manufacturers.~~ The total cost shall include, but not be limited to, the following:

(i) ~~A~~ a minimum of ~~three dollars (\$3.00)~~ five dollars (\$5.00) for each mercury switch removed by a vehicle recycler or by a scrap recycling facility, as partial compensation for the labor and other costs incurred in the removal of the mercury switch, ~~to be paid to the vehicle recycler or the scrap recycling facility that removed the switch;~~

(ii) ~~One dollar (\$1.00) for each mercury switch removed by a vehicle recycler or by a scrap recycling facility to be paid to the department as partial compensation to the department for costs incurred in administering and enforcing the provisions of this subchapter and providing services related thereto which may include but shall not be limited to:~~

- ~~Training;~~
- ~~Packaging in which to transport mercury switches to recycling, storage or disposal facilities;~~
- ~~Shipping of mercury switches to recycling, storage or disposal facilities;~~
- ~~Recycling, storage or disposal of the mercury switches;~~
- ~~Public education materials and presentations; and~~
- ~~Maintenance of appropriate systems and procedures to protect the environment from mercury contamination.~~

(3) The provisions of subdivision 23-24.9-10(b)(2) shall satisfy collection programs and disposal requirements for mercury switches for all motor vehicles sold in the state.

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

Respectfully submitted,

REPRESENTATIVE HANDY

The motion to amend prevails on a roll call vote 56 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Lally, Landroche, Laroche, Lewiss, Lima, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Ucci, Williams, Williamson.

NAYS - 1: Representative Menard.

Read and passed, as amended, 55 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Lally, Landroche, Laroche, Lewiss, Lima, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Ucci, Williams, Williamson.

NAYS - 2: Representatives Menard, Petrarca.

REQUEST

Representative Long requests the journal to reflect that if he had voted on (06H-8220aa), he would have voted in the affirmative.

3 2006-H 7106

BY Moran

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Moran, Brien, Ucci, Menard, Faria, and Gemma.

Read and passed, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy,

Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Timothy A. Williamson, State Representative, District 25, 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:
(06-H-7109 SUB A)

2. (Nature of the potential conflict) I have the following interest in the matter:
I am Town Solicitor in West Warwick

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.

TIMOTHY A. WILLIAMSON
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

ANASTASIA WILLIAMS
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Norman L. Landroche, Jr., State Representative, District 27, 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: (06-H-7109 SUB A)

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

I am a town firefighter in West Warwick.

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.

NORMAN L. LANDROCHE
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

ANASTASIA WILLIAMS
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Nicholas Gorham, State Representative, District 40, 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: (06-H-7109 SUB A)

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

My law firm is counsel to a plaintiff in the case described therein.

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.

NICHOLAS GORHAM
 REPRESENTATIVE

STATE OF RHODE ISLAND
 COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.
 DAVID W. DUMAS
 NOTARY PUBLIC

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

WILLIAM J. MURPHY
 SPEAKER OF THE HOUSE OF REPRESENTATIVES

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
 HOUSE OF REPRESENTATIVES

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

I, William J. Murphy, State Representative, District 26, 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: (06-H-7109 SUB A)
2. (Nature of the potential conflict) I have the following interest in the matter:
 This bill may have an effect on the Town of West Warwick.
3. (Complete and (A.) or (B.) and cross out whichever does not apply
 B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

WILLIAM J. MURPHY
 REPRESENTATIVE

STATE OF RHODE ISLAND
 COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

DAVID W. DUMAS
NOTARY PUBLIC

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

CHARLENE LIMA
DEPUTY SPEAKER PRO TEMPORE

4 2006-H 7109 SUB A

BY Kilmartin

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
JOINT TORTFEASOR RELEASES**

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

NOW PRESIDING

At 3:19 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Deputy Speaker Corvese.

Representative Lima moves passage of the act, seconded by Representatives Rice, Anguilla, and McNamara.

Representatives Trillo and Rice discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Carter, Church, Coderre, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams.

NAYS - 0.

NOW PRESIDING

At 3:22 o'clock P.M. the Honorable Deputy Speaker Corvese yields the rostrum to the Honorable Speaker Murphy

REQUEST

Representative Corvese requests the journal to reflect that if he had voted on (06H-7109 SUB A), he would have voted in the affirmative.

5 2006-H 7414 SUB A**BY Costantino****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH**

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

Representative Costantino moves passage of the act, seconded by Representatives Ginaitt and Gemma.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 59 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 59: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams.

NAYS - 0.

6 2006-H 7543**BY Ehrhardt****ENTITLED, AN ACT RELATING TO MANAGEMENT AND DISPOSAL OF PROPERTY**

Committee on Finance recommends passage.

Representative Carter moves passage of the act, seconded by Representatives Ehrhardt, Mumford, Gemma, McNamara and Faria.

Representatives Trillo and Ehrhardt discuss the act.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill,

Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

7 2006-H 7138 SUB B

BY Coderre E

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
COURTS**

Ordered on the Calendar

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

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill and the bill marked Substitute "A", indefinitely postponed, on a roll call vote, 59 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Laroche, Lewiss, Lima, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

REQUEST

Representative DeSimone requests the journal to reflect that if he had voted on (06H-7138 SUB B in concurrence), he would have voted in the affirmative.

8 2006-H 8089

BY Faria

**ENTITLED, AN ACT EXEMPTING FROM TAXATION ALL OF THE REAL,
PERSONAL AND MIXED PROPERTY OF THE LEARNING
COMMUNITY SCHOOL, INC.**

Committee on Finance recommends passage.

Representative Faria moves passage of the act, seconded by Representatives Carter and Moran.

Read and passed, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kilmartin, Lally, Laroche, Lewiss, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

9 2006-H 8233

BY Winfield

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$35,205,000 GENERAL OBLIGATION BONDS OR NOTES FOR THE PURPOSES OF SCHOOL CONSTRUCTION AND RENOVATION

Committee on Finance recommends passage.

Representative Costantino moves passage of the act, seconded by Representatives Fox and Petrarca.

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

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, San Bento, Savage, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Williams, Williamson.

NAYS - 0.

10 2006-H 8224

BY Long

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 \$1,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

Representative Costantino moves passage of the act, seconded by Representatives Rice and Mumford.

Read and passed, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, O'Neill, Pacheco, Petrarca, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

REQUEST

Representative Long requests the journal to reflect that if he had voted on (06H-8224), he would have voted in the affirmative.

11 2006-H 8244 SUB A

BY Naughton

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION

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

Representative Naughton moves passage of the act, seconded by Representatives Savage, Malik, Dennigan, and Rice.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 59 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williamson.

NAYS - 1: Representative Menard.

REQUESTS

Representatives Long, Lima, and Giannini request the journal to reflect that if they had voted on (06H-8244 SUB A), they would have voted in the affirmative.

12 2006-H 8098**BY Jackson****ENTITLED, AN ACT RELATING TO TAXATION - NEWPORT SENIOR
RESIDENT PROPERTY TAX SERVICES CREDIT PROGRAM**

Committee on Finance recommends passage.

Representative Jackson moves passage of the act, seconded by Representative Rice.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

13 2006-H 8001 SUB A**BY Fox****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
THE SCIENCE AND TECHNOLOGY ADVISORY COUNCIL**

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

Representative Naughton moves passage of the act, seconded by Representatives Shanley, Amaral, and Story.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy,

Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williamson.

NAYS - 0.

REQUESTS

Representative Long and Lima requests the journal to reflect that if they had voted on (06H-8001 SUB A), they would have voted in the affirmative.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Helio Melo, State Representative, District 64, 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: (06-H-7025)
- 2. (Nature of the potential conflict) I have the following interest in the matter:
I work for an employer that this bill applies to.
- 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.

HELIO MELO
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

DAVID W DUMAS
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

14 2006-H 7025 SUB A**BY Costantino****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES**

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

Representative Costantino moves passage of the act, seconded by Representatives Carter, Ajello, Slater, and Williams.

Representatives Singleton, Costantino, and Trillo discuss the act.

Read, and by unanimous consent, ordered to be placed on the Calendar after item # 53 as item # 53A.

Majority Leader Fox moves to bundle the following bills on the Calendar, seconded by Minority Leader Watson.

17. House Bill No. 8221**BY Rice, Long, Jackson****ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE MAINTENANCE AND CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,500,000 BONDS AND/OR NOTED THEREFOR INCLUDING BUT NOT LIMITED TO, ANY BONDS OR NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND CLEAN WATER FINANCE AGENCY {LC3440/1}****42. House Bill No. 8222****BY Rice, Long, Jackson****ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE ACQUISITION AND PRESERVATION OF OPEN SPACE AND ACQUIRING, PRESERVING, RESTORING OR IMPROVING OR RECREATIONAL AREAS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,000,000 BONDS AND/OR NOTES THEREFOR {LC3448/1}****50. House Bill No. 8223****BY Long, Rice, Jackson****ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW POLICE STATION BY THE ISSUANCE OF NOT MORE THAN \$8,000,000 BONDS AND/OR NOTES THEREFOR {LC3441/1}**

61. Senate Bill No. 3156**BY** Tassoni**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$35,205,000 GENERAL OBLIGATION BONDS OR NOTES FOR THE PURPOSES OF SCHOOL CONSTRUCTION AND RENOVATION {LC3454/1}**127. Senate Bill No. 2961****BY** Sheehan, Sosnowski**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO FINANCE RENOVATIONS, REMODELING, ADDITIONS, IMPROVEMENTS AND/OR RELATED EQUIPMENT FOR SCHOOLS AND TO ISSUE NOT MORE THAN \$21,500,000 BONDS AND NOTES THEREFOR {LC2732/1}**132. Senate Bill No. 3099****BY** Revens, McCaffrey, Walaska, Lenihan, Roberts**ENTITLED**, AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$7,000,000 FOR THE REHABILITATION OF THE MICKEY STEVENS SPORTS COMPLEX {LC3205/1}**134. Senate Bill No. 3117****BY** Roberts, Gallo, Lanzi**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$530,000 BONDS AND NOTES TO FINANCE THE PURCHASE OF PUBLIC WORKS AND HIGHWAY EQUIPMENT AND CONSTRUCTION OF A SALT STORAGE FACILITY {LC3269/1}**135. Senate Bill No. 3118****BY** Roberts, Gallo, Lanzi**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$3,000,000 BONDS AND NOTES TO FINANCE THE REPAIR, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS THROUGHOUT THE CITY OF CRANSTON {LC3277/1}**136. Senate Bill No. 3119****BY** Gallo, Roberts, Lanzi**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$8,500,000 BONDS AND NOTES TO FINANCE UPGRADES AND RENOVATIONS TO THE CITY'S SEWER SYSTEM, INCLUDING GRAVITY LINES, FORCE MAINS, PUMP STATIONS AND THE TREATMENT PLANT {LC3270/1}

137. Senate Bill No. 3120**BY** Lanzi, Roberts, Gallo

ENTITLED, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$900,000 BONDS AND NOTES (NOT MORE THAN \$600,000 OF WHICH SHALL BE USED TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW PUBLIC LIBRARY BRANCH IN THE ARLINGTON SECTION OF THE CITY AND NOT LESS THAN \$300,000 OF WHICH SHALL BE USED TO FINANCE REPAIRS, RENOVATIONS AND UPGRADES AND EQUIPMENT FOR ALL PUBLIC LIBRARIES) {LC3275/1}

138. Senate Bill No. 3121**BY** Lanzi, Roberts, Gallo

ENTITLED, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$4,335,000 BONDS AND NOTES TO FINANCE THE ACQUISITION, CONSTRUCTION AND REHABILITATION OF FIRE STATIONS AND FACILITIES AND THE PURCHASE OF EQUIPMENT FOR THE FIRE DEPARTMENT {LC3274/1}

139. Senate Bill No. 3144**BY** Lenihan, Sheehan

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE RENOVATIONS, ALTERATIONS, ADDITIONS AND OTHER IMPROVEMENTS AND/OR RELATED EQUIPMENT FOR THE WICKFORD MIDDLE AND THE DAVISVILLE ELEMENTARY SCHOOLS AND TO ISSUE NOT MORE THAN \$27,200,000 BONDS AND NOTES THEREFOR {LC3429/1}

Passage of the bundle prevails, items 61,127, 132, 134, 135, 136, 137, 138 and 139 in concurrence, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kilmartin, Lally, Lewiss, Lima, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

REQUEST

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

FROM THE DESK IS TAKEN

Majority Leader Fox moves to bundle the following bills taken from the desk, seconded by Minority Leader Watson.

Senate Bill No. 3178

BY Tassoni, Fogarty P, Cote

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND AND OTHER PROPERTY FOR, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF, A NEW ELEMENTARY SCHOOL AND SCHOOL FACILITIES IN THE TOWN (INCLUDING DEMOLITION OF EXISTING SCHOOLS AND SCHOOL FACILITIES) IN ACCORDANCE WITH PHASE II OF THE COMPREHENSIVE SCHOOL FACILITIES MASTER PLAN BY THE ISSUANCE OF NOT MORE THAN \$22,000,000 BONDS AND/OR NOTES THEREFOR {LC3503/1}

Senate Bill No. 3173

BY DaPonte, Damiani

ENTITLED, AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE TO FINANCE THE REPAIRS, RENOVATIONS, AND IMPROVEMENTS TO CITY ROADS AND DRAINAGE SYSTEMS AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR {LC3342/1}

Senate Bill No. 3166

BY Breene

ENTITLED, AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 286 OF THE PUBLIC LAWS, 1986, ENTITLED "AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 55 OF THE PUBLIC LAWS, 1958, ENTITLED 'AN ACT AUTHORIZING THE TOWNS OF CHARLESTOWN, RICHMOND AND HOPKINTON, TO JOIN A REGIONAL SCHOOL DISTRICT, INCORPORATING SAID REGIONAL SCHOOL DISTRICT, AND PROVIDING FOR THE ISSUANCE OF BONDS, CONSTRUCTION AND OPERATION OF A REGIONAL SCHOOL SYSTEM FOR THE JOINT USE OF THE PARTICIPATING TOWNS, WITHIN SAID REGIONAL SCHOOL DISTRICT ESTABLISHED BY THIS ACT,' AS AMENDED" {LC3242/1}

Senate Bill No. 3164

BY Breene

ENTITLED, AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 55 OF THE PUBLIC LAWS, 1958, ENTITLED 'AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 55 OF THE GENERAL LAWS OF 1958 AUTHORIZING THE TOWNS OF CHARLESTOWN, RICHMOND AND HOPKINTON, TO JOIN A REGIONAL SCHOOL DISTRICT, INCORPORATING SAID REGIONAL SCHOOL DISTRICT, AND PROVIDING FOR THE ISSUANCE OF BONDS, CONSTRUCTION AND OPERATION OF A REGIONAL SCHOOL SYSTEM FOR THE JOINT USE OF THE PARTICIPATING TOWNS, WITHIN SAID REGIONAL SCHOOL DISTRICT ESTABLISHED BY THIS ACT' AS AMENDED" {LC3240/1}

Senate Bill No. 3152**BY** Gibbs

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 \$1,000,000 BONDS AND/OR NOTES THEREFOR {LC3446/1}

Senate Bill No. 3151**BY** Gibbs

ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW POLICE STATION BY THE ISSUANCE OF NOT MORE THAN \$8,000,000 BONDS AND/OR NOTES THEREFOR {LC3445/1}

Senate Bill No. 3150**BY** Gibbs

ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE MAINTENANCE AND CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,500,000 BONDS AND/OR NOTED THEREFOR INCLUDING BUT NOT LIMITED TO, ANY BONDS OR NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND CLEAN WATER FINANCE AGENCY {LC3444/1}

Senate Bill No. 3149**BY** Gibbs

ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE ACQUISITION AND PRESERVATION OF OPEN SPACE AND ACQUIRING, PRESERVING, RESTORING OR IMPROVING OR RECREATIONAL AREAS IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$2,000,000 BONDS AND/OR NOTES THEREFOR {LC3443/1}

Senate Bill No. 3147**BY** Fogarty P, Gallo, Walaska

ENTITLED, AN ACT RELATING TO TAXATION {LC3386/1}

Senate Bill No. 3146**BY** Breene

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- TAXATION -- TOWN OF RICHMOND {LC3171/1}

Senate Bill No. 3188**BY** Tassoni

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION AND PRESERVATION IN PERPETUITY OF OPEN SPACE AND/OR THE PURCHASE OF DEVELOPMENT RIGHTS TO OPEN SPACE IN THE

TOWN BY THE ISSUANCE OF NOT MORE THAN \$3,000,000 OF BONDS AND/OR NOTES THEREFOR {LC3557/1}

Passage of the bundle prevails, in concurrence, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kilmartin, Lally, Laroche, Lewiss, Lima, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

TRANSMITTAL

By unanimous consent, all House matters on the Clerk's desk are ordered to be transmitted to the Honorable Senate, forthwith, with the exception of certain bills being held.

Representative Trillo moves to reconsider (06S 3146) from the bundle seconded by Representative Fox.

The motion to reconsider prevails, on a roll call vote, 51 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Jackson, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Naughton, O'Neill, Petrarca, Picard, Rice, Savage, Schadone, Shanley, Slater, Story, Sullivan, Ucci, Watson, Williams, Winfield.

NAYS - 5: Representatives Amaral, Flaherty, Jacquard, Kilmartin, Mumford.

Majority Leader Fox moves to place (06S 3146) on the bottom of the Calendar after item # 143 as 143A. There is no objection.

15 2006-H 6781

BY Naughton

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES**

Committee on Finance recommends passage.

Representative Naughton moves passage of the act, seconded by Representatives Lima, Carter, and Ajello.

Representatives Menard, Kilmartin, Trillo, San Bento, McManus, and Naughton discuss the act.

Read and passed, on a roll call vote, 61 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Trillo, Watson.

16 2006-H 7258

BY Giannini

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY STATE/LOCAL PARTNERSHIP FOR MAINTENANCE OF ROADS

Committee on Finance recommends passage.

Representative Malik moves passage of the resolution, seconded by Representatives Rice, Carter, Moura, Giannini, Williams, Lima, Moffitt, and Faria.

Read and passed, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Carter, Church, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Winfield.

NAYS - 0.

18 2006-H 8239

BY Fox

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT

Committee on Environment and Natural Resources recommends passage.

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

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

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

NAYS - 0.

19 2006-H 8249

BY Ginaitt

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -
INTERSTATE PEST CONTROL COMPACT

Committee on Environment and Natural Resources recommends passage.

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

Read and passed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Watson requests the journal to reflect that if he had voted on (06H-8249), he would have voted in the affirmative.

20 2006-H 7317 SUB A

BY Ginaitt

ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE
COMMISSION TO STUDY THE ISSUE OF LATERAL ACCESS
ALONG THE RHODE ISLAND SHORELINE AS PROTECTED
WITHIN THE RHODE ISLAND CONSTITUTION

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

Representative Ginaitt moves passage of the resolution, seconded by Representatives McHugh, Story, McNamara, Amaral, Long, and Ehrhardt.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

REQUEST

Representative Rice requests the journal to reflect that if she had voted on (06H-7317 SUB A), she would have voted in the affirmative.

21 2006-H 8219

BY Church

ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH SMITHFIELD

Committee on Corporations recommends passage.

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

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

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

NAYS - 0.

22 2006-H 8242**BY Ucci****ENTITLED,** AN ACT RELATING TO VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF JOHNSTON

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Ucci and Petrarca.

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

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

NAYS - 0.

23 2006-H 8122**BY Long****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- INTERPRETERS FOR THE DEAF

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the act, seconded by Representatives Long and Naughton.

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

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Dennigan, DeSimone, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

24 2006-H 8168 SUB A**BY Gemma****ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - SCHOOL BUS SAFETY**

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

Representative McNamara moves passage of the act, seconded by Representatives Sullivan, Naughton, Ucci, Gemma, Story, Moura, Trillo, Coderre, Diaz, and Ajello.

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

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Coderre, Corvese, Dennigan, DeSimone, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

25 2006-H 7426**BY Long****ENTITLED, JOINT RESOLUTION REQUESTING THE RHODE ISLAND DEPARTMENT OF HEALTH ESTABLISH REGULATIONS TO MANDATE NURSING HOME EVACUATION PLANS**

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the resolution, seconded by Representative Long.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

26 2006-H 7427**BY Fox****ENTITLED,** JOINT RESOLUTION SUPPORTING THE APPLICATION OF THE REPUBLIC OF CHINA (TAIWAN) FOR OBSERVER STATUS AT THE WORLD HEALTH ORGANIZATION

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the resolution, seconded by Representatives Corvese, Gemma and Moura.

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

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Story, Sullivan, Trillo, Ucci, Williams, Williamson, Winfield.

NAYS - 0.

27 2006-H 7536 as amended**BY Lewiss****ENTITLED,** AN ACT RELATING TO OPEN MEETINGS

Committee on Judiciary recommends passage as amended.

Representative Lally moves passage of the act, seconded by Representatives Lewiss, Pacheco, Story, Savage, Ehrhardt, Ajello and Rice.

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

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

NAYS - 0.

28 2006-H 7110**BY Kilmartin****ENTITLED,** AN ACT RELATING TO PUBLIC RECORDS - ACCESS TO PUBLIC RECORDS

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives McNamara, Gemma, Kilmartin and Faria.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

29 2006-H 7586**BY Lally****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT

Committee on Judiciary recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

30 2006-H 7931**BY Lally****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES

Committee on Judiciary recommends passage.

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

Read and passed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

31 2006-H 8251

BY Anguilla

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- LAW
APPLICABLE TO CONSTRUCTION CONTRACTS

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representative Lewiss.

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

YEAS - 66: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Williams, Williamson, Winfield.

NAYS - 0.

32 2006-H 7938

BY Almeida

ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Slater, Dennigan, Williams, Almeida, Diaz, Gemma, Ajello, Pacheco, Faria, Long and Shanley.

Representative Gemma discusses the act.

Read and passed, on a roll call vote, 64 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Ucci, Williams, Williamson, Winfield.

NAYS - 6: Representatives Gorham, McHugh, Mumford, Scott, Trillo, Watson.

33 2006-H 7070

BY Almeida

ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- INCOMPETENCY TO STAND TRIAL AND PERSONS ADJUDGED NOT GUILTY BY REASON OF INSANITY

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Diaz, Williams, Davey, Menard, Almeida, Gemma, Rice, Savage, Amaral, O'Neill, Pacheco and Moura.

Representative Menard discusses the act.

Read and passed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Robert Watson, State Representative, District 30, 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: (06H 6869)

2. (Nature of the potential conflict) I have the following interest in the matter:
I am a lawyer and the bill involves lawyers.

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.

ROBERT WATSON
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.
CAROL A. MUMFORD 41
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Stephen Ucci, State Representative, District 42, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (06H6869)

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

3. (Complete and (A.) or (B.) and cross out whichever does not apply
B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

STEPHEN UCCI
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June 2006.

JOSEPH P. MORAN III
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

34 2006-H 6869

BY Rice

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Rice, Gemma, Ajello.

Representatives Rice, Trillo, Petrarca, McHugh, Williams, Davey, Lima and Flaherty discuss the act.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

35 2006-H 7006

BY Almeida

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - JAILS AND PRISONS

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Almeida, Corvese, Handy and Ajello.

Read and passed, on a roll call vote, 58 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 58: Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Ucci, Williams, Williamson, Winfield.

NAYS - 6: Representatives DeSimone, Gorham, McHugh, Scott, Trillo, Watson.

36 2006-H 8171 SUB A

BY Church

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- HUNTING AND HUNTING SAFETY

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

Representative Ginaitt moves passage of the act, seconded by Representatives Church, Almeida, Lima, Story and Moffitt.

Representative Church, seconded by Representatives Ginaitt, Ucci and Almeida offers a written motion to amend.

**FLOOR AMENDMENT
TO
2006 -- H 8171**

AN ACT RELATING TO FISH AND WILDLIFE -- HUNTING AND HUNTING SAFETY

Mr. Speaker:

I hereby move to amend 2006 -- H 8171, entitled "AN ACT AN ACT RELATING TO FISH AND WILDLIFE -- HUNTING AND HUNTING SAFETY", as follows:

(1) By deleting the following language after the enactment clause and inserting in place thereof the following language:

"SECTION 1. Chapter 20-1 of the General Laws entitled "General Provisions" is hereby amended by adding thereto the following section:

20-1-25. Internet hunting. -- (1) "Internet hunting" means the use of the Internet to remotely control the shooting of any bird or animal.

(2) No person shall shoot at or kill any bird or animal with any gun via an Internet connection in Rhode Island. Accessing, regulating access to, or regulating the control of a device capable of being operated in violation of this section shall be prima facie evidence of an offense under this section.

(3) No person shall import, export, or possess any bird or animal or any part thereof which has been taken by the use of the Internet to remotely control the shooting of any bird or animal.

(4) Violations of this section shall be a misdemeanor, punishable by a fine of not more than five hundred dollars or imprisonment for up to ninety (90) days, or both.

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

Respectfully submitted,

REPRESENTATIVE CHURCH

The motion to amend prevails on a roll call vote 61 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, DeSimone, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Gorham, Ginaitt, Church, Trillo, Corvese and Caprio discuss the act as amended.

Representative Moura moves the question, seconded by Representative Petrarca.

The motion to move the question prevails, on a roll call vote, 47 members voting in the affirmative and 18 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Faria, Fox, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Long, Malik, McCauley, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Sullivan, Williams, Williamson.

NAYS - 18: Representatives Brien, Caprio, Davey, Ehrhardt, Gemma, Giannini, Gorham, Jackson, Loughlin, McHugh, McManus, Menard, Story, Trillo, Ucci, Wasylyk, Watson, Winfield.

Representative Ehrhardt discusses the act.

Read, and by unanimous consent, ordered to be placed on the Calendar after item # 43A as item # 43B.

37 2006-H 8257

BY Naughton

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING
OF REHABILITATION COUNSELORS**

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the act, seconded by Representatives Naughton, Giannini and Gemma.

Representatives Gorham, Watson, McNamara and Davey discuss the act.

Read and passed, on a roll call vote, 50 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McHugh, McNamara, Melo, Mumford, Naughton, Pacheco, Petrarca, Picard, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Ucci, Wasyluk, Williamson.

NAYS - 8: Representatives Amaral, Caprio, Gorham, McManus, Moffitt, Trillo, Watson, Winfield.

REQUEST

Representative Caprio requests the journal to reflect that he had voted incorrectly on (06H 8257), he should have voted in the affirmative.

38 2006-H 8256

BY Naughton

ENTITLED, AN ACT RELATING TO ADMINISTRATIVE PROCEDURES

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representative Davey.

Representatives Trillo, Lally, Davey, and Williams discuss the act.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

39 2006-H 8260 SUB A

BY Fox

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- LOW AND MODERATE INCOME HOUSING

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

Representative Lally moves passage of the act, seconded by Representative Trillo.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

40 2006-H 8261

BY Fox

ENTITLED, AN ACT RELATING TO COURTS - JUDICIAL TENURE AND DISCIPLINE

Committee on Judiciary recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

41 2006-H 8262 SUB A

BY Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE

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

Representative Lally moves passage of the act, seconded by Representative Palumbo.

Representatives Jacquard, Lally, and Watson discuss the act.

Representative Watson, seconded by Representative Gorham moves to recommit.

The motion to recommit fails on a roll call vote, 30 members voting in the affirmative and 37 members voting in the negative as follows:

YEAS - 30: Representatives Almeida, Amaral, Brien, Caprio, Carter, Davey, DeSimone, Diaz, Ehrhardt, Flaherty, Gemma, Gorham, Jacquard, Laroche, Long, Loughlin, McManus, McNamara, Menard, Moffitt, Mumford, Palumbo, Rose, Savage, Singleton, Story, Trillo, Ucci, Watson, Winfield.

NAYS - 37: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Church, Coderre, Corvese, Costantino, Dennigan, Faria, Fox, Gallison, Giannini, Ginaitt, Handy, Jackson, Kilmartin, Lally, Landroche, Lewiss, Lima, McHugh, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, San Bento, Schadone, Shanley, Slater, Sullivan, W

Representative Fox, Trillo, Gorham, Gemma and Jacquard continue to discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 51 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 51: Representatives Ajello, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Jackson, Jacquard, Kilmartin, Lally, Landroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McNamara, Melo, Moffitt, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Story, Sullivan, Ucci, Wasyluk, Winfield.

NAYS - 10: Representatives Almeida, Amaral, Flaherty, Gorham, Laroche, McManus, Menard, Mumford, Singleton, Trillo.

REQUESTS

Representatives Moran, DeSimone and Smith request the journal to reflect that if they had voted on (06H 8262 SUB A), they would have voted in the affirmative.

Representative McHugh requests the journal to reflect that if he had voted on (06H 8262 SUB A), he would have voted in the negative.

43 2006-H 7776

BY Pacheco

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS - RELIEF OF INJURED AND DECEASED FIRE FIGHTERS AND POLICE OFFICERS

Committee on Finance recommends passage.

Representative Pacheco moves passage of the act, seconded by Representatives Rice, Gemma, Ucci, Caprio, Handy, Gallison, Melo, Mumford, Gorham, Trillo, Long, Church, and many other members of the House.

Read and passed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy,

Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Winfield.

NAYS - 0.

43A 2006-H 7042 SUB A

BY Jacquard

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
WORKERS' COMPENSATION**

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

Representative Jacquard moves passage of the act, seconded by Representatives Corvese, Moura, and many other members of the House.

Representatives Gorham, Jacquard, and Moura discuss the act.

Representative Jacquard offers Representative Faria's written motion to amend, seconded by Representatives Corvese, Faria, Carter, and Gemma.

**F L O O R A M E N D M E N T
T O
2006 -- H 7042 SUBSTITUTE A**

**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS'
COMPENSATION**

Mr. Speaker:

I hereby move to amend 2006 -- H 7042 SUBSTITUTE A, entitled "AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION", as follows:

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

"SECTION 1. Sections 28-33-17 and 28-33-18.3 of the General Laws in Chapter 28-33 entitled "Workers' Compensation - Benefits" are hereby amended to read as follows:

28-33-17. Weekly compensation for total incapacity -- Permanent total disability -- Dependents' allowances. -- (a) (1) While the incapacity for work resulting from the injury is total, the employer shall pay the injured employee a weekly compensation equal to seventy-five percent (75%) of his or her average weekly spendable base wages, earnings, or salary, as computed pursuant to the provisions of section 28-33-20. The amount may not exceed more than sixty percent (60%) of the state average weekly wage of individuals in covered employment under the provisions of the Rhode Island Employment Security Act as computed and established by the Rhode Island department of labor and training, annually, on or before May 31 of each

year, under the provisions of section 28-44-6(a). Effective September 1, 1974, the maximum rate for weekly compensation for total disability shall not exceed sixty-six and two-thirds percent (66 2/3%) of the state average weekly wage as computed and established under the provisions of section 28-44-6(a). Effective September 1, 1975, the maximum rate for weekly compensation for total disability shall not exceed one hundred percent (100%) of the state average weekly wage as computed and established under the provisions of section 28-44-6(a). Effective September 1, 2000 ~~2007~~, the maximum rate for weekly compensation for total disability shall not exceed one hundred ~~ten~~ fifteen percent (~~110%~~) (115%) of the state average weekly wage as computed and established under the provisions of section 28-44-6(a). If the maximum weekly benefit rate is not an exact multiple of one dollar (\$1.00), then the rate shall be raised to the next higher multiple of one dollar (\$1.00).

(2) The average weekly wage computed and established under section 28-44-6(a) is applicable to injured employees whose injury occurred on or after September 1, 2000, and shall be applicable for the full period during which compensation is payable.

(3) (i) "Spendable earnings" means the employee's gross average weekly wages, earnings, or salary, including any gratuities reported as income, reduced by an amount determined to reflect amounts which would be withheld from the wages, earnings, or salary under federal and state income tax laws, and under the Federal Insurance Contributions Act (FICA), 26 U.S.C. section 3101 et seq., relating to social security and Medicare taxes. In all cases, it is to be assumed that the amount withheld would be determined on the basis of expected liability of the employee for tax for the taxable year in which the payments are made without regard to any itemized deductions but taking into account the maximum number of personal exemptions allowable.

(ii) Each year, the director shall publish tables of the average weekly wage and seventy-five percent (75%) of spendable earnings that are to be in effect on May 10. These tables shall be conclusive for the purposes of converting an average weekly wage into seventy-five percent (75%) of spendable earnings. In calculating spendable earnings the director shall have discretion to exempt funds assigned to third parties by order of the family court pursuant to section 8-10-3 and funds designated for payment of liens pursuant to section 28-33-27 upon submission of supporting evidence.

(b) (1) In the following cases, it shall for the purpose of this section be that the injury resulted in permanent total disability:

(i) The total and irrecoverable loss of sight in both eyes or the reduction to one-tenth (1/10th) or less of normal vision with glasses;

(ii) The loss of both feet at or above the ankle;

(iii) The loss of both hands at or above the wrist;

(iv) The loss of one hand and one foot;

(v) An injury to the spine resulting in permanent and complete paralysis of the legs or arms; and

(vi) An injury to the skull resulting in incurable imbecility or insanity.

(2) In all other cases, total disability shall be determined only if, as a result of the injury, the employee is physically unable to earn any wages in any employment; provided, that in cases where manifest injustice would otherwise result, total disability shall be determined when an employee proves, taking into account the employee's age, education, background, abilities, and training, that he or she is unable on account of his or her compensable injury to perform his or her regular job and is unable to perform any alternative employment. The court may deny total

disability under this subsection without requiring the employer to identify particular alternative employment.

(c) (1) Where the employee has persons conclusively presumed to be dependent upon him or her or in fact so dependent, the sum of fifteen dollars (\$15.00) shall be added to the weekly compensation payable for total incapacity for each person wholly dependent on the employee, except that the sum of forty dollars (\$40.00) shall be added for those receiving benefits under section 28-33-12, but in no case shall the aggregate of those amounts exceed eighty percent (80%) of the average weekly wage of the employee, except that there shall be no limit for those receiving benefits under section 28-33-12.

(2) The dependency allowance shall be in addition to the compensation benefits for total disability otherwise payable under the provisions of this section. The dependency allowance shall be increased if the number of persons dependent upon the employee increases during the time that weekly compensation benefits are being received.

(3) For the purposes of this section the following persons shall be conclusively presumed to be wholly dependent for support upon an employee:

(i) A wife upon a husband with whom she is living at the time of his injury, but only while she is not working for wages during her spouse's total disability.

(ii) A husband upon a wife with whom he is living at the time of her injury, but only while he is not working for wages during his spouse's total disability.

(iii) Children under the age of eighteen (18) years, or over that age but physically or mentally incapacitated from earning, if living with the employee, or, if the employee is bound or ordered by law, decree, or order of court, or by any other lawful requirement, to support the children, although living apart from them. Provided, that the payment of dependency benefits to a dependent child over the age of eighteen (18) years shall continue as long as that child is satisfactorily enrolled as a full-time student in an educational institution or an educational facility duly accredited or approved by the appropriate state educational authorities at the time of enrollment. Those payments shall not be continued beyond the age of twenty-three (23) years. "Children," within the meaning of this paragraph, also includes any children of the injured employee conceived but not born at the time of the employee's injury, and the compensation provided for in this section shall be payable on account of any such children from the date of their birth.

(d) "Dependents," as provided in this section, does not include the spouse of the injured employee except as provided in paragraphs (c)(3)(i) and (ii) of this section. In all other cases questions of dependency shall be determined in accordance with the facts as the facts may be at the time of the injury.

(e) The court or any of its judges may in its or his or her discretion order the insurer or self-insurer to make payment of the nine dollars (\$9.00) or fifteen dollars (\$15.00) for those receiving benefits under section 28-33-12 directly to the dependent.

(f) (1) Where any employee's incapacity is total and has extended beyond fifty-two (52) weeks, regardless of the date of injury, payments made to all totally incapacitated employees shall be increased as of May 10, 1991, and annually on the tenth of May after that as long as the employee remains totally incapacitated. The increase shall be by an amount equal to the total percentage increase in annual consumer price index, United States city average for urban wage earners and clerical workers, as formulated and computed by the bureau of labor statistics of the United States Department of Labor for the period of March 1 to February 28 each year.

(2) If the employee is subsequently found to be only partially incapacitated, the weekly

compensation benefit paid to the employee shall be equal to the payment in effect prior to his or her most recent cost of living adjustment.

(3) "Index" as used in this section refers to the consumer price index, United States city average for urban wage earners, clerical workers, as that index is formulated and computed by the Bureau of Labor Statistics of the United States Department of Labor.

(4) The May 10, 1991 increase shall be based upon the total percentage increase, if any, in the annual consumer price index for the period of March 1, 1990 to February 28, 1991. Thereafter, increases shall be made on May 10 annually, based upon the percentage increase, if any, in the index for the period March 1 to February 28.

(5) The computations in this section shall be made by the director of labor and training and promulgated to insurers and employers making payments required by this section. Increases shall be paid by insurers and employers without further order of the court. If payment payable under this section is not paid within fourteen (14) days after the employer or insurer has been notified or it becomes due, whichever is later, there shall be added to the unpaid payment an amount equal to twenty percent (20%) of that amount, which shall be paid at the same time as, but in addition to the payment.

(6) This section applies only to payment of weekly indemnity benefits to employees as described in subdivision (1) of this subsection, and does not apply to specific compensation payments for loss of use or disfigurement or payment of dependency benefits or any other benefits payable under the Workers' Compensation Act.

(7) Notwithstanding any other provision of the general law or public laws to the contrary, any employee of the state of Rhode Island who is receiving workers' compensation benefits for total incapacity, as a result of brain injury due to a violent assault, on or before July 19, 2005, shall be entitled to receive the health insurance benefit he or she was entitled to at the time of the injury for the duration of the total incapacity or until said employee and his or her spouse are both eligible for Medicare.

SECTION 2. Section 28-33-18.3 of the General Laws in Chapter 28-33 entitled "Workers' Compensation - Benefits" is hereby amended to read as follows:

28-33-18.3. Continuation of benefits -- Partial incapacity. -- (a) (1) For all injuries occurring on or after September 1, 1990, in those cases where the employee has received a notice of intention to terminate partial incapacity benefits pursuant to section 28-33-18, the employee or his or her duly authorized representative may file with the workers' compensation court a petition for continuation of benefits on forms prescribed by the workers' compensation court. In any proceeding before the workers' compensation court on a petition for continuation of partial incapacity benefits, where the employee demonstrates by a fair preponderance of the evidence that his or her partial incapacity poses a material hindrance to obtaining employment suitable to his or her limitation, partial incapacity benefits shall continue. For injuries on and after July 1, ~~2005~~ 2007, "material hindrance" is defined to include only compensable injuries causing a greater than sixty-five percent (65%) degree of functional impairment and/or disability. Any period of time for which the employee has received benefits for total incapacity shall not be included in the calculation of the three hundred and twelve (312) week period.

(2) The provisions of this subsection apply to all injuries from Sept. 1, 1990, to July 1, ~~2005~~ 2007.

(b) (1) Where any employee's incapacity is partial and has extended for more than three hundred and twelve (312) weeks and the employee has proved an entitlement to continued benefits under subsection (a) of this section, payments made to these incapacitated employees

shall be increased annually on the tenth (10th) day of May thereafter so long as the employee remains incapacitated. The increase shall be by an amount equal to the total percentage increase in the annual consumer price index, United States city average for urban wage earners and clerical workers, as formulated and computed by the bureau of labor statistics of the United States Department of Labor for the period of March 1 to February 28 each year.

(2) "Index" as used in this section refers to the consumer price index, United States city average for urban wage earners and clerical workers, as that index was formulated and computed by the Bureau of Labor Statistics of the United States Department of Labor.

(3) The annual increase shall be based upon the percentage increase, if any, in the consumer price index for the month of a given year, over the index for February, the previous year. Thereafter, increases shall be made on May 10 annually, based upon the percentage increase, if any, in the consumer price index for the period of March 1 to February 28.

(4) The computations in this section shall be made by the director of labor and training and promulgated to insurers and employers making payments required by this section. Increases shall be paid by insurers and employers without further order of the court. If payment payable under this section is not mailed within fourteen (14) days after the employer or insurer has been notified by publication in a newspaper of general circulation in the state it becomes due, there shall be added to the unpaid payment an amount equal to twenty percent (20%) of it, to be paid at the same time as but in addition to the payment.

(5) This section applies only to payment of weekly indemnity benefits to employees as described in subdivision (1) of this subsection, and does not apply to specific compensation payments for loss of use or disfigurement or payment of dependency benefits or any other benefits payable under the Workers' Compensation Act.

(c) No petitions for commutation shall be allowed or entertained in those cases where an employee is receiving benefits pursuant to this section.

SECTION 3. This act shall take effect upon passage.

Respectfully submitted,

REPRESENTATIVE FARIA

=====
LC00965/4

Representatives Jacquard, Menard, Faria, and Gorham discuss the amendment.

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

YEAS - 71: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Williams, Williamson, Winfield.

NAYS - 0.

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

**FLOOR AMENDMENT
TO
2006 -- H 7042 SUBSTITUTE A**

**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS'
COMPENSATION**

Mr. Speaker:

I hereby move to amend 2006 -- H 7042 SUBSTITUTE A, entitled "AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION", as follows:

On page 2, line 2, after the words and figure "one dollar (\$1.00)", by deleting the punctuation "." and inserting the following language:

"; provided, further, that under no circumstances shall the increase effective September 1, 2007 form the basis for an increase in any premium charged to policyholders by any worker's compensation carrier created by an act of the General Assembly."

Respectfully submitted,

REPRESENTATIVE GORHAM

=====
LC00965/3
=====

Representatives Moura and Corvese discuss the amendment.

The motion to amend fails on a roll call vote 24 members voting in the affirmative and 37 members voting in the negative as follows:

YEAS - 24: Representatives Ajello, Caprio, Costantino, Davey, DeSimone, Diaz, Ehrhardt, Gorham, Handy, Jackson, Laroche, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Rose, Scott, Singleton, Story, Trillo, Ucci, Winfield.

NAYS - 37: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Church, Coderre, Corvese, Dennigan, Faria, Fox, Gallison, Gemma, Ginaitt, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, McCauley, McHugh, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Rice, San Bento, Shanley, Slater, Smith, Sullivan.

REQUESTS

Representatives Landroche and Picard request the journal to reflect that if they had voted on (06H-7042, LC00965/3), they would have voted in the negative.

Representatives Ajello, Ucci, Costantino and Diaz requests the journal to reflect that they had voted incorrectly on (06H 7042, LC00965/3), they should have voted in the negative.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Williams, Winfield.

NAYS - 1: Representative Gorham.

43B 2006-H 8171

BY Church

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- HUNTING AND HUNTING SAFETY

Committee on Environment and Natural Resources recommends passage.

The act has been moved, seconded and amended, supra.

Representative Ginaitt, seconded by Representatives Ehrhardt, Church, Palumbo, and Corvese, offers a written motion to amend.

**FLOOR AMENDMENT
TO
2006 -- H 8171**

AN ACT RELATING TO FISH AND WILDLIFE -- HUNTING AND HUNTING SAFETY

Mr. Speaker:

I hereby move to amend 2006 -- H 8171, entitled "AN ACT RELATING TO FISH AND WILDLIFE -- HUNTING AND HUNTING SAFETY", as follows:

(1) By deleting the following language after the enactment clause and inserting in place thereof the following language:

"SECTION 1. Chapter 20-1 of the General Laws entitled "General Provisions" is hereby amended by adding thereto the following section:

20-1-25. Internet hunting. -- (1) "Internet hunting" means the use of the Internet to remotely control the shooting of any bird or animal.

(2) No person shall shoot at or kill any bird or animal with any gun via an Internet

connection in Rhode Island.

(3) No person shall import, export, or possess any bird or animal or any part thereof which has been taken by the use of the Internet to remotely control the shooting of any bird or animal.

(4) Violations of this section shall be a misdemeanor, punishable by a fine of not more than five hundred dollars or imprisonment for up to ninety (90) days, or both.

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

Respectfully submitted,

REPRESENTATIVE GINAITT

=====
LC03360/4
=====

Representative Ehrhardt discusses the amendment.

The motion to amend prevails on a roll call vote 69 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Gorham.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 65: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, DeSimone, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Gorham.

44 2006-H 8055 SUB A**BY Long****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

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

Representative Naughton moves passage of the act, seconded by Representatives Long and Savage.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: Representatives Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Williams, Winfield.

NAYS - 0.

45 2006-H 7723 SUB A**BY Giannini****ENTITLED, AN ACT RELATING TO TAXATION -- THE TAXPAYER RELIEF ACT -- EXCISE TAX PHASE-OUT**

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

Representative Costantino moves passage of the act, seconded by Representatives Giannini, Loughlin, Trillo, Melo, Williams, Carter, Savage, Rice, Story, Long, Pacheco, Gemma, and Coderre.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill,

Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Carol A. Mumford, State Representative, District 41, 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: (06H-7656 SUB A) + (06H 7297)

2. (Nature of the potential conflict) I have the following interest in the matter:
The bill may benefit me personally.

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.

CAROL A. MUMFORD
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

RICHARD SINGLETON
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Amy G. Rice, State Representative, District 72, 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: (06H-7297)

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

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.

AMY G. RICE
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

RAYMOND C. CHURCH
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

462006-H 7656 SUB A

BY Shanley

ENTITLED, AN ACT RELATING TO SUBDIVISION OF LAND -- FARMS

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

Representative Shanley moves passage of the act, seconded by Representatives Scott, Lally, Carter, Winfield, Rice, Gemma, Davey, Corvese, Williamson, Landroche, Lewiss, Long, and Sullivan.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz,

Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

47 2006-H 7297

BY Shanley

ENTITLED, AN ACT RELATING TO SALES AND USE TAXES -- FARM STRUCTURES

Committee on Finance recommends passage.

Representative Shanley moves passage of the act, seconded by Representatives Davey, Scott, Moffitt, Savage, Lewiss, Landroche, Williamson, Palumbo, Corvese, Kilmartin, Faria, Moran, Gemma, Sullivan and Winfield.

Read and passed, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, Menard, Moffitt, Moran, Moura, O'Neill, Pacheco, Palumbo, Petrarca, Rose, San Bento, Savage, Scott, Shanley, Slater, Smith, Story, Sullivan, Ucci, Wasylyk, Williams, Williamson.

NAYS - 0.

REQUEST

Representative Faria requests the journal to reflect that if he had voted on (06H-7297), he would have voted in the affirmative.

48 2006-H 6778

BY Rice

ENTITLED, AN ACT RELATING TO RENAMING THE NEW SAKONNET BRIDGE, AQUIDNECK ISLAND

Committee on Finance recommends passage.

Representative Rice moves passage of the act, seconded by Representatives Handy, Jackson, Dennigan, Lima, Diaz, Almeida, Giannini, and Gallison.

Representative Loughlin, seconded by Representatives Amaral and Mumford offers a written motion to amend.

**FLOOR AMENDMENT
TO
2006 -- H 6778**

AN ACT RELATING TO RENAMING THE NEW SAKONNET BRIDGE, AQUIDNECK
ISLAND

Mr. Speaker:

I hereby move to amend 2006 -- H 6778, entitled "AN ACT RELATING TO RENAMING THE NEW SAKONNET BRIDGE, AQUIDNECK ISLAND", as follows:

(1) On page 1, line 4, by adding the language "/Robert Gray" after the language "Hutchinson".

(2) On page 1, line 7, by adding the language "/Robert Gray" after the language "Hutchinson".

Respectfully submitted,

REPRESENTATIVE LOUGHLIN

=====
LC00578/3
=====

Representatives Amaral, Rice, Giannini, Williamson, Trillo, Fox, Singleton, Ehrhardt, Ucci, Petrarca, Almeida, Caprio, Gemma, Lima, Davey, Ajello, Singleton, Jackson, and Menard discuss the amendment.

The motion to amend prevails on a roll call vote 44 members voting in the affirmative and 23 members voting in the negative as follows:

YEAS - 44: Representatives Amaral, Brien, Caprio, Carter, Costantino, Davey, DeSimone, Ehrhardt, Faria, Flaherty, Gemma, Gorham, Jacquard, Kennedy, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McHugh, McManus, Melo, Menard, Moffitt, Moran, Mumford, O'Neill, Petrarca, Picard, Rose, Savage, Schadone, Scott, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williams, Winfield.

NAYS - 23: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Church, Coderre, Dennigan, Diaz, Fox, Gallison, Giannini, Ginaitt, Handy, Jackson, Kilmartin, Lally, Lima, McNamara, Moura, Pacheco, Rice, Slater, Wasylyk, Williamson.

REQUESTS

Representatives Costantino and Jacquard requests the journal to reflect that they had voted incorrectly on (06H-6778 LC00578/3), they should have voted in the negative.

Representative Rice, seconded by Representative Moura moves to recommit.

The motion to recommit fails on a roll call vote, 32 members voting in the affirmative and 35 members voting in the negative as follows:

YEAS - 32: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carter, Church, Coderre, Costantino, Dennigan, Diaz, Fox, Gallison, Giannini, Ginaitt, Jackson, Jacquard, Kilmartin, Lally, Landroche, Lewiss, Lima, Malik, McCauley, McNamara, Moura, Naughton, O'Neill, Pacheco, Picard, Rice, Schadone, Slater, Williamson.

NAYS - 35: Representatives Amaral, Brien, Caprio, Davey, DeSimone, Ehrhardt, Faria, Flaherty, Gemma, Gorham, Kennedy, Laroche, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Moran, Mumford, Petrarca, Rose, Savage, Scott, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Winfield.

Representative Pacheco continues to discuss the act, as amended.

Read and passed, as amended, 46 members voting in the affirmative and 23 members voting in the negative as follows:

YEAS - 46: Representatives Amaral, Brien, Caprio, Carter, Church, Davey, DeSimone, Ehrhardt, Faria, Flaherty, Gemma, Giannini, Gorham, Kennedy, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Palumbo, Petrarca, Picard, Rose, Savage, Schadone, Scott, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Winfield.

NAYS - 23: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Coderre, Costantino, Dennigan, Diaz, Fox, Gallison, Ginaitt, Handy, Jackson, Jacquard, Kilmartin, Lima, Malik, McCauley, McNamara, Moura, Pacheco, Rice, Slater, Williamson.

49 2006-H 8154

BY Almeida

ENTITLED, AN ACT AUTHORIZING SUIT AGAINST THE CITY OF PROVIDENCE BY THE FAMILY AND ESTATE OF CAROL WALKER

Committee on Finance recommends passage.

Representative Costantino moves passage of the act, seconded by Representatives Almeida, Diaz, Williams, and McCauley.

Read and passed, on a roll call vote, 58 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Brien, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Wasylyk, Williams.

NAYS - 3: Representatives Gorham, McManus, Scott.

REQUESTS

Representatives Davey and Ucci requests the journal to reflect that they had voted incorrectly on (06H-8154), they should have voted in the negative.

51 2006-H 8255 SUB A

BY Naughton

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS

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

Representative Naughton moves passage of the resolution, seconded by Representatives Rice and Lima.

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

YEAS - 61: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Williams, Williamson, Winfield.

NAYS - 0.

52 2006-H 8175 SUB A

BY Kilmartin

ENTITLED, AN ACT RELATING TO INSURANCE

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

Representative Kennedy moves passage of the act, seconded by Representatives Kilmartin and Church.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

REQUEST

Representative Gemma requests the journal to reflect that if he had voted on (06H-8175 SUB A), he would have voted in the affirmative.

53 2006-H 8247**BY Gemma****ENTITLED, JOINT RESOLUTION THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART V**

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the resolution, seconded by Representatives Gemma.

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

F L O O R A M E N D M E N T**T O****2006 -- H 8247**

JOINT RESOLUTION THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART V

Mr. Speaker:

I hereby move to amend 2006 -- H 8247, entitled "JOINT RESOLUTION THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART V", as follows:

On page 2, line 25, by deleting the language "Forthwith upon passage of this resolution," and inserting in place thereof the language "On November 15, 2006, or immediately thereafter,".

Respectfully submitted,

REPRESENTATIVE KENNEDY

=====
LC03468/2
=====

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

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Read and passed, as amended, 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

53A2006-H 7025 SUB A

BY Costantino

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES

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

Representative Costantino moves passage of the act, seconded by Representatives Slater and Williams.

Representative Costantino, seconded by Representatives Naughton, Slater, and Williams offers a written motion to amend.

**F L O O R A M E N D M E N T
T O
2006 -- H 7025 SUBSTITUTE A**

AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES

Mr. Speaker:

I hereby move to amend 2006 -- H 7025 SUBSTITUTE A, entitled "AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES", as follows:

(1) On page 1, line 9, by deleting the language and number "fifty (50)" and inserting in place thereof the following language and numeral: "two hundred fifty (250)".

(2) On page 1, line 19, by deleting the language and numeral "fifty (50)" and inserting in place thereof the following language and numeral: "two hundred fifty (250)".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

The motion to amend prevails on a roll call vote 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, McCauley, McHugh, McManus, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Caprio, Trillo, and Watson continue to discuss the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, 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 Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Williams, Williamson, Winfield.

NAYS - 5: Representatives Ehrhardt, Gorham, McManus, Singleton, Watson.

TRANSMITTAL

By unanimous consent, all House matters on the Clerk's desk are ordered to be transmitted to the Honorable Senate, forthwith, with the exception of certain bills being held..

AT EASE

At 6:45 o'clock P.M. the Honorable Speaker Murphy declares the House to be at ease.

ORDER

At 8:48 o'clock P.M. the Honorable Speaker Murphy calls the House to order.

54 2006-H 8253**BY Kennedy**

ENTITLED, AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 286 OF THE PUBLIC LAWS, 1986, AND CHAPTER 279 OF THE PUBLIC LAWS, 1997, ENTITLED "AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 55 OF THE PUBLIC LAWS, 1958, ENTITLED "AN ACT AUTHORIZING THE TOWNS OF CHARLESTOWN AND RICHMOND TOGETHER, OR TOGETHER WITH THE TOWN OF HOPKINTON, TO JOIN A REGIONAL HIGH SCHOOL DISTRICT INCORPORATING SAID REGIONAL HIGH SCHOOL DISTRICT AND PROVIDING FOR THE ISSUANCE OF BONDS, CONSTRUCTION AND OPERATION OF A REGIONAL HIGH SCHOOL FOR THE JOINT USE OF THE PARTICIPATING TOWNS, WITHIN SAID REGIONAL HIGH SCHOOL DISTRICT ESTABLISHED BY THIS ACT "AS AMENDED

Committee on Corporations recommends passage.

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

Read and passed, on a roll call vote, 52 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jackson, Jacquard, Kennedy, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McNamara, Melo, Menard, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Trillo, Ucci, Williams, Winfield.

NAYS - 0.

55 2006-H 8254**BY Jacquard**

ENTITLED, AN ACT RELATING TO INSURANCE - HEARING AIDS

Committee on Corporations recommends passage.

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

Representatives Menard, Kennedy, and Jacquard discuss the act.

Read and passed, on a roll call vote, 48 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS - 48: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Carter, Coderre, Corvese, Costantino, Dennigan, Diaz, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, McCauley, McNamara, Melo, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Smith, Ucci, Wasylyk, Williams.

NAYS - 9: Representatives Church, Davey, Ehrhardt, Loughlin, McManus, Menard, Singleton, Story, Trillo.

REQUESTS

Representatives Ajello and Sullivan requests the journal to reflect that if they had voted on (06H-8254), they would have voted in the affirmative.

56 2006-H 8243 SUB A as amended

BY McNamara

ENTITLED, AN ACT RELATING TO INSURANCE - THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART II - TRANSPARENCY OF INFORMATION ON HEALTH CARE QUALITY AND COST

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

Representative Kennedy moves passage of the act, seconded by Representatives Naughton, Gemma, Costantino, Wasylyk, Diaz, Story, and McNamara

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

REQUEST

Representative Sullivan requests the journal to reflect that if he had voted on (06H-8243 SUB Aaa), he would have voted in the affirmative.

57 2006-H 6999 SUB A as amended**BY Naughton****ENTITLED,** AN ACT RELATING TO INSURANCE -- THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 -- PART I - SMALL GROUP AND INDIVIDUAL HEALTH INSURANCE

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

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

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Trillo, Ucci, Wasylyk, Williams, Winfield.

NAYS - 0.

REQUESTS

Representative Sullivan requests the journal to reflect that if he had voted on (06H-6999 SUB A), he would have voted in the affirmative.

58 2006-H 7145 SUB A**BY Coderre E****ENTITLED,** AN ACT RELATING TO INSURANCE -- THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 PART III -- COVERAGE OF DEPENDENT CHILDREN

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

Representative Kennedy moves passage of the act, seconded by Representative Coderre. Representatives Trillo, Coderre, and Kennedy discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Gorham, Trillo.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Grace Diaz, State Representative, District 11, 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: (06H-7926 SUB A)
2. (Nature of the potential conflict) I have the following interest in the matter:
I'm home child care –co-payment from parents to provider childcare
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.

GRACE DIAZ
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

DAVID W. DUMAS
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

59 2006-H 7926 SUB A**BY Costantino****ENTITLED,** AN ACT RELATING TO INSURANCE - THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART IV - HIGH RISK POOL

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

Representative Kennedy moves passage of the act, seconded by Representatives Naughton, Carter, Williams, and many other members of the House.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 64 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Ucci, Williams, Williamson, Winfield.

NAYS - 1: Representative Trillo.

TRANSMITTAL

By unanimous consent, all House matters on the Clerk's desk are ordered to be transmitted to the Honorable Senate, forthwith, with the exception of certain bills being held..

60 2006-S 2668 as amended**BY Ruggerio****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY REDUCTION AND EDUCATION ACT

Committee on Environment and Natural Resources recommends passage as amended in concurrence.

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

Representative Handy, seconded by Representative Ginaitt offers a written motion to amend.

**FLOOR AMENDMENT
TO
2006 -- S 2668**

**AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY REDUCTION AND
EDUCATION ACT**

Mr. Speaker:

I hereby move to amend 2006 -- S 2668, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- MERCURY REDUCTION AND EDUCATION ACT", as follows:

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

"SECTION 1. Section 23-24.9-10 of the General Laws in Chapter 23-24.9 entitled "Mercury Reduction and Education Act" is hereby amended to read as follows:

23-24.9-10. Collection of mercury-added products. -- (a) After January 1, 2006, no mercury-added product shall be offered for final sale or use or distribution for promotional purposes in Rhode Island unless the manufacturer, either on its own or in concert with other persons, has implemented a system, after review and approval of the director, for the convenient and accessible collection of such products when the consumer is finished with them. Where a mercury-added product is a component of another product, the collection system must provide for removal and collection of the mercury-added component or collection of both the mercury-added component and the product containing it. Mercury-added components in motor vehicles shall be collected and recycled as provided for in subdivision (b)(2) of this section.

(b) (1) This section shall not apply to the collection of mercury-added button cell batteries or mercury-added lamps or products where the only mercury contained in the product comes from a mercury-added button cell battery or a mercury-added lamp; and

(2) Mercury-added components in motor vehicles at end-of-life shall be collected and recycled as provided in this subsection. Significant, willful failure to comply with rules and/or regulations to implement the provisions of this section shall constitute, as may be determined by the department, a violation of the ban established in section 23-24.9-9. No scrap recycling facility or other person that receives a flattened, crushed or baled end-of-life vehicle shall be deemed to be in violation of subdivision 23-24.9-10(b)(2) and rules and regulations pursuant thereto or section 23-24.9-9 if a mercury switch is found in the vehicle after its acquisition.

For the purposes of subdivision 23-24.9-10(b)(2) the following terms shall have the following meanings: (i) "Capture rate" means the annual removal, collection, and recovery of mercury switches, as a percentage of the total number of mercury switches available for removal from end-of-life vehicles as determined by the Department of Environmental Management. Capture rate shall not include mercury switches that are inaccessible due to significant damage to the motor vehicle in the area where the mercury switch is located; (ii) "Mercury added component" or "Mercury switch" means a mercury-added convenience light switch assembly or capsule from an end-of-life motor vehicle; (iii) "Scrap recycling facility" means a fixed location where machinery and equipment are utilized for processing and manufacturing scrap metal into prepared grades and whose principal product is scrap iron, scrap steel, or nonferrous metallic scrap for sale for remelting purposes; and (iv) "Vehicle recycler" means an individual or entity licensed under the provisions of section 42-14.2-3 that engages in the business of acquiring, dismantling, parts recycling from, or destroying six (6) or more end-of-life vehicles in a calendar

year.

(A) Manufacturers of motor vehicles sold in Rhode Island that contain mercury switches shall, individually or collectively, establish and implement a collection program for mercury switches to achieve a capture rate of not less than fifty percent (50%) for calendar year 2006, and not less than seventy percent (70%) for calendar year 2007 and each calendar year thereafter through calendar year 2017. ~~The collection program shall be subject to the following requirements:~~

~~(i) On or before September 1, 2005, manufacturers of motor vehicles subject to the collection program requirement shall submit to the department a plan setting forth a proposed collection program. At a minimum, the plan shall:~~

~~(I) Explain how capture rate requirements are anticipated to be met through implementation of the plan;~~

~~(II) Ensure that mercury switches collected are managed in accordance with the universal waste rules adopted by the department;~~

~~(III) Provide the department and scrap recycling facilities and vehicle recyclers with information, training and other technical assistance required to facilitate removal and recycling of mercury switches in accordance with the universal waste rules;~~

~~(IV) Make available to the public information concerning services to remove mercury switches in motor vehicles;~~

~~(V) The proposed collection program plan shall be subject to the review and approval of the department, which may require adjustments or modifications to the plan.~~

~~(ii) By January 1, 2006, manufacturers of motor vehicles subject to the collection program requirement shall implement a collection program plan approved by the department; and~~

~~(iii) For the calendar quarter ending March 31, 2006, and each calendar quarter thereafter, not later than forty-five (45) days following the close of the calendar quarter, manufacturers of motor vehicles subject to the collection program requirement shall provide quarterly implementation reports to the department, which reports shall include the number of mercury switches collected and the amount of mercury collected and recycled through the collection program. The report shall further include, but not be limited to: a detailed description and documentation of the capture rate.~~

~~(B) In the event that the program set forth in subparagraph 23-24.9-10(b)(2)(A) does not achieve the specified capture rates for any calendar year, the The department shall develop, issue, administer and enforce regulation compelling the manufacturers of motor vehicles sold in Rhode Island that contain mercury switches to undertake a collection program as set forth in this subparagraph, 23-24.9-10(b)(2)(B). Provided, however, that if the The department shall determine that the failure to achieve the required capture rate in any each year of the program and shall access whether any failure to achieve the capture rate was the result of a force-majeure, The department shall report publicly on or before March 31, each year its findings with regard to the capture rate during the prior year. the department may extend the program established pursuant to subparagraph 23-24.9-10(b)(2)(A) for a period of not less than one calendar quarter and not greater than the number of whole calendar quarters equal to the number of calendar quarters affected by the force majeure and shall substitute the capture rates achieved in such calendar quarter(s) for the captures rates achieved in the calendar quarter(s) affected by the force majeure; the department shall recalculate the annual capture rate for the year affected by the force majeure using the substitute calendar quarter(s) to determine whether the annual~~

~~capture rate requirements set forth in subparagraph 23-24.9-10(b)(2)(A) were met. The manufacturer or manufacturers shall pay the~~ The total cost of the removal, replacement, collection and recovery system for mercury switches, under this subparagraph, 23-24.9-10(b)(2)(B), ~~to the vehicle recycler or scrap recycling facility that removed the switch. shall be borne by the manufacturer or manufacturers.~~ The total cost shall include, but not be limited to; the following:

~~(i) A a minimum of three dollars (\$3.00) five dollars (\$5.00) for each mercury switch removed by a vehicle recycler or by a scrap recycling facility, as partial compensation for the labor and other costs incurred in the removal of the mercury switch, to be paid to the vehicle recycler or the scrap recycling facility that removed the switch;.~~

~~(ii) One dollar (\$1.00) for each mercury switch removed by a vehicle recycler or by a scrap recycling facility to be paid to the department as partial compensation to the department for costs incurred in administering and enforcing the provisions of this subchapter and providing services related thereto which may include but shall not be limited to:~~

~~Training;~~

~~Packaging in which to transport mercury switches to recycling, storage or disposal facilities;~~

~~Shipping of mercury switches to recycling, storage or disposal facilities;~~

~~Recycling, storage or disposal of the mercury switches;~~

~~Public education materials and presentations; and~~

~~Maintenance of appropriate systems and procedures to protect the environment from mercury contamination.~~

(3) The provisions of subdivision 23-24.9-10(b)(2) shall satisfy collection programs and disposal requirements for mercury switches for all motor vehicles sold in the state.

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

Respectfully submitted,

REPRESENTATIVE HANDY

=====
LC01899/2
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The motion to amend prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Read and passed, as amended, 63 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 2: Representatives Menard, Petrarca.

REQUEST

Representative Gemma requests the journal to reflect that if he had voted on (06S-2668), he would have voted in the affirmative.

62 2006-S 2018 as amended

BY Bates

**ENTITLED, AN ACT RELATING TO THE STATE AFFAIRS AND
GOVERNMENT - STATE LOTTERY**

Committee on Finance recommends passage as amended in concurrence.

Representative San Bento moves passage of the act, seconded by Representative Corvese.

Read and passed, as amended, in concurrence, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

63 2006-S 2330 SUB A

BY Levesque C

**ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE
FOR FAMILIES**

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

Read, and by unanimous consent, ordered to be placed on the Calendar after item # 107 as item # 107A

64 2006-S 2369 SUB A**BY Roberts****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH**

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

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

65 2006-S 2554**BY Algieri****ENTITLED, AN ACT RELATING TO THE NATIONAL GUARD**

Committee on Finance recommends passage in concurrence.

Representative Carter moves passage of the act, seconded by Representatives Gallison, Ajello, and many other members of the House.

Read and passed, in concurrence, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

66 2006-S 2722 as amended**BY Montalbano J****ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION**

Committee on Finance recommends passage as amended in concurrence.

Representative Anguilla moves passage of the act, seconded by Representatives Corvese and many other members of the House.

Read and passed, as amended, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

67 2006-S 2924**BY Goodwin****ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY STATE/LOCAL PARTNERSHIP FOR MAINTENANCE OF ROADS**

Committee on Finance recommends passage in concurrence.

Representative Malik moves passage of the resolution, seconded by Representatives Slater and many other members of the House.

Read and passed, in concurrence, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

68 2006-S 2997 as amended**BY Walaska****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
THE SCIENCE AND TECHNOLOGY ADVISORY COUNCIL

Committee on Finance recommends passage as amended in concurrence.

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

Read and passed, as amended, in concurrence, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

69 2006-S 2019**BY Tassoni****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES

Committee on Finance recommends passage in concurrence.

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

Read and passed, in concurrence, 63 members voting in the affirmative and 1 member voting in the negative as follows:

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

NAYS - 1: Representative Trillo.

70 2006-S 3070**BY Montalbano J****ENTITLED, AN ACT RELATING TO TAXATION -- MOTOR VEHICLE AND TRAILER EXCISE TAX ELIMINATION ACT OF 1998**

Committee on Finance recommends passage in concurrence.

Representative Costantino moves passage of the act, seconded by Representative Petrarca.

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

F L O O R A M E N D M E N T
T O
2006 -- S 3070

AN ACT RELATING TO TAXATION -- MOTOR VEHICLE AND TRAILER EXCISE TAX
ELIMINATION ACT OF 1998

Mr. Speaker:

I hereby move to amend 2006 -- S 3070, entitled "AN ACT RELATING TO TAXATION -- MOTOR VEHICLE AND TRAILER EXCISE TAX ELIMINATION ACT OF 1998", as follows:

On page 1, by deleting all of the language after the enactment clause and inserting in its place thereof the following language:

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

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

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

(2) The effective tax rate applicable to any class excluding class 4 shall not exceed by fifty percent (50%) the rate applicable to any other class, except in the city of Providence, and the town of Glocester; however, in the year following a revaluation or statistical revaluation or update, the city or town council of any municipality may, by ordinance, adopt tax rates for the property class for all ratable tangible personal property no greater than twice the rate applicable to any other class provided that the municipality documents to, and receives written approval from the office of municipal affairs that the rate difference is necessary to ensure that the estimated tax levy on the property class for all ratable tangible personal property is not reduced from the prior year as a result of the revaluation or statistical revaluation.

(3) Any tax rate changes from one year to the next shall be applied such that the same percentage rate change is applicable to all classes, excluding class 4, except in the city of Providence, and the town of Glocester.

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

governed by section 44-3-29.1.

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

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

(b) Classes of Property.

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

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

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

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

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

(d) Notwithstanding the provisions of subsection (a) of this section the town council of the town of Middletown may hereafter, by ordinance, adopt a tax classification plan in accordance with the provisions of subsections (a) and (b) of this section, to be applicable to taxes assessed on or after the assessment date of December 31, 2002.

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

SECTION 2. Section 44-34.1-1 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:

44-34.1-1. Excise tax phase-out. -- (a) (1) Notwithstanding the provisions of chapter 34 of this title or any other provisions to the contrary, the motor vehicle and trailer excise tax established by section 44-34-1 may be phased out. The phase-out shall apply to all motor vehicles and trailers, including leased vehicles.

(2) Lessors of vehicles that pay excise taxes directly to municipalities shall provide lessees, at the time of entering into the lease agreement, an estimate of annual excise taxes

payable throughout the term of the lease. In the event the actual excise tax is less than the estimated excise tax, the lessor shall annually rebate to the lessee the difference between the actual excise tax and the estimated excise tax.

(b) Pursuant to the provisions of this section, all motor vehicles shall be assessed a value by the vehicle value commission. That value shall be assessed according to the provisions of section 44-34-11(c)(1) and in accordance with the terms as defined in subsection (d) of this section; provided, however, that the maximum taxable value percentage applicable to model year values as of December 31, 1997, shall continue to be applicable in future year valuations aged by one year in each succeeding year.

(c)(1) The motor vehicle excise tax phase-out shall commence with the excise tax bills mailed to taxpayers for the fiscal year 2000. The phase-out, beyond fiscal year 2003, shall be subject to annual review and appropriation by the general assembly. The tax assessors of the various cities and towns and fire districts shall reduce the average retail value of each vehicle assessed by using the prorated exemptions from the following table:

Local Fiscal Year	Local Exemption	State fiscal year Reimbursement
Exempt from value		
fiscal year 1999	0	\$1,500
fiscal year 2000	\$1,500	\$2,500
fiscal year 2001	\$2,500	\$3,500
fiscal year 2002	\$3,500	\$4,500
fiscal years 2003, 2004 and 2005	\$4,500	\$4,500
for fiscal year 2006 and each year thereafter	\$5,000	\$5,000

No city or town shall, in preparation of its annual budget, plan or otherwise rely on the continuation of said phase-out beyond fiscal year 2003, unless it is specifically approved by the general assembly.

(2) The excise tax phase-out shall provide levels of assessed value reductions until the tax is eliminated or reduced as provided in this chapter.

(3) Current exemptions shall remain in effect as provided in this chapter.

(4) The excise tax rates and ratios of assessment shall ~~not be greater than~~ be maintained at a level identical to the level in effect for fiscal year 1998 ~~levels~~ for each city, town, and fire district; provided, in the town of Johnston the excise tax rate and ratios of assessment shall ~~not be greater than~~ be maintained at a level identical to the level in effect for fiscal year 1999 levels and in no event shall the final taxable value of a vehicle be higher than assessed in the prior fiscal year, and the levy of a city, town, or fire district shall be limited to the lesser of the maximum taxable value or net assessed value for purposes of collecting the tax in any given year.

(d) Definitions.

(1) "Maximum taxable value" means the value of vehicles as prescribed by section 44-34-11 reduced by the percentage of assessed value applicable to model year values as determined by the Rhode Island vehicle value commission as of December 31, 1997, for the vehicles valued by the commission as of December 31, 1997. For all vehicle value types not valued by the Rhode Island vehicle value commission as of December 31, 1997, the maximum taxable value shall be the latest value determined by a local assessor from an appropriate pricing guide, multiplied by the ratio of assessment used by that city, town, or fire district for a particular model year as of December 31, 1997.

(2) "Net assessed value" means the motor vehicle values as determined in accordance with section 44-34-11 less all personal exemptions allowed by cities, towns, fire districts, and the state of Rhode Island exemption value as provided for in section 44-34.1-1(c)(1).

(e) If any provision of this chapter shall be held invalid by any court of competent jurisdiction, the remainder of this chapter and the applications of the provisions hereof shall not be effected thereby.

SECTION 3. This act shall take effect upon passage and shall apply retroactively to June 29, 2000."

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC03079/3

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

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Davey requests the journal to reflect that if he had voted on (06S-3070, LC03079/3), he would have voted in the affirmative.

Read and passed, as amended, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 0.

71 2006-S 3035**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO TAXATION - NEWPORT SENIOR
RESIDENT PROPERTY TAX SERVICES CREDIT PROGRAM

Committee on Finance recommends passage in concurrence.

Representative Jackson moves passage of the act, seconded by Representative Rice.

Read and passed, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, San Bento, Savage, Schadone, Scott, Singleton, Story, Sullivan, Trillo, Ucci, Watson, Williams.

NAYS - 0.

72 2006-S 3090**BY Issa****ENTITLED,** AN ACT EXEMPTING FROM TAXATION ALL OF THE REAL,
PERSONAL AND MIXED PROPERTY OF THE LEARNING
COMMUNITY SCHOOL, INC.

Committee on Finance recommends passage in concurrence.

Representative Faria moves passage of the act, seconded by Representatives Moran and Gemma.

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

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Watson, Williams, Williamson.

NAYS - 0.

Majority Leader Fox moves to bundle the following Calendar bills seconded by Minority Leader Watson.

77. Senate Bill No. 2188 SUB A

BY Walaska, Ruggerio, Bates, Doyle, Fogarty P

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- PUBLIC UTILITIES

(illegal for any wireless telephone company to distribute, publish and/or disclose a subscriber's name or number without the subscriber's consent) {LC944/1/A}

79. Senate Bill No. 2891 SUB A

BY Gibbs

ENTITLED, AN ACT RELATING TO WATER LINES AND WORKS FOR THE TOWN OF MIDDLETOWN {LC2676/1/A}

82. Senate Bill No. 2696 SUB B

BY Sosnowski, Roberts, Perry, Gibbs, Pichardo

ENTITLED, AN ACT RELATING TO EDUCATION (prohibit the sale and distribution of certain beverages and food items at all elementary, middle, junior, and senior high schools beginning 1/1/2007/require the sale and distribution of healthy beverages and snacks) {LC1918/1/B}

83. Senate Bill No. 2760 SUB A

BY Sosnowski, Lanzi, Perry, Paiva-Weed, Pichardo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- SAFE PATIENT HANDLING LEGISLATION (establish the "Safe Patient Handling Act of 2006" to promote the safe handling of patients in health care facilities) {LC1138/2/A}

91. Senate Bill No. 2780 SUB A (by request)

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS -- PRIMARIES {LC1751/1/A}

92. Senate Bill No. 2189 SUB A as amended (Attorney General)

BY Felag, Sosnowski, Damiani, Polisena

ENTITLED, AN ACT RELATING TO REGULATION OF SALES {LC646/2/A}

99. Senate Bill No. 2808 SUB A

BY Sosnowski, Perry, Paiva-Weed

ENTITLED, AN ACT RELATING TO ELECTIONS -- MAIL BALLOTS (update the mail ballot laws) {LC1744/1/A}

102..Senate Bill No. 2443 SUB A

BY Felag, Doyle, Tassoni, Damiani, Polisena

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION (register in RI notwithstanding the registration requirement in the other jurisdiction is not a requirement under RI law) {LC1215/1/A}

104..Senate Bill No. 3079**BY** Roberts, Felag, Issa, Lanzi, Polisena**ENTITLED**, AN ACT RELATING TO VETERANS -- BURIAL OF VETERANS (a veteran's funeral should be accompanied by a bugler playing "Taps" live) {LC3139/1}**114..Senate Bill No. 3081** as amended**BY** Perry, Goodwin, Sheehan, Roberts, Levesque C**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCE ACT (one hundred (100) dosage units of controlled substances for schedules IV to be dispensed if a physician by prescription provides a three (3) month supply) {LC3138/1}**120..Senate Bill No. 3053****BY** Sheehan, Lenihan, McCaffrey, Sosnowski, Ciccone**ENTITLED**, AN ACT RELATING TO GENERAL POWERS (would create a Municipal Court in the town of North Kingstown upon acceptance by electors) {LC3073/1}**131..Senate Bill No. 3038** SUB A**BY** Tassoni, Fogarty P, Cote**ENTITLED**, AN ACT IN AMENDMENT OF CHAPTER 218 OF THE PUBLIC LAWS OF 1993 ENTITLED "AN ACT RELATING TO THE TOWN OF NORTH SMITHFIELD TO CREATE THE NORTH SMITHFIELD WATER AUTHORITY AND TO PROVIDE FOR ITS POWERS AND DUTIES" {LC3072/1/A}

Passage of the bundle prevails item #'s 79, 83, 92, 102, 104, 114, 120, 131 in concurrence, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Ucci, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Watson and Wasylyk discuss the motion to bundle.

73 2006-S 2498 SUB B**BY** Perry**ENTITLED**, AN ACT RELATING TO ALTERNATIVE FUELS

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

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

Representative Ginaitt, seconded by Representative McCauley offers a written motion to amend.

**FLOOR AMENDMENT
TO
2006 -- S 2498 SUBSTITUTE B**

AN ACT RELATING TO ALTERNATIVE FUELS

Mr. Speaker:

I hereby move to amend 2006 -- S 2498 SUBSTITUTE B, entitled "AN ACT RELATING TO ALTERNATIVE FUELS", as follows:

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

"SECTION 1. Section 44-39.2-1 of the General Laws in Chapter 44-39.2 entitled "Alternative Fueled Vehicle and Filling Station Tax Credit" is hereby amended to read as follows:

44-39.2-1. Definitions. [Effective until January 1, 2008.] -- As used in this chapter:

(1) "Alternative fuel" and "alternative fueled vehicle" are defined pursuant to the Energy Policy Act of ~~1992~~ 1998 (P.L. 102-486, Sec. 301 (42 U.S.C. section 13211)). The definition of alternative fuel shall also include bio-diesel and ethanol fuel. As defined by this chapter, bio-diesel can be produced from feedstock which includes:

- (a) Any virgin (first use) vegetable oil;
- (b) yellow grease;
- (c) waste (second use) vegetable oils; and
- (d) animal fats and tallows.

Bio-diesel and ethanol fuel infrastructures under the 1998 Energy Policy Act will allow the State of Rhode Island energy office to issue grants based on the availability of funding to any individual or entity for the development of bio-diesel production facilities in Rhode Island.

(2) "Incremental costs" means the increase to the sale price of an alternative fueled vehicle above the sale price of a comparable motor vehicle similar in all other respects but for the equipment necessary to render it an alternative fueled vehicle, which increased sale price is attributable to the vehicle's being equipped to render it an alternative fueled vehicle.

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

Respectfully submitted,

REPRESENTATIVE GINAITT

=====
LC01975/2
=====

Representatives Ginaitt discusses the amendment.

The motion to amend prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

The bill marked Substitute "B" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Winfield.

NAYS - 0.

74 2006-S 3113

BY Sosnowski

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL
PROPERTY REMEDIATION AND REUSE ACT**

Committee on Environment and Natural Resources recommends passage in concurrence.

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

Read and passed, in concurrence, 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

75 2006-S 2989 SUB A**BY Sosnowski****ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -
INTERSTATE PEST CONTROL COMPACT**

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

Representative Ginaitt moves passage of the act, seconded by Representatives Caprio, Naughton, and many other members of the House.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Gorham.

76 2006-S 2646 SUB B**BY Ruggiero****ENTITLED, AN ACT RELATING TO ELECTRICIANS**

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006

78 2006-S 2461 SUB A**BY Tassoni****ENTITLED, AN ACT RELATING TO REAL PROPERTY -- RESTRICTIONS**

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

80 2006-S 2885**BY Issa****ENTITLED,** JOINT RESOLUTION SUPPORTING THE APPLICATION OF THE REPUBLIC OF CHINA (TAIWAN) FOR OBSERVER STATUS AT THE WORLD HEALTH ORGANIZATION

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

Representative McNamara moves passage of the resolution, seconded by Representative Lewiss and many other members of the House.

Read and passed, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

81 2006-S 2489 SUB A**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO EDUCATION -- TRANSPORTATION OF PUPILS BEYOND CITY AND TOWN LIMITS

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

Representative McNamara moves passage of the act, seconded by Representatives Malik, Ajello, Carter, Scott, Mumford, Long, Story, Savage, Loughlin and many other members of the House.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Representatives Menard and McNamara discuss item # 82 (06S 2696 SUB B) that was part of the bundle previously passed.

Representative McNamara moves to reconsider (06S 2696 SUB B) seconded by Representative Kilmartin.

The motion to reconsider prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

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

Representatives Amaral, McNamara, Smith, and Watson discuss the act.

The bill marked Substitute "B" is read and passed, and the original bill and the bill marked Substitute "A" indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 2 members voting in the negative as follows:

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

NAYS - 2: Representatives Gorham, Watson.

84 2006-S 2618 SUB A

BY Alves

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF
HEALTH CARE FACILITIES**

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

Representative McNamara moves passage of the act, seconded by Representatives Diaz and many other members of the House.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

85 2006-S 2382 SUB A

BY Roberts

ENTITLED, JOINT RESOLUTION REINSTATING AND EXTENDING THE COMMISSION LIFE AND AMENDING THE MEMBERSHIP OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CURRENT STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN THE STATE OF RHODE ISLAND

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

Representative McNamara moves passage of the resolution, seconded by Representative Dennigan.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

86 2006-S 2415 SUB A as amended**BY Goodwin****ENTITLED, AN ACT RELATING TO LICENSING OF HEALTH CARE FACILITIES**

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

Representative McNamara moves passage of the act, seconded by Representatives Williams, Brien, Landroche, Slater and Moran.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

87 2006-S 2487**BY Gibbs****ENTITLED, JOINT RESOLUTION REQUESTING THE RHODE ISLAND DEPARTMENT OF HEALTH ESTABLISH REGULATIONS TO MANDATE NURSING HOME EVACUATION PLANS**

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

Representative McNamara moves passage of the resolution, seconded by Representative Long.

Read and passed, in concurrence, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

88 2006-S 2748 SUB A as amended**BY Levesque C****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES**

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

Representative Handy moves passage of the act, seconded by Representatives Williams and Corvese.

Representative Handy, seconded by Representatives Slater and Ehrhardt offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2006 -- S 2748 SUBSTITUTE A AS AMENDED
AN ACT RELATING TO CRIMINAL OFFENSES

Mr. Speaker:

I hereby move to amend 2006 -- S 2748 SUBSTITUTE A, AS AMENDED, entitled "AN ACT RELATING TO CRIMINAL OFFENSES", as follows:

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

"SECTION 1. Section 11-34-10 of the General Laws in Chapter 11-34 entitled "Prostitution and Lewdness" is hereby amended to read as follows:

11-34-10. Human Immunodeficiency Virus (HIV). -- (a) Any person convicted of a violation of any provisions of this chapter shall be required to be tested for Human Immunodeficiency Virus (HIV). No consent for the testing shall be required.

(b) ~~The department of health shall be responsible for reasonable costs associated with performing and reporting the results of the HIV tests, including the costs of pretest and post-test counseling.~~ The department of health shall maintain sites for providing both anonymous and confidential HIV testing, and HIV counseling and referral. Each site, funded by the department of health, shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance, offer a sliding scale for payment for all other individuals and, in the case of confidential testing, screen for ability to pay through a third-party insurer. In the case of nonfunded sites for HIV testing, organizations and/or institutions performing the test shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance.

(c) All persons tested under this section shall be provided ~~pretest~~ pre-test and post-test counseling by individuals trained by the department of health, as an HIV testing counselor, in accordance with regulations ~~adopted~~ promulgated by the department of health; ~~provided, that the counseling shall be in accordance with acceptable medical standards.~~

(d) All persons who are tested under this section, who are determined to be ~~intravenous drug abusers, injecting drug users,~~ shall be referred to appropriate sources of ~~drug~~ substance abuse treatment by the ~~department of health~~ HIV testing counselor and/or the attending

practitioner as follows:

(1) Those persons who test positive for HIV infection shall be given priority for those outpatient substance abuse treatment programs which that are sponsored or supported by the ~~department of health.~~ appropriate state agency responsible for these services.

(2) Those persons who are injecting drug users and test negative for HIV infection shall be referred, by the HIV testing counselor and/or attending practitioner, to the appropriate ~~division~~ state agency responsible for these services ~~in the department of health~~ for earliest possible evaluation and treatment.

SECTION 2. Section 21-28-4.20 of the General Laws in Chapter 21-28 entitled "Uniform Controlled Substances Act" is hereby amended to read as follows:

21-28-4.20. Human Immunodeficiency Virus (HIV) -- Testing. -- (a) Any person convicted of possession of any controlled substance that has been administered with a hypodermic instrument associated with intravenous drug use, retractable hypodermic syringe, needle, or any similar instrument adapted for the administration of drugs shall be required to be tested for human immunodeficiency virus (HIV). No consent for the testing shall be required.

(b) ~~The department of health shall be responsible for reasonable costs associated with performing and reporting the results of the HIV tests, including the costs of pre-test and post-test counseling.~~ The department of health shall maintain sites for providing both anonymous and confidential HIV testing, and HIV counseling and referral. Each site, funded by the department of health, shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance, offer a sliding scale for payment for all other individuals and, in the case of confidential testing, screen for ability to pay through a third-party insurer. In the case of nonfunded sites for HIV testing, organizations and/or institutions performing the test shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance.

(c) All persons tested under this section shall be provided pre-test and post-test counseling by individuals trained by the department of health in accordance with regulations adopted promulgated by the department of health; ~~provided, that this counseling shall be in accordance with acceptable medical standards.~~

(d) All persons who are tested under this section, who are ~~determined to be intravenous drug abusers,~~ convicted of possession of any controlled substance that has been administered with a hypodermic instrument, retractable hypodermic syringe, needle, or any similar instrument adopted for the administration of drugs shall be referred by the HIV testing counselor and/or attending practitioner to appropriate sources of drug treatment by the department of health as follows:

(1) Those persons who test positive for HIV infection shall be given priority for those outpatient treatment programs which are ~~sponsored or supported by the department of health~~ a state agency;

(2) Those persons who test negative for HIV infection shall be referred to the appropriate division in the department of health for earliest possible evaluation and treatment.

SECTION 3. Sections 23-6-11, 23-6-12, 23-6-14, 23-6-17, 23-6-18, 23-6-20, 23-6-25 and 23-6-26 of the General Laws in Chapter 23-6 entitled "Prevention and Suppression of Contagious Diseases" are hereby amended to read as follows:

23-6-11. Definitions. -- As used in sections 23-6-10 -- 23-6-24:

(1) "AIDS" means the medical condition known as acquired immune deficiency syndrome, caused by infection of an individual by the human immunodeficiency virus (HIV).

~~(2) (i) "Exposure evaluation group" means three (3) impartial health care providers designated to determine if a health care provider has been involved in a significant exposure. No member of the group shall be directly involved in the exposure.~~

~~(ii) For inpatient services in a licensed health care facility hospital setting the group shall consist of the patient's attending physician or designee, the chief of service or designee and a staff nurse. For other non inpatient exposures in a licensed health care facility, the third member of the exposure evaluation group shall be a representative from the employee health office. If the exposure involves the attending physician, another physician shall be designated by the chief of service.~~

~~(iii) In any other licensed health care facility or in a private office of a physician the group shall consist of three (3) physicians.~~

~~(3) (2) "HIV" means the human immunodeficiency virus, the pathogenic organism responsible for the acquired immunodeficiency syndrome (AIDS).~~

~~(4) (3) "HIV informed~~ "Informed consent form" means a standardized form provided by the Rhode Island department of health to those individuals offered HIV testing. The form shall be developed by the department and shall contain the following information:

(i) The public health rationale for HIV testing and information describing the nature of the HIV disease;

(ii) The availability and cost of HIV testing and counseling;

(iii) That test results are confidential with certain exceptions;

(iv) A list of exceptions to confidentiality of test results;

(v) That the test is voluntary and that an informed consent form must be signed before testing;

(vi) That by signing this form the person is only acknowledging that the AIDS HIV test and counseling have been offered and/or that he or she has declined (opted-out) the offer to be tested; and

(vii) Notwithstanding the provisions of subsections (v) and (vi) above, in the event an individual consents to anonymous testing, the HIV testing counselor and/or attending practitioner ordering the test shall receive only verbal confirmation from the client that the client understands all applicable information contained within the informed consent form.

~~(5) (4) "HIV test" means any currently medically accepted diagnostic test for determining infection of an individual by HIV.~~

~~(6) (5) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, state or political subdivision or instrumentality of a state.~~

~~(7) (6) "Physician" means a person licensed to practice allopathic or osteopathic medicine pursuant to the provisions of chapter 37 of title 5.~~

~~(8) (7) "Services" means health care and social support services.~~

(8) "Occupational health representative" is an individual, within a health care facility, trained to respond to occupational, particularly blood borne, exposures.

23-6-12. Testing. – (a) Recommendations regarding HIV testing shall reference the most current guidelines issued by the Centers for Disease Control and Prevention (CDC) pertaining to HIV Counseling, Testing and Referral of Adults, Adolescents and Pregnant Women; provided, however, those guidelines shall be interpreted by the department of health so as to best serve the clients and patients seeking HIV testing, and shall in no event be interpreted or implemented in a manner inconsistent with the minimum informed consent standards of this Title or other protections of state law. The recommendations shall emphasize that: (1) HIV screening is

recommended in all health care settings, after the patient is informed, in accordance with this chapter's informed consent standards, that HIV testing will be done unless the patient declines; (2) persons at high- risk for HIV infection should be screened for HIV at least annually, in accordance with this chapter's informed consent standards; and (3) only verbal informed consent is required for anonymous testing.

(b) Unless otherwise excepted by the provisions of this chapter, no person may be tested for the presence of HIV where the test result can be identified with a specific individual, unless he or she has given his or her informed consent by his or her signature or that of a parent, guardian, or agent on a written informed consent form specifically relating to the test after discussion of implications of the test with a qualified professional. A physician or health care provider attending to any person who may be at risk for HIV infection shall routinely offer the HIV test to those patients. All testing pursuant to this section shall be performed in accordance with sections 23-6-17 (confidentiality) and 23-6-18 (protection of the medical record) and this chapter's informed consent standards.

(c) In the event an individual consents to anonymous testing and tests positive for HIV, the HIV testing counselor shall discuss with the client options regarding referrals and reporting of this positive screening, including the necessity of accessing a physician.

(d) In addition to, and separate from, the requirement of subdivision 23-6-26(b)(4), all CD4 T-lymphocyte test results and all viral load detection test results, detectable and nondetectable, shall be reported to the department of health through a department designed reporting system that uses a non-named based code and contains no patient identifying information. These reports may be used by the department to improve the clinical progress of patients through contact with their physicians, and to use the aggregate information collected to develop and improve prevention programs and create better access to care.

23-6-14. Exceptions. -- Notwithstanding the provisions of sections 23-6-12 and 23-6-13, a A physician or other health care provider may draw blood and secure a test sample for the presence of HIV without informed consent under the following conditions:

- (1) When the person to be tested is under one year of age;
- (2) When the person to be tested is between one and thirteen (13) years of age and appears to be symptomatic for HIV;
- (3) When the person to be tested is a minor under the care and authority of the department of children, youth, and families, and the director of that department certifies that an HIV test is necessary to secure health or human services for that person;
- (4) When a person (the complainant) can document significant exposure to blood or other bodily fluids of another person (the individual to be tested), during the performance of the complainant's occupation, providing:
 - (i) The complainant completes an incident report within forty-eight (48) hours of the exposure, identifying the parties to the exposure, witnesses, time, place, and nature of the event;
 - (ii) The complainant submits to a baseline HIV test and is negative on that test for the presence of HIV, within seventy-two (72) hours of the exposure; and
 - (iii) There has been a significant percutaneous or mucus membrane exposure, i.e., needlestick, bite, splash over open wound, broken skin, or mucus membrane, by blood or bodily fluids of the person to be tested of a type and in sufficient concentration to permit transmission of HIV if present in those fluids; and

(iv) If a sample of the patient's blood is not otherwise available and the patient refuses to grant informed consent, then the complainant may petition the superior court for a court order

mandating that the test be performed.

(5) (i) In a licensed health care facility or in the private office of a physician in the event that an occupational health representative or physician, registered nurse practitioner, physician assistant, or nurse-midwife not directly involved in the exposure evaluation group, as defined in section 23-6-11(2), determines that a health care provider, other than one in a supervisory position to the person making the determination had has a significant exposure to the blood and/or body fluids of a patient and the patient or the patient's guardian refuses to grant ~~informed~~ consent for an HIV test to determine whether the patient has HIV, then, if a sample of the patient's blood is available, that blood shall be tested for HIV.

(ii) If a sample of the patient's blood is not otherwise available and the patient refuses to grant informed consent, then the health care worker may petition the superior court for a court order mandating that the test be performed.

(iii) Before a patient or a sample of the patient's blood is required to undergo an HIV test, the health care provider must submit to a baseline HIV test within seventy-two (72) hours of the exposure.

(iv) No ~~member of the exposure evaluation group~~ person who determines that a health care worker has sustained a significant exposure and authorizes the HIV testing of a patient, nor any person or health care facility who ~~relies acts~~ in good faith on the group's determination and recommends ~~performs~~ the test be performed, shall have any liability as a result of their actions carried out under this chapter, unless those persons are proven to have act ~~acted~~ in bad faith.

(6) In an emergency, where due to a grave medical or psychiatric condition, it is impossible to obtain consent from the patient or the patient's parent, guardian, or agent.

(7) As permitted under sections 23-18.6-12 (organ transplant), 23-1-38 (sperm donation) and 23-8-1.1 (person under eighteen (18) years may give consent for testing for communicable diseases).

(8) Mandatory testing for human immunodeficiency virus (HIV) conducted pursuant to sections 42-56-37 (testing at ACD), 11-34-10 (prostitution), and 21-28-4.20 (IDU and needles).

23-6-17. Confidentiality. – (a) It is unlawful for any person to disclose to a third party the results of an individual's HIV test without the prior written consent of that individual, or in the case of a minor, the minor's parent, guardian, or agent, on a form that specifically states that HIV test results may be released, except:

(1) A licensed laboratory or other health care facility which performs HIV tests shall report test results to a patient's licensed physician or other medical personnel who requested the test, and to the director of the department of health, pursuant to rules and regulations adopted for that purpose.

(2) A physician:

(i) May enter HIV test results in the medical record, as would be the case with any other diagnostic test;

(ii) May notify other health professionals directly involved in the care of the individual testing positive on the HIV test, or to whom that individual is referred for treatment;

(iii) May notify persons exposed to blood or other body fluids of an individual who tests positive for HIV, pursuant to section 23-6-14(4) through (8) (exceptions) and section 23-17-31 (testing of hospitalized patients);

(iv) May notify the director of the department of children, youth, and families, pursuant to section 23-6-14(3) (testing of a minor to secure services); and

(v) May inform third parties with whom an HIV-infected patient is in close and

continuous exposure related contact, including but not limited to a spouse and/or partner, if the nature of the contact, in the physician's opinion, poses a clear and present danger of HIV transmission to the third party, and if the physician has reason to believe that the patient, despite the physician's strong encouragement, has not and will not ~~warn~~ inform the third party that they may have been exposed to HIV; ~~the procedure to be followed by the physician shall be established by the director of the department of health;~~

(3) As permitted in subsections (b)(1), (2), (5), (6), (8), (9), (10), (11), (12), (13), (14), and (15) of section 5-37.3-4 (confidentiality of health care information) and section 40.1-5-26 (disclosure of confidential information under mental health law), or as otherwise required by law.

(4) By a health care provider to appropriate persons entitled to receive notification of persons with infectious or communicable diseases pursuant to sections 23-5-9 (report of infectious disease upon death) and 23-28.36-3 (notification to EMT, firefighter, police officer of infectious disease).

(b) Facilities and other health care providers subject to this section will have documentation that each person with access to any confidential information understands and acknowledges that the information may not be disclosed except as provided herein. The director shall establish protocols for collecting, maintaining and transferring the information (and ultimately destroying the information) to ensure the integrity of the transfer, and, if possible, the director may suspend any transfer, even to CDC, if he or she is not confident that the transfer is secure.

23-6-18. Protection of records. – (a) Providers of health care, public health officials, and any other person who maintains records containing information on HIV test results of individuals are responsible for maintaining full confidentiality of these data, as provided in section 23-6-17, and shall take appropriate steps for their protection, including:

(1) Keeping records secure at all times and establishing adequate confidentiality safeguards for any records electronically stored;

(2) Establishing and enforcing reasonable rules limiting access to these records; and

(3) Training persons who handle records in security objectives and technique.

(b) The department shall evaluate reports of HIV/AIDS for completeness and potential referrals for service. All case reports shall be kept in a confidential and secure setting. An HIV/AIDS policy and protocol for security shall be developed and implemented by the department for this purpose.

(1) The department shall evaluate its procedures for HIV/AIDS reporting on a continuous basis for timeliness, completeness of reporting, and security of confidential information.

(2) The department's protocol shall be in accordance with the recommendations of the December 10, 1999 Morbidity and Mortality Weekly Report Recommendations and Reports, "CDC Guidelines for National Human Immunodeficiency Virus Case Surveillance, including monitoring for Human Immunodeficiency Virus infection and Acquired Immunodeficiency Syndrome" document, or its successor document, that pertains to patient records and confidentiality; provided, however, that in no event shall the protocol be less protective than that required by state law.

(3) All reports and notifications made pursuant to this section shall be confidential and protected from release except under the provisions of this law. Any person aggrieved by a violation of this section shall have a right of action in the superior court and may recover for

each violation:

(i) Against any person who negligently violates a provision of this section, damages of one thousand dollars (\$1,000) or actual damages, whichever is greater.

(ii) Against any person who intentionally or recklessly violates a provision of this section, damages of five thousand dollars (\$5,000) or actual damages, whichever is greater.

(iii) Reasonable attorneys' fees;

(iv) Such other relief, including an injunction, as the court may deem appropriate; and

(v) Any action under this section is barred unless the action is commenced within three

(3) years after the cause of action accrues. A cause of action shall accrue when the injured party becomes aware of an unauthorized disclosure.

23-6-20. Notification of disclosure. -- In all cases when an individual's HIV test results are disclosed to a third party, other than a person involved in the care and treatment of the individual, and except as permitted in by subsections (1), (2)(i), (2)(ii), (2)(iv), and or (4) of section 23-6-17 (permitted disclosures re: confidentiality), and permitted by and disclosed in accordance with the federal health insurance portability and accountability act of 1996 (Public law 104-191) enacted on August 21, 1996, and as thereafter amended the person so disclosing shall make reasonable efforts to inform that individual in advance of:

(1) The nature and purpose of the disclosure;

(2) The date of disclosure;

(3) The recipient of the disclosed information.

23-6-25. Alternative test sites. -- ~~The department of health shall maintain alternative sites for providing free, voluntary, anonymous HIV testing, counseling, and referral on a continuing basis and at sites that, may be designated by the director of the department of health.~~ The department of health shall maintain sites for providing both anonymous and confidential HIV testing, and HIV counseling and referral. Each site, funded by the department of health, shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance, offer a sliding scale for payment for all other individuals and, in the case of confidential testing, screen for ability to pay through a third-party insurer. In the case of nonfunded sites for HIV testing, organizations and/or institutions performing the test shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance.

23-6-26. Laboratory analysis for HIV. -- (a) HIV/AIDS is regarded to cause significant morbidity and mortality, can be screened, diagnosed and treated, and is of major public health concern, such that surveillance of the disease occurrence is in the public interest, and therefore shall be designated as notifiable and reportable by name.

(b) Under this provision the following shall be reported:

(1) A diagnosis of HIV, according to the U.S. Centers for Disease Control and Prevention case definition of HIV.

(2) A diagnosis of AIDS, according to the U.S. Centers for Disease Control and Prevention case definition of AIDS.

(3) A positive ELIZA result of any HIV test and/or other FDA approved test indicative of the presence of HIV.

(4) CD4 T-lymphocyte test results <200 mg/dl and or fourteen percent (14%).

(5) A perinatal exposure of a newborn to HIV indicated by two positive PCR tests; <18 months; and/or other U.S. Food and Drug Administration approved tests that indicate the presence of HIV in pediatric cases.

(6) Other U.S. Food and Drug Administration approved tests indicative of the presence of HIV/AIDS, as approved by the department.

~~(a)~~ (c) All biological samples or specimens taken from Rhode Island residents for the purpose of performing laboratory analysis for the detection of antibody to human immunodeficiency virus (HIV), by or under the direction or order of any physician licensed to practice medicine in this state, or on order of any duly licensed health care provider shall be sent to the Rhode Island department of health laboratory for analysis. Specimens analyzed for the sole purpose of assuring the safety of the blood supply or for strictly research purposes may be tested for HIV antibody in other licensed laboratories. This provision shall not apply to those HIV tests performed in a hospital laboratory. Hospitals shall forward all positive HIV test results to the department of health. The department of health laboratory shall conduct all confirmatory testing for HIV/AIDS; exceptions, for alternative testing methods, may be granted through written approval by the department of health.

~~(b)~~ (d) No Except in the case of anonymous testing, a physician or laboratory or duly licensed health care provider providing samples or specimens for HIV-testing, or results of HIV tests to the department, shall include the name of the patient, or any other information which would identify the person tested.

(e) Any HIV cases reported in the previous code based system, shall remain in a code based data set. The department of health shall only use and require HIV name case reports submitted after the enactment of this law.

(f) In addition to, and separate from, the requirement of subdivision 23-6-26(b)(4), all CD4 T-lymphocyte test results and all viral load detection test results, detectable and nondetectable, shall be reported to the department of health through a department designed reporting system that uses a non-name based code and contains no patient identifying information. These reports may be used by the department to improve the clinical progress of patients through contact with their physicians, and to use the aggregate information collected to develop and improve prevention programs and create better access to care."

SECTION 4. Chapter 23-6 of the General Laws entitled "Prevention and Suppression of Contagious Diseases" is hereby amended by adding thereto the following section:

23-6-27. Reporting of HIV/AIDS and perinatal exposure of newborns. – (a) The following persons shall report information required by this section to the department's HIV/AIDS surveillance team:

(1) a physician/health care provider who diagnoses or treats HIV/AIDS;

(2) The administrator of a health care facility as defined in Rhode Island general laws chapter 23-17 who diagnoses or treats HIV/AIDS; or

(3) the administrator of a prison in which there is an HIV/AIDS infected person or perinatal exposure to HIV/AIDS.

Reports provided under this section shall specify the infected person's name, as well as all information required on the official department HIV Case Report Form.

(b) Any high managerial agent who is responsible for the administration of a clinical or hospital laboratory, blood bank, mobile unit, or other facility in which a laboratory examination of any specimen derived from a human body yields serological, or other evidence of HIV/AIDS, including perinatal exposure to HIV/AIDS shall notify the department in a timely manner as stipulated in the rules promulgated by the department. Reports provided under this section shall specify the name as well as all information indicated on the official department HIV Case Report Form.

(c) Reports as required by this section shall only be made if confirmed with a Western Blot or other FDA approved confirmatory test.

(1) All facilities obtaining blood from human donors for the purpose of transfusion or manufacture of blood products shall report HIV/AIDS consistent with this section.

(2) Any laboratory that processes specimens shall permit the department to examine the records of said laboratory, facility, or office in order to evaluate compliance with this section.

(d) Perinatal HIV/AIDS exposure reporting shall be made to the department regardless of confirmatory testing.

(e) Reports required by this section shall be mailed within forty-eight (48) hours of diagnosis or treatment, to the department using a designated envelope that shall be provided by the department's HIV/AIDS Surveillance Team. Any other reporting method shall be approved in advance by the department.

(f) Nothing in this section shall preclude the performance of anonymous HIV/AIDS testing.

SECTION 5. Sections 23-11-17 and 23-11-19 of the General Laws in Chapter 23-11 entitled "Sexually Transmitted Diseases" are hereby amended to read as follows:

23-11-17. Human immunodeficiency virus (HIV) testing. -- (a) The physician or health care provider attending any person for a suspected sexually transmitted disease shall offer testing for human immunodeficiency virus (HIV). All testing pursuant to this section shall be performed in accordance with sections 23-6-17 (confidentiality) and 23-6-18 (protection of the medical record) and the informed consent standards contained in chapter 6 of title 23. The identity of the individuals tested under this section shall be maintained only at the site where the sample is drawn, and shall not be released except as otherwise provided by statute.

(b) Each person who is offered a test tested and counseling counseled shall first be provided with an "informed consent form" as provided by subsection 23-6-11(3), and shall specifically be given the opportunity to decline or opt-out of testing, which he or she shall sign and date in acknowledgment of his/her election to be tested, the offer. The department of health is responsible for costs associated with performing and reporting the results of the HIV tests, including the reasonable costs of pretest and post-test counseling. Those reasonable costs shall be negotiated and specified by contract.

(b) In the event an individual consents to anonymous testing and tests positive for HIV, the HIV testing counselor shall provide the client an informed consent form as provided by subsection 23-6-11(3). If an individual is tested anonymously and is found positive on the initial screening test or during a post-test consultation, the counselor shall discuss, with the client, options regarding referrals and reporting of this positive screening, including the necessity of accessing a physician. The department of health shall maintain sites for providing both anonymous and confidential HIV testing, and HIV counseling and referral. Each site, funded by the department of health, shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance, offer a sliding scale for payment for all other individuals and, in the case of confidential testing, screen, for ability to pay through a third-party insurer. In the case of nonfunded sites for HIV testing, organizations and/or institutions performing the test shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance.

(c) All persons tested under this section shall be provided pretest and post-test counseling counseled and tested in accordance with regulations adopted promulgated by the department of health; provided, however, that the counseling shall be in accordance with

~~acceptable medical standards. , and no test results shall be given by any means (e.g. phone, mail, e-mail, fax, etc.) other than in person.~~

~~23-11-19. Exchange of hypodermic needles and syringes. -- (a) The director of the department of health shall maintain a program offering the free exchange of new hypodermic needles and syringes for used hypodermic needles and syringes as a means to prevent the transmission of human immunodeficiency virus (HIV) or viral hepatitis among intravenous injecting drug users eighteen (18) years of age or older. Any site used in the program shall be approved by the director of health and shall make available educational materials, HIV counseling and testing, and referral services targeted to the education of HIV/AIDS and viral hepatitis transmission as well as information and referrals pertaining to and drug substance abuse prevention and treatment. Any individual(s) who either administers or participates in the program shall be immune from criminal prosecution for violating the provisions of section 21-28.5-1(a)(11) [deleted] unless the individual(s) is found to have in his or her possession hypodermic needles and syringes that are not a part of the exchange program.~~

(b) Any program of needle and syringe exchange must be implemented pursuant to the provisions of this section and shall incorporate an on-going evaluation plan to determine the impact of the needle exchange program on the participants and the community in the efforts to lower the HIV rate among injecting users including successful referrals to substance abuse treatment.

SECTION 6. Section 23-13-19 of the General Laws in Chapter 23-13 entitled "Maternal and Child Health Services for Children with Special Health Care Needs" is hereby amended to read as follows:

~~23-13-19. Human immunodeficiency virus (HIV) testing. -- (a) Every physician or health care provider attending any person for prenatal care or family planning services shall offer testing for human immunodeficiency virus (HIV) unless deemed inappropriate by the physician. All testing pursuant to this section shall be performed in accordance with sections 23-6-12 and 23-6-13. The identity of the individuals tested under this section shall be maintained only at the site where the sample is drawn and shall not be released except as otherwise provided by statute. Each person who is offered a human immunodeficiency virus (HIV) test and counseling shall be provided with an "informed consent form" which he or she shall sign and date in acknowledgment of that offer. The department of health is responsible for reasonable costs associated with performing and reporting the results of the HIV tests including the reasonable costs of pretest and post test counseling. Those reasonable costs shall be negotiated and specified by contract.~~

Every physician or health care provider attending any person for prenatal care or family planning services shall universally offer HIV screening in these settings so as to promote earlier detection of HIV with unrecognized or no identified risk factors. HIV should be included in the routine panel of prenatal tests for all pregnant women. Repeat testing in the third trimester is recommended if determined by the physician. Each person who is offered testing and counseling shall first be provided with an "informed consent form" as provided by subsection 23-6-11(3), which he/she shall sign and date, and shall specifically be given the opportunity to decline or opt-out of the testing. All testing pursuant to this section shall be performed in accordance with sections 23-6-12 and 23-6-13.

(b) In the event an individual consents to anonymous testing and tests positive for HIV, the HIV testing counselor shall discuss with the client options regarding referrals and reporting of this positive screening, including the necessity of accessing a physician. The department of

health shall maintain sites for providing both anonymous and confidential HIV testing, and HIV counseling and referral. Each site, funded by the department of health, shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance, offer a sliding scale for payment for all other individuals and, in the case of confidential testing, screen for ability to pay through a third-party insurer. In the case of nonfunded sites for HIV testing, organizations and/or institutions performing the test shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance.

~~(b) (c) All persons tested under this section shall be counseled and tested provided pretest and post test counseling in accordance with regulations adopted promulgated by the department of health, provided, however, that the counseling shall be in accordance with acceptable medical standards.~~

SECTION 7. Section 23-17-31.1 of the General Laws in Chapter 23-17 entitled "Licensing of Health Care Facilities" is hereby amended to read as follows:

~~23-17-31.1. Human immunodeficiency virus (HIV) testing -- Facilities for drug abusers.~~
~~-- Human immunodeficiency virus (HIV) testing -- Facilities for drug users. -- (a) Every physician or health care provider attending any person for any service offered at a facility for intravenous injecting drug users, shall offer testing for human immunodeficiency virus (HIV) unless deemed inappropriate by the physician. All testing pursuant to this section shall be performed in accordance with sections 23-6-17 (confidentiality) and 23-6-18 (protection of records), except where federal confidentiality laws may supersede. The identity of the individuals tested under this section shall be maintained only at the site where the sample is drawn, and shall not be released except as otherwise provided by the statute.~~

~~(b) Each person who is offered a test and counseling shall be provided with an "AIDS testing and notification form" which he or she shall sign and date in acknowledgement of the offer.~~

~~Each person tested and counseled shall first be provided an "informed consent form" as provided by subsection 23-6-11(3), which he/she shall sign and date, and shall specifically be given the opportunity to decline or opt-out of the testing.~~

~~(c) In the event an individual consents to anonymous testing and tests positive for HIV, the HIV testing counselor shall discuss, with the client, options regarding referrals and reporting of this positive screening, including the necessity of accessing a physician.~~

~~(e) (d) The department of health shall be responsible for reasonable costs associated with performing and reporting the results of the HIV tests, including the costs of pretest and post test counseling. The reasonable costs shall be negotiated and specified by contract. The department of health shall maintain sites for providing both anonymous and confidential HIV testing, and HIV counseling and referral. Each site, funded by the department of health, shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance, offer a sliding scale for payment for all other individuals and, in the case of confidential testing, screen for ability to pay through a third-party insurer. In the case of nonfunded sites for HIV testing, organizations and/or institutions performing the test shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance.~~

~~(d) (e) All persons tested under this section shall be provided pretest and post test counseling counseled and tested in accordance with regulations adopted by the department of health. The counseling shall be in accordance with acceptable medical standards.~~

SECTION 8. Sections 23-28.36-2 and 23-28.36-3 of the General Laws in Chapter 23-

28.36 entitled "Notification of Fire Fighters, Police Officers and Emergency Medical Technicians After Exposure to infectious diseases" are hereby amended to read as follows:

23-28.36-2. Definitions. -- The following terms when used in this chapter shall have the following meanings herein ascribed:

- (1) "Contagious disease" means an infectious disease.
- (2) "Disability" means a condition of physical incapacity to perform any assigned duty or duties in the fire department or emergency medical service.
- (3) "Emergency medical technician" means a person licensed pursuant to chapter 4.1 of this title to provide emergency medical services.
- (4) "Fire department" means service groups (paid or volunteer) that are organized and trained for the prevention and control of loss of life and property from fire or other emergency.
- (5) "Fire fighter" means an individual who is assigned to fire fighting activity and is required to respond to alarms and perform emergency action at the location of a fire, hazardous materials, or other emergency incident.
- (6) "Infectious disease" means interruption, cessation, or disorder of body functions, systems, or organs transmissible by association with the sick or their secretions or excretions, excluding the common cold. Infectious disease includes, but is not limited to, human immunodeficiency virus (HIV), hepatitis B virus (HBV), and hepatitis C virus (HCV).
- (7) "Licensed facility" means a hospital, nursing home, ~~medical clinic~~, dialysis center, physician's office operatory, or the like, as may be licensed by the ~~province~~ state to provide medical care.
- (8) "Police officer" means any permanently employed city or town police officer, state police officer, committing squad member, or other permanent law enforcement officer as defined in section 12-7-21; provided, however, this shall not include the highest ranking officer of any of the departments.
- (9) "Strike force member" means any member of the statewide strike force of the department of attorney general.

23-28.36-3. Notification of infectious diseases. -- (a) Notwithstanding the provisions of sections 40.1-5-26 (disclosure of confidential information and records under mental health law) and 5-37.3-4 (confidentiality of health care information), if, while treating, investigating, or transporting an ill or injured person to a licensed facility, a fire fighter, police officer, strike force member or emergency medical technician ~~comes into contact with~~ is occupationally exposed (e.g. blood borne exposure) to a person who is subsequently diagnosed as having an infectious disease, and the exposure is sufficient to create the risk of transmission of the disease, the licensed facility receiving that person shall notify the highest ranking officer of the treating, investigating, or transporting individual's department of health of the exposure to that person which officer shall then notify the exposed individual. Further, any city or town police department notified of infectious diseases pursuant to the provisions of this section shall, within forty-eight (48) hours, notify any strike force member who was exposed to the infected person.

(b) The notification shall be made within forty-eight (48) hours, or sooner, of confirmation of the patient's diagnosis.

(c) The notified employee shall contact the licensed health care facility to determine the infectious disease to which he or she has been exposed, and to receive the appropriate medical direction for dealing with the infectious disease.

(d) Notification made pursuant to this section shall be conducted in a manner which will protect the confidentiality of the patient, fire fighter, police officer, or emergency technician.

SECTION 9. Section 40.1-24-20 of the General Laws in Chapter 40.1-24 entitled "Licensing of Facilities and Programs for People who are Mentally Ill and/or Developmentally Disabled" is hereby amended to read as follows:

~~40.1-24-20. Human immunodeficiency virus (HIV) testing — Facilities for drug abusers.~~
~~— Human immunodeficiency virus (HIV) testing — Facilities for drug users. --~~ (a) Every physician or health care provider attending any person for any service offered at a facility for intravenous drug users, shall offer testing for human immunodeficiency virus (HIV) ~~unless deemed inappropriate by the physician.~~ All testing pursuant to this section shall be performed in accordance with sections 23-6-17 (confidentiality) and 23-6-18 (protection of medical records) and the informed consent standards contained in chapter 6 of title 23, except where federal confidentiality laws may supercede. ~~The identity of the individuals tested under this section shall be maintained only at the site where the sample is drawn, and shall not be released except as otherwise provided by statute.~~

~~(b) Each person who is offered a test and counseling shall be provided with an "informed consent form" which he or she shall sign and date in acknowledgment of the offer.~~

~~Each person tested and counseled shall first be provided with an "informed consent form" as provided by subsection 23-6-11(3), which he/she shall sign and date, and shall specifically be given the opportunity to decline or opt-out of the testing.~~

~~(c) In the event an individual consents to anonymous testing and tests positive for HIV, the HIV testing counselor shall discuss with the client options regarding referrals and reporting of this positive screening, including the necessity of accessing a physician.~~

~~(d) The department of health shall assist providers with performing and reporting the results of the HIV tests.~~

~~(e) (e) The department of health shall be responsible for reasonable costs associated with performing and reporting the results of the HIV tests, including the costs of pretest and post test counseling. The reasonable costs shall be negotiated and specified by contract.~~

~~The department of health shall maintain sites for providing both anonymous and confidential HIV testing, and HIV counseling and referral. Each site, funded by the department of health, shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance, offer a sliding scale for payment for all other individuals and, in the case of confidential testing, screen for ability to pay through a third-party insurer. In the case of nonfunded sites for HIV testing, organizations and/or institutions performing the test shall offer free testing, counseling and referral for indigent parties and other individuals without health insurance.~~

~~(f) (f) All persons tested under this section shall be provided pretest and post test counseling counseled and tested in accordance with regulations adopted promulgated by the department of health; provided, however, that the counseling shall be in accordance with acceptable medical standards.~~

SECTION 10. This act shall take effect upon passage."

Respectfully submitted,

REPRESENTATIVE HANDY

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LC01630/4

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The motion to amend prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

89 2006-S 2750

BY Gibbs

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
INTERPRETERS FOR THE DEAF**

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

Representative McNamara moves passage of the act, seconded by Representatives Naughton and Long

Read and passed, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

90 2006-S 2970**BY McCaffrey****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLE OFFENSES**

Committee on Judiciary recommends passage in concurrence.

Representative Lally moves passage of the act, seconded by Representative Landroche.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

93 2006-S 2326**BY Levesque C****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - JAILS AND
PRISONS**

Committee on Judiciary recommends passage in concurrence.

Representative Lally moves passage of the act, seconded by Representatives Corvese, Almeida, Williams, and Ajello.

Read and passed, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

94 2006-S 2853**BY Connors****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE**

Committee on Judiciary recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

95 2006-S 2179**BY McCaffrey****ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- LAW
APPLICABLE TO CONSTRUCTION CONTRACTS**

Committee on Judiciary recommends passage in concurrence.

Representative Lally moves passage of the act, seconded by Representative Kilmartin.

Read and passed, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

96 2006-S 2486**BY Metts****ENTITLED, AN ACT RELATING TO ELECTIONS**

Committee on Judiciary recommends passage in concurrence.

Representative Lally moves passage of the act, seconded by Representatives Williams, Almeida, Gemma, Diaz, Ajello, and Pacheco.

Read and passed, in concurrence, 57 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Long, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, San Bento, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Ucci, Wasylyk, Williams, Winfield.

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

97 2006-S 2324**BY Perry****ENTITLED,** AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- INCOMPETENCY TO STAND TRIAL AND PERSONS ADJUDGED NOT GUILTY BY REASON OF INSANITY

Committee on Judiciary recommends passage in concurrence.

Representative Lally moves passage of the act, seconded by Representatives Savage, Corvese, Almeida, and Gemma.

Read and passed, in concurrence, 64 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Williams, Williamson, Winfield.

NAYS - 2: Representatives Gorham, Watson.

98 2006-S 2187**BY Perry****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT

Committee on Judiciary recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

100 2006-S 2181**BY McCaffrey****ENTITLED,** AN ACT RELATING TO PUBLIC RECORDS - ACCESS TO PUBLIC RECORDS

Committee on Judiciary recommends passage in concurrence.

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

Read and passed, in concurrence, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

101 2006-S 2312 as amended

BY Issa

ENTITLED, AN ACT RELATING TO OPEN MEETINGS

Committee on Judiciary recommends passage as amended.

Representative Lally moves passage of the act, seconded by Representatives Savage, Gemma, Story, and Faria.

Read and passed, as amended, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

103 2006-S 2783

BY Sheehan

ENTITLED, AN ACT RELATING TO ELECTIONS - VOTING

Committee on Judiciary recommends passage in concurrence.

Representative Lally moves passage of the act, seconded by Representatives Malik and Lewiss.

Read and passed, in concurrence, 62 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Trillo, Ucci, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Sullivan.

105 2006-S 2153

BY McBurney

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
WORKERS' COMPENSATION COURT

Committee on Labor recommends passage in concurrence.

Representative Faria moves passage of the act, seconded by Representatives Brien and Almeida.

Read and passed, in concurrence, 57 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Winfield.

NAYS – 1: Representative Corvese.

106 2006-S 2655

BY Ruggiero

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage in concurrence.

Representative Faria moves passage of the act, seconded by Representatives Landroche, Almeida, Gemma, Brien, and Smith.

Read and passed, in concurrence, 58 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Faria, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Malik, McCauley, McNamara, Melo, Menard, Moffitt, Moran, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Williams, Winfield.

NAYS - 7: Representatives Davey, Ehrhardt, Loughlin, McManus, Mumford, Savage, Watson.

REQUESTS

Representative Gorham requests the journal to reflect that if he had voted on (06S-2655 in concurrence), he would have voted in the negative.

Representatives Long and Story request the journal to reflect that they had voted incorrectly on (06S-2655 in concurrence), they should have voted in the negative.

Representatives Wasylyk and Lima requests the journal to reflect that if they had voted on (06S-2655 inconcurrence), they would have voted in the affirmative.

107 2006-S 2502 SUB B**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

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

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

The bill marked Substitute "B" is read and passed, and the original bill and the bill marked Substitute "A", indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

107A 2006-S 2330 SUB A**BY Levesque C****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES**

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

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

Representative Costantino, seconded by Representatives Gemma and Naughton offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2006 -- S 2330 SUBSTITUTE A

AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES

Mr. Speaker:

I hereby move to amend 2006 -- S 2330 SUBSTITUTE A, entitled "AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES", as follows:

(1) On page 1, line 9, by deleting the language and number "fifty (50)" and inserting in place thereof the following language and numeral: "two hundred fifty (250)".

(2) On page 1, line 19, by deleting the language and numeral "fifty (50)" and inserting in place thereof the following language and numeral: "two hundred fifty (250)".

Respectfully submitted,

REPRESENTATIVE COSTANTINO

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LC01137/2
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The motion to amend prevails on a roll call vote 62 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Williams, Williamson, Winfield.

NAYS - 2: Representatives Gorham, Watson.

Read and passed, as amended, 60 members voting in the affirmative and 5 members voting in the negative as follows:

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

NAYS - 5: Representatives Davey, Ehrhardt, Gorham, McManus, Watson.

108 2006-S 2974 as amended**BY Ciccone****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --
RESIDENTIAL SANITARY SEWER CONNECTIONS**

Committee on Environment and Natural Resources recommends passage, as amended, in concurrence.

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

Representatives Trillo and Ginaitt discuss the act.

Read and passed, as amended, in concurrence, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Singleton, Slater, Smith, Story, Sullivan, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Trillo requests the journal to reflect that if he had voted on (06S-2974aa in concurrence), he would have voted in the negative.

109 2006-S 2114 SUB A as amended**BY Lanzi****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - SAFETY AND
HEALTH PROGRAMS FOR FIRE DEPARTMENTS**

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

Representative McNamara moves passage of the act, seconded by Representatives Williams, Landroche, and Lima.

Representatives Trillo and McNamara discuss the act.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006.

110 2006-S 2210**BY Gallo****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE QUALITY PROGRAM**

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

Representative McNamara moves passage of the act, seconded by Representative Lewiss.

Read and passed, in concurrence, 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

REQUEST

Representative Caprio requests the journal to reflect that he had voted on (06S 2210 in concurrence), at Representative McHugh's desk in error. Representative Caprio requests the journal to reflect that Representative McHugh did not vote in the affirmative.

111 2006-S 2273**BY Walaska****ENTITLED, AN ACT RELATING TO REGULATION OF BOATS -- FLOTATION DEVICES**

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

Representative McNamara moves passage of the act, seconded by Representative San Bento.

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

**FLOOR AMENDMENT
TO
2006 -- S 2273****AN ACT RELATING TO REGULATION OF BOATS -- FLOTATION DEVICES**

Mr. Speaker:

I hereby move to amend 2006 -- S 2273, entitled "AN ACT RELATING TO REGULATION OF BOATS -- FLOTATION DEVICES", as follows:

(1) On page 1, line 4, before the language "thirteen", by inserting in its place thereof the following language: "under".

(2) On page 1, line 4, after the language "age", by deleting the language "or under".

(3) On page 1, line 4, after the language "a" by inserting in its place thereof the following language: "recreational".

(4) On page 1, line 6, after the language and punctuation, "guard" by deleting the words "Provided, however, that no child shall be required to" and inserting in its place thereof the following language: "when underway, unless below deck or in a closed cabin.".

(5) On page 1, by deleting all of the language on lines 7 and 8.

Respectfully submitted,

REPRESENTATIVE MCNAMARA

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LC01319/4
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Representatives Ehrhardt and Trillo discuss the amendment.

The motion to amend prevails on a roll call vote 60 members voting in the affirmative and 5 members voting in the negative as follows:

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

NAYS - 5: Representatives Jacquard, Petrarca, Scott, Smith, Trillo.

Read and passed, as amended, 58 members voting in the affirmative and 8 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Story, Sullivan, Wasylyk, Williams, Williamson, Winfield.

NAYS - 8: Representatives Jacquard, Menard, Petrarca, Picard, Scott, Smith, Trillo, Ucci.

112 2006-S 2300**BY Issa****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY EDUCATIONAL ALTERNATIVES FOR SCHOOL STUDENTS IMPACTED BY A VIRAL PANDEMIC

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

Representative McNamara moves passage of the resolution, seconded by Representatives Faria and Giannini.

Read and passed, in concurrence, 63 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

113 2006-S 2756 SUB A as amended**BY Damiani****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

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

Representative McNamara moves passage of the act, seconded by Representatives Corvese and Handy.

Representatives Gorham, McNamara, and Ucci discuss the act.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 38 members voting in the affirmative and 19 members voting in the negative as follows:

YEAS - 38: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fox, Gallison, Gemma, Giannini, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, McCauley, McNamara, Moffitt, Moran, Naughton, O'Neill, Pacheco, Rice, Rose, San Bento, Savage, Schadone, Slater, Sullivan, Wasyluk, Williams.

NAYS - 19: Representatives Brien, Davey, Ehrhardt, Gorham, Jacquard, Laroche, Long, Loughlin, McManus, Menard, Mumford, Petrarca, Picard, Scott, Singleton, Story, Trillo, Ucci, Winfield.

115 2006-S 2066 SUB A**BY Gibbs****ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE**

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

Representative Lally moves passage of the act, seconded by Representative Lewiss.

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

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, McCauley, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Williams, Winfield.

NAYS - 0.

116 2006-S 2325**BY McCaffrey****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- THEFT, EMBEZZLEMENT, AND MISAPPROPRIATIONS**

Committee on Judiciary recommends passage in concurrence.

Representative O'Neill moves passage of the act, seconded by Representatives Brien, Landroche, Williams, Diaz, Smith, Lally, and Ucci

Representative Davey discusses the act.

Read and passed, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

117 2006-S 2346**BY Sheehan****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
CAUSES OF ACTION -- FIREFIGHTERS' IMMUNITY

Committee on Judiciary recommends passage in concurrence.

Representative Lally moves passage of the act, seconded by Representatives Davey, Sullivan, Ucci, Gemma, Corvese, Moran, Gallison, Laroche and many other members of the House.

Read and passed, in concurrence, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

118 2006-S 2428 SUB A**BY McCaffrey****ENTITLED,** AN ACT RELATING TO CITIES AND TOWNS -- LOW AND
MODERATE INCOME HOUSING

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

Representative Lally moves passage of the act, seconded by Representative Trillo.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

119 2006-S 2879 as amended**BY Ciccone****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
OPEN MEETINGS**

Committee on Finance recommends passage as amended in concurrence.

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

Read and passed, as amended, in concurrence, 66 members voting in the affirmative and 1 member voting in the negative as follows:

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

NAYS - 1: Representative Jacquard.

121 2006-S 3071 as amended**BY Montalbano J****ENTITLED, AN ACT RELATING TO PROPERTY -- MECHANICS' LIENS**

Committee on Judiciary recommends passage as amended in concurrence.

Representative Lally moves passage of the act, seconded by Representative Rice.

Representative Lima discusses the act.

Read and passed, as amended, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

122 2006-S 3091**BY Polisena****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
MUNICIPAL COURTS

Committee on Judiciary recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 23, 2006

123 2006-S 3167**BY Pichardo****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Representative Lally moves passage of the act, seconded by Representative Diaz.

Read and passed, in concurrence, 65 members voting in the affirmative and 1 member voting in the negative as follows:

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

NAYS - 1: Representative Williamson.

124 2006-S 2016**BY Walaska****ENTITLED,** AN ACT RELATING TO REGISTRATION OF VEHICLES --
VETERANS' PLATES

Committee on Finance recommends passage in concurrence.

Representative Carter moves passage of the act, seconded by Representatives Gallison, Landroche, and Loughlin

Read and passed, in concurrence, 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

125 2006-S 2474

BY Issa

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE EFFECTIVENESS OF CONSOLIDATING ADMINISTRATIVE FUNCTIONS OF SCHOOL DISTRICTS

Committee on Finance recommends passage in concurrence.

Representative Lewiss moves passage of the resolution, seconded by Representatives Faria and Moffitt.

Read and passed, in concurrence, 64 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson.

NAYS - 0.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Grace Diaz, State Representative, District 11, 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: (06S-2637aa)
2. (Nature of the potential conflict) I have the following interest in the matter:
I am home child care (bi-weekly payment)
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.

GRACE DIAZ
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

DAVID W. DUMAS
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

126 2006-S 2637 as amended

BY Paiva-Weed

**ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- CHILD CARE --
STATE SUBSIDIES**

Committee on Finance recommends passage as amended in concurrence.

Representative Gallison moves passage of the act, seconded by Representatives Williams, Almeida, Gemma, and Rice.

Representatives Trillo, Gallison, Corvese, Williams, Gemma, Jacquard, Story, Costantino, and Watson discuss the act.

Representative Kilmartin moves the question, seconded by Representative McCauley.

The motion to move the question prevails, on a roll call vote 36 members voting in the affirmative and 20 members voting in the negative as follows:

YEAS - 36: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Faria, Fox, Gallison, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, McCauley, McNamara, Melo, Moran, Naughton, O'Neill, Petrarca, Picard, Savage, Schadone, Shanley, Slater, Sullivan, Williams, Williamson.

NAYS - 20: Representatives Amaral, Brien, Caprio, Davey, Ehrhardt, Gemma, Giannini, Gorham, Jackson, McManus, Moffitt, Scott, Singleton, Smith, Story, Trillo, Ucci, Wasyluk, Watson, Winfield.

Representatives Costantino, Gorham, Smith, Slater, Savage, and Menard continue to discuss the act.

Read and passed, as amended, in concurrence, 59 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Smith, Sullivan, Ucci, Wasyluk, Williams, Williamson, Winfield.

NAYS - 6: Representatives Davey, Gorham, Mumford, Story, Trillo, Watson.

128 2006-S 2965

BY Connors

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY TRANSIT SERVICE IN THE STATE OF RHODE ISLAND

Committee on Finance recommends passage in concurrence.

Representative Malik moves passage of the resolution, seconded by Representative Petrarca.

Representative Malik offers Representative Pacheco's written motion to amend, seconded by Representatives Pacheco and Faria.

**FLOOR AMENDMENT
TO
2006 -- S 2965**

JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY TRANSIT SERVICE IN THE STATE OF RHODE ISLAND

Mr. Speaker:

I hereby move to amend 2006 -- S 2965, entitled "JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY TRANSIT SERVICE IN THE STATE OF RHODE ISLAND", as follows:

On page 1, lines 6 and 7, by deleting the figure "2006" and inserting in place thereof the figure "2007".

Respectfully submitted,

REPRESENTATIVE PACHECO

The motion to amend prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Read and passed, as amended, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

129 2006-S 3036

BY Montalbano J

ENTITLED, AN ACT RELATING TO AUTHORIZING THE SISTERS OF MERCY OF THE UNION IN THE UNITED STATES OF AMERICA, PROVINCE OF PROVIDENCE, INC. TO RECEIVE, TAKE, HOLD, TRANSMIT AND CONVEY REAL AND PERSONAL PROPERTY TO AN AMOUNT NOT TO EXCEED TWENTY MILLION DOLLARS (\$20,000,000)

Committee on Finance recommends passage in concurrence.

Representative Corvese moves passage of the act, seconded by Representatives Malik, Petrarca, McNamara, and Amaral.

Read and passed, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy,

Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

130 2006-S 2013 SUB A

BY Tassoni

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES

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

Representative Gallison moves passage of the act, seconded by Representatives Lima, Loughlin, Shanley, Sullivan, Gemma, Faria, and Petrarca.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Murphy and Representatives Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

133 2006-S 3069

BY Montalbano J

ENTITLED, AN ACT RELATING TO THE TOWN OF LINCOLN -- TANGIBLE
PROPERTY TAX EXEMPTIONS

Committee on Finance recommends passage in concurrence.

Representative Jacquard moves passage of the act, seconded by Representatives Petrarca and Menard.

Read and passed, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

140 2006-S 2277 SUB A

BY Lenihan

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
ENERGY FACILITY SITING ACT

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

Representative Lima moves passage of the act, seconded by Representative Ehrhardt.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 62 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Trillo.

141 2006-S 2383 as amended

BY Alves

ENTITLED, AN ACT RELATING TO INSURANCE - HEARING AIDS

Committee on Corporations recommends passage as amended in concurrence.

Representative Lima moves passage of the act, seconded by Representatives Laroche, Carter, Brien, Williams, Lally, Shanley, and Petrarca.

Read and passed, as amended, in concurrence, 57 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McManus, McNamara, Melo, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Slater, Smith, Sullivan, Trillo, Wasylyk, Williams, Williamson, Winfield.

NAYS - 4: Representatives Menard, Singleton, Story, Ucci.

142 2006-S 2231

BY Walaska

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS

Committee on Corporations recommends passage in concurrence.

Representative Lima moves passage of the act, seconded by Representative Moffitt.

Read and passed, in concurrence, 63 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 63: Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1: Representative Gorham.

REQUEST

Representative Lima requests the journal to reflect that if she had voted on (06S-2231, in concurrence), she would have voted in the affirmative.

143 2006-S 2315

BY Revens

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

Committee on Corporations recommends passage in concurrence.

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

Read and passed, in concurrence, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

REQUEST

Representative Ucci requests the journal to reflect that if he had voted on (06S-2315, in concurrence), he would have voted in the affirmative.

143A. Senate Bill No. 3146

BY Breene

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- TAXATION -- TOWN OF RICHMOND {LC3171/1}

Representative Scott moves passage of the act, seconded by Representative Mumford.

Representatives Trillo, Kennedy, Gemma and Shanley discuss the act.

Read and passed, in concurrence, 61 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Ucci, Williams, Williamson, Winfield.

NAYS - 2: Representatives McManus, Trillo.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS HOUSE OF REPRESENTATIVES

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

I, Thomas Winfield, State Representative, District 53, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (06S-2877 SUB Aaa)
2. (Nature of the potential conflict) I have the following interest in the matter:
I'm the President of Anderson Winfield Chauffeured Services
3. (Complete and (A.) or (B.) and cross out whichever does not apply
B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

THOMAS WINFIELD
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 22nd day of June, 2006.

GREGORY SCHADONE
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

144 2006-S 2877 SUB A as amended

BY Walaska

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

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

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

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy,

Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasyluk, Watson, Williams, Williamson.

NAYS - 0.

FROM THE DESK IS TAKEN

Representative Kennedy moves to take from the desk (06S 2044aa), seconded by Representative Watson. The motion prevails by unanimous consent on a voice vote.

Senate Bill No. 2044 as amended

BY Blais

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES -- SIZE, WEIGHT AND LOAD LIMITS (prohibit commercial motor trucks and tractors, over 4 tons from using South Main Street in Coventry as a through route) {LC75/1}

Representative Kennedy moves to reconsider, seconded by Representative Corvese. The motion to reconsider prevails on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

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

Representative Kennedy offers a written motion to amend, seconded by Representatives Corvese, Sullivan and Gemma.

FLOOR AMENDMENT TO 2006 -- S 2044

AN ACT RELATING TO MOTOR VEHICLES -- SIZE, WEIGHT AND LOAD LIMITS

Mr. Speaker:

I hereby move to amend 2006 -- S 2044, entitled "AN ACT RELATING TO MOTOR VEHICLES -- SIZE, WEIGHT AND LOAD LIMITS", as follows:

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

"SECTION 1. Chapter 31-25 of the General Laws entitled "Size, Weight, and Load Limits" is hereby amended by adding thereto the following section:

31-25-27.4. Weight restrictions on South Main Street - Coventry. -- (a) No commercial motor truck or tractor with a gross weight exceeding four (4) tons, except those listed in this section, shall be allowed to travel on South Main Street.

(b) The director of the department of transportation is directed to post signs to limit access as prescribed in subsection (a) of this section.

(c) The following vehicles shall be exempt from the provisions of this section: any commercial vehicle whose destination is anywhere, either on or off the routes stated in subsection (a) of this section; any and all emergency vehicles, state vehicles, municipal vehicles, public transit vehicles, and marked school administration vehicles.

(d) Any commercial registered motor truck or tractor with a gross weight exceeding four (4) tons, shall be prohibited from traveling the routes stated in subsection (a) as a through route. Signs will be posted by the department of transportation stating "Local Deliveries Only -- No Through Trucking -- 4 Ton Weight Limit."

(e) Violations of this section shall be a fine of fifty dollars (\$50.00) for the first offense, not to exceed one hundred dollars (\$100) for each and every subsequent offense.

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

Respectfully submitted,

REPRESENTATIVE KENNEDY

=====
LC00075/3

=====
Representative Kennedy discusses the amendment.

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

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, DeSimone, Diaz, Ehrhardt, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

Read and passed, as amended, 65 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

REQUEST

Representative Smith requests the journal to reflect that if he had voted on (06S 2044aa), he would have voted in the affirmative.

TRANSMITTAL

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

ANNOUNCEMENTS

Representative Fox announces that the Committees on Corporations, Finance, Health Education and Welfare and Judiciary will meet tomorrow, at 1 o'clock P.M.

Representative Fox also announces that the session will convene tomorrow, June 23, 2006 at 2 o'clock P.M.

GUESTS

Representative Almeida welcomes to the House Chamber as guests Donald King, from the Black Repertory along with Michael Van Leesten and Paul Lowe who played the National Anthem on the saxophone.

Representative Menard welcomes to the House as a guest Matthew Papa, son of Tommy and Pat.

Representative Watson welcomes to the Chamber Steve Feinberg and his nephew Kurt Feinberg.

FAREWELL

Minority Leader Watson, the Honorable Speaker Murphy, Majority Leader Fox, and Representatives McManus and Lally pays tribute to Representative Davey, a member of the Republican Caucus, on his retirement and wish him well.

Minority Leader Watson offers a House Resolution (06H 8289) honoring Representative Davey (for House Resolution see New Business)

At 10:55 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Davey.

By unanimous consent, Representative Davey addresses the members of the House and bids farewell.

At 10:58 o'clock P.M. the Honorable Speaker returns to the rostrum.

RECESS

At 11:05 o'clock P.M. on motion of Representative Fox seconded by Representative Watson the House is in recess, on a voice vote.

ADJOURNMENT

At 4:49 o'clock P.M. Friday, June 23, 2006, on motion of Representative Fox seconded by Representative Watson the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JOHN A. SAVAGE

Dear God, Almighty Father, we ask Your blessing upon us today. Bless us individually and bless us collectively. Lead us and guide us in all that we do. Help us to make our decisions the correct ones for the people of Rhode Island.

APPENDIX

CALENDAR

IN ORDER FOR FRIDAY, JUNE 23, 2006:

1 2006-H 6949 SUB A**BY Coderre E****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

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

2 2006-H 8099**BY Slater****ENTITLED,** AN ACT RELATING TO THE STATE ENERGY OFFICE

Committee on Finance recommends passage.

3 2006-H 7914**BY Moura****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage.

4 2006-H 8000**BY Fox****ENTITLED,** AN ACT RELATING TO TAXATION - INCENTIVES FOR
INNOVATION AND GROWTH

Committee on Finance recommends passage.

5 2006-H 7979**BY Shanley****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Finance recommends passage.

6 2006-H 8268**BY Church****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO
FINANCE THE ACQUISITION AND PRESERVATION IN
PERPETUITY OF OPEN SPACE AND/OR THE PURCHASE OF
DEVELOPMENT RIGHTS TO OPEN SPACE IN THE TOWN BY THE
ISSUANCE OF NOT MORE THAN \$3,000,000 OF BONDS
AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

7 2006-H 7502**BY Loughlin****ENTITLED,** AN ACT RELATING TO GOVERNMENTAL TORT LIABILITY

Committee on Finance recommends passage.

8 2006-H 8142**BY Moffitt****ENTITLED,** AN ACT RELATING TO REGISTRATION OF VEHICLES --
SECRETARY OF STATE EMERITUS -- EDWARD S. INMAN III

Committee on Finance recommends passage.

9 2006-H 8226 SUB A**BY Amaral****ENTITLED,** AN ACT RELATING TO TAXATION - TAX SALES

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

10 2006-H 7814 SUB A**BY McCauley****ENTITLED,** AN ACT RELATING TO PROPERTY -- RHODE ISLAND HOME
LOAN PROTECTION ACT

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

11 2006-H 8266**BY Gallison****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF BRISTOL TO FINANCE
THE DESIGN, ENGINEERING AND CONSTRUCTION OF CAPITOL
IMPROVEMENT PROJECTS INCLUDING, WITHOUT LIMITATION,
DRAINAGE AND WASTE WATER TREATMENT FACILITY SEWER
PROJECTS, OPEN SPACE AND PROPERTY ACQUISITION FOR
MUNICIPAL PURPOSES, ROAD REPAIRS AND IMPROVEMENTS,
ADDITIONS AND REPAIRS TO PUBLIC SAFETY BUILDINGS,
AND THE ACQUIRING OF EQUIPMENT IN CONNECTION
THEREWITH BY ISSUANCE OF NOT MORE THAN \$15,000,000
BONDS THEREFOR

Committee on Finance recommends passage.

12 2006-H 8258**BY Church**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND AND OTHER PROPERTY FOR, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF, A NEW ELEMENTARY SCHOOL AND SCHOOL FACILITIES IN THE TOWN (INCLUDING DEMOLITION OF EXISTING SCHOOLS AND SCHOOL FACILITIES) IN ACCORDANCE WITH PHASE II OF THE COMPREHENSIVE SCHOOL FACILITIES MASTER PLAN BY THE ISSUANCE OF NOT MORE THAN \$22,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

13 2006-H 7976**BY Winfield**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$1,000,000 GENERAL OBLIGATION BONDS OR NOTES FOR LAND ACQUISITION

Committee on Finance recommends passage.

14 2006-H 6918 SUB A**BY Gallison**

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - - HEALTH CARE FACILITIES STAFFING

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

15 2006-H 8167**BY Lima**

ENTITLED, AN ACT RELATING TO EDUCATION - ELIGIBILITY FOR ATTENDANCE

Committee on Health, Education & Welfare recommends passage.

16 2006-H 8034 SUB A**BY Slater**

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

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

17 2006-H 8136**BY Schadone**

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- MUNICIPAL COURTS

Committee on Judiciary recommends passage.

18 2006-H 6905 SUB A**BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE -- THE RHODE ISLAND HEALTHCARE AFFORDABILITY ACT OF 2006 - PART VII - SMALL BUSINESSES

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

19 2006-H 7970**BY Carter****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ENERGY FACILITY SITING ACT

Committee on Corporations recommends passage.

20 2006-H 8025 SUB A**BY Fox****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND ENERGY EFFICIENCY MANAGEMENT

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

21 2006-H 8269 SUB A**BY Kennedy****ENTITLED,** AN ACT RELATING TO TAXATION

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

22 2006-H 6782 SUB A**BY Gemma****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY

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

23 2006-H 8245 SUB A**BY Lima****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- CONTRACTORS' REGISTRATION

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

24 2006-H 8280**BY Landroche**

ENTITLED, AN ACT VALIDATING THE CONSOLIDATION OF THE HARRIS FIRE AND LIGHTING DISTRICT WITH THE CENTRAL COVENTRY FIRE DISTRICT AND THE TRANSFER OF THE ASSETS AND UNPAID LIABILITIES OF THE HARRIS FIRE AND LIGHTING DISTRICT TO THE CENTRAL COVENTRY FIRE DISTRICT, SECURING TO THE CENTRAL COVENTRY FIRE DISTRICT, THE LIEN OF THE HARRIS FIRE AND LIGHTING DISTRICT FOR UNPAID TAXES, AND THE SECURITY OF EXISTING LABOR CONTRACTS

Committee on Finance recommends passage.

25 2006-H 8285**BY Landroche**

ENTITLED, AN ACT IN AMENDMENT OF THE INCORPORATION OF THE CENTRAL COVENTRY FIRE DISTRICT IN FURTHERANCE OF THE "CONSOLIDATION PLAN" OF THE CENTRAL COVENTRY FIRE DISTRICT, THE WASHINGTON LIGHTING DISTRICT, THE HARRIS FIRE & LIGHTING DISTRICT AND THE TIOGUE FIRE DISTRICT, AS APPROVED BY THE QUALIFIED VOTERS OF SAID DISTRICTS, AT DULY CALLED MEETINGS HELD ON MARCH 28, 2006

Committee on Finance recommends passage.

26 2006-H 8279**BY Landroche**

ENTITLED, AN ACT VALIDATING THE CONSOLIDATION OF THE TIOGUE LIGHTING DISTRICT WITH THE CENTRAL COVENTRY FIRE DISTRICT AND THE TRANSFER OF THE ASSETS AND UNPAID LIABILITIES OF THE TIOGUE LIGHTING DISTRICT TO THE CENTRAL COVENTRY FIRE DISTRICT, SECURING TO THE CENTRAL COVENTRY FIRE DISTRICT, THE LIEN OF THE TIOGUE LIGHTING DISTRICT FOR UNPAID TAXES, AND THE SECURITY OF EXISTING LABOR CONTRACTS

Committee on Finance recommends passage.

27 2006-H 8278**BY Landroche**

ENTITLED, AN ACT VALIDATING THE CONSOLIDATION OF THE WASHINGTON LIGHTING DISTRICT WITH THE CENTRAL COVENTRY FIRE DISTRICT AND THE TRANSFER OF THE

ASSETS AND UNPAID LIABILITIES OF THE WASHINGTON LIGHTING DISTRICT TO THE CENTRAL COVENTRY FIRE DISTRICT, SECURING TO THE CENTRAL COVENTRY FIRE DISTRICT, THE LIEN OF THE WASHINGTON LIGHTING DISTRICT FOR UNPAID TAXES, AND THE SECURITY OF EXISTING LABOR CONTRACTS

Committee on Finance recommends passage.

28 2006-H 8110

BY Flaherty

ENTITLED, AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$25,000,000 FOR THE REPAIR AND RENOVATION OF SCHOOL FACILITIES

Committee on Finance recommends passage.

29 2006-H 7652 SUB A

BY Long

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES

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

30 2006-H 7357

BY Shanley

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

Committee on Finance recommends passage.

31 2006-H 7232 SUB A

BY Dennigan

ENTITLED, AN ACT RELATING TO ASSISTED LIVING

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

32 2006-H 7087

BY Kilmartin

ENTITLED, AN ACT RELATING TO RECREATIONAL AREAS -- GENERAL PROVISIONS

Committee on Finance recommends passage.

33 2006-H 6917 SUB A**BY Rice****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
FAIR SHARE HEALTH CARE FUND

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

34 2006-H 7586**BY Lally****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL
ASSAULT

Committee on Judiciary recommends passage.

35 2006-H 6869**BY Rice****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE

Committee on Judiciary recommends passage.

36 2006-H 8256**BY Naughton****ENTITLED,** AN ACT RELATING TO ADMINISTRATIVE PROCEDURES

Committee on Judiciary recommends passage.

37 2006-H 8261**BY Fox****ENTITLED,** AN ACT RELATING TO COURTS - JUDICIAL TENURE AND
DISCIPLINE

Committee on Judiciary recommends passage.

38 2006-H 8124**BY Lima****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES

Committee on Judiciary recommends passage.

39 2006-S 2646 SUB B**BY Ruggerio****ENTITLED,** AN ACT RELATING TO ELECTRICIANS

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

40 2006-S 2461 SUB A**BY Tassoni****ENTITLED, AN ACT RELATING TO REAL PROPERTY -- RESTRICTIONS**

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

41 2006-S 2970**BY McCaffrey****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLE OFFENSES**

Committee on Judiciary recommends passage in concurrence.

42 2006-S 2853**BY Connors****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE**

Committee on Judiciary recommends passage in concurrence.

43 2006-S 2187**BY Perry****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL
ASSAULT**

Committee on Judiciary recommends passage in concurrence.

44 2006-S 2114 SUB A as amended**BY Lanzi****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - SAFETY AND
HEALTH PROGRAMS FOR FIRE DEPARTMENTS**

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

45 2006-S 2597 SUB A**BY Lenihan****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

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

46 2006-S 2851 SUB A as amended**BY Pichardo****ENTITLED, AN ACT RELATING TO PROPERTY -- RHODE ISLAND HOME
LOAN PROTECTION ACT**

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

47 2006-S 3104

BY Sosnowski

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE NEIGHBORHOOD GUILD IMPROVEMENTS AND TO ISSUE NOT MORE THAN \$1,000,000 BONDS THEREFOR

Committee on Finance recommends passage in concurrence.

48 2006-S 2892

BY Algieri

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION

Committee on Finance recommends passage in concurrence.

49 2006-S 2417

BY Bates

ENTITLED, AN ACT RELATING TO GOVERNMENTAL TORT LIABILITY

Committee on Finance recommends passage in concurrence.

50 2006-S 3100

BY Revens

ENTITLED, AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$25,000,000 FOR THE REPAIR AND RENOVATION OF SCHOOL FACILITIES

Committee on Finance recommends passage in concurrence.

51 2006-S 2454

BY Breene

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF TRANSPORTATION

Committee on Finance recommends passage in concurrence.

52 2006-S 3116

BY Gallo

ENTITLED, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$2,710,000 BONDS AND NOTES TO FINANCE THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, RENOVATION, REPAIR, ALTERATION AND EQUIPPING OF PLAYGROUNDS AND ATHLETIC FIELDS

Committee on Finance recommends passage in concurrence.

53 2006-S 2990 SUB A**BY Pichardo****ENTITLED,** AN ACT RELATING TO YOUTH -- YOUTH COMMISSION

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

54 2006-S 2616 as amended**BY Blais****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM ANATOMICAL GIFT ACT

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

55 2006-S 3037**BY Fogarty P****ENTITLED,** AN ACT RELATING TO CURATIVE SERVICES

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

56 2006-S 3065 SUB A**BY Polisen****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- THEFT OF MOTOR FUEL

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

57 2006-S 2378 SUB A**BY McCaffrey****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULTS

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

58 2006-S 2776**BY Levesque C****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Committee on Judiciary recommends passage in concurrence.

59 2006-S 2423**BY Breene****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS -- UNIFORM INTERSTATE FAMILY SUPPORT ACT

Committee on Judiciary recommends passage in concurrence.

60 2006-S 2296**BY Caprio F****ENTITLED, AN ACT RELATING TO FIDUCIARIES -- CHARITABLE TRUSTS**

Committee on Judiciary recommends passage.

61 2006-S 2110 SUB A**BY Tassoni****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - VICTIM'S RIGHTS**

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

62 2006-S 2797 SUB A as amended**BY McCaffrey****ENTITLED, AN ACT RELATING TO ELECTIONS - CAMPAIGN EXPENDITURES**

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

63 2006-S 2927 SUB A as amended**BY Issa****ENTITLED, AN ACT RELATING TO PROPERTY -- FORM AND EFFECT OF CONVEYANCES**

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

64 2006-S 2042 SUB A as amended**BY Cote****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

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

65 2006-S 2701 as amended**BY DaPonte****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL**

Committee on Environment and Natural Resources recommends passage as amended in concurrence.

66 2006-S 3174 as amended**BY Felag****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
RHODE ISLAND HOUSING AND MORTGAGE FINANCE
CORPORATION

Committee on Environment and Natural Resources recommends passage as amended in concurrence.

67 2006-S 2511 SUB A**BY Gallo****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - STORM DRAIN
MAINTENANCE

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

68 2006-S 3172 SUB A**BY Tassoni****ENTITLED,** AN ACT THE RHODE ISLAND HEALTH CARE AFFORDABILITY
ACT OF 2006 - PART V

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

69 2006-S 2777 SUB A**BY Metts****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
MORTGAGE FORECLOSURE CONSULTANT REGULATION

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

70 2006-S 2684 SUB A**BY Gibbs****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES

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

71 2006-S 2055**BY Doyle****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
CERTIFICATES OF TITLE AND SECURITY INTERESTS

Committee on Corporations recommends passage in concurrence.

72 2006-S 2681 SUB A**BY Alves****ENTITLED,** AN ACT RELATING TO REGULATORY POWERS OF
ADMINISTRATION -- KENT COUNTY WATER AUTHORITY

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

73 2006-S 2480 SUB A**BY Goodwin****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
LICENSES

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

74 2006-S 2457 as amended**BY McCaffrey****ENTITLED,** AN ACT RELATING TO THE CITY OF WARWICK -- SEWER
AUTHORITY

Committee on Corporations recommends passage as amended in concurrence.

75 2006-S 3091**BY Polisena****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
MUNICIPAL COURTS

Committee on Judiciary recommends passage in concurrence.

76 2006-S 2178 SUB A**BY Gibbs****ENTITLED,** AN ACT RELATING TO HEATH INSURANCE

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

77 2006-S 2348 SUB A**BY Levesque C****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- DECEPTIVE
TRADE PRACTICES

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

78 2006-S 2264 SUB A**BY Cote****ENTITLED,** AN ACT RELATING TO INSURANCE - THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART IV - HIGH RISK POOL

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

79 2006-S 2120 SUB A**BY Blais****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- DECEPTIVE TRADE PRACTICES

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

80 2006-S 2903 SUB A**BY Walaska****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

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

81 2006-S 2347 SUB B**BY Tassoni****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY

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

82 2006-S 2028 SUB A**BY Tassoni****ENTITLED,** AN ACT RELATING TO CHILD CARE ASSISTANCE

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

83 2006-S 2092 SUB A as amended**BY Metts****ENTITLED,** AN ACT RELATING TO TAX SALES

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

84 2006-S 2871 SUB A**BY Badeau****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES

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

85 2006-S 3041 SUB A**BY Levesque C****ENTITLED,** AN ACT EXEMPTING FROM TAXATION AND AUTHORIZING THE
HERRESHOFF MARINE MUSEUM TO INCREASE ITS HOLDING
TO AN AMOUNT NOT EXCEEDING \$5,000,000

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

86 2006-S 3122**BY Ruggerio****ENTITLED,** AN ACT RELATING TO DAYS OF SPECIAL OBSERVANCE --
GOLD STAR PARENTS DAY

Committee on Finance recommends passage in concurrence.

87 2006-S 3148 as amended**BY Felag****ENTITLED,** AN ACT RELATING TO TAXATION - TAX SALES

Committee on Finance recommends passage as amended in concurrence.

88 2006-S 3153 as amended**BY Goodwin****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY THE METHOD OF CHILD CARE IN
THE STATE OF RHODE ISLAND

Committee on Finance recommends passage as amended in concurrence.

89 2006-S 3177**BY Ciccone****ENTITLED,** JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY
CERTAIN CLAIMS

Committee on Finance recommends passage in concurrence.

90 2006-S 3180

BY Alves

ENTITLED, AN ACT RELATING TO MEDICAL ASSISTANCE --
PRESCRIPTION DRUGS

Committee on Finance recommends passage in concurrence.

91 2006-S 2338

BY Sosnowski

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

Committee on Finance recommends passage in concurrence.

92 2006-S 2540 SUB A

BY Fogarty P

ENTITLED, AN ACT RELATING TO ASSISTED LIVING

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

93 2006-S 3158

BY Lenihan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Separation of Powers recommends passage in concurrence.

Francis P. McCabe
Clerk of the House

Thursday, June 22, 2006