

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 first day of January in the year of Our Lord two thousand and eight.

Volume 135, No. 42

Tuesday, April 29, 2008

Forty-second Day

The House of Representatives meets at the State House in Providence, Tuesday, April 29, 2008 and is called to order at 4:29 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 72 members present and 3 members absent as follows:

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

ABSENT - 3: Representatives Moffitt, Naughton, Williamson.

INVOCATION

The Honorable Speaker presents Representative Williams 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 Friday, April 25, 2008 is approved as printed.

ANNOUNCEMENT

Representative Victor G. Moffitt is out of State on business and therefore unable to attend session Tuesday April 29 through Thursday, May 1, 2008.

REPORT OF COMMITTEE**COMMITTEE ON MUNICIPAL GOVERNMENT**

Representative Gallison, for the Committee on Municipal Government, reports back the following measures, with recommendation of passage:

House Bill No. 7147 SUB A

BY Gemma, Picard, Flaherty, McNamara, Naughton

ENTITLED, AN ACT RELATING TO TAXATION -- REAL ESTATE {LC533/1/A}

04/29/2008 Placed on House Calendar

NEW BUSINESS

House Bill No. 8219

BY Shanley

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SIZE, WEIGHT AND LOAD LIMITS {LC2842/1}

05/01/2008 Introduced, referred to Finance

House Resolution No. 8220

BY Kilmartin, Murphy, Giannini, Watson

ENTITLED, HOUSE RESOLUTION HONORING ALAN V. SOKOLOW ON THE OCCASION OF HIS RETIREMENT AS EXECUTIVE DIRECTOR OF THE EASTERN REGION OFFICE OF THE COUNCIL OF STATE GOVERNMENTS {LC2839/1}

Representative Kilmartin requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Kilmartin seconded by Representatives Fox, Watson and other members of the House by unanimous consent, on a voice vote.

House Resolution No. 8221

BY Gemma, Murphy, Watson, Trillo, Flaherty

ENTITLED, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE DIRECTOR OF THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION TO FULLY FUND AND IMPLEMENT THE ROUTE 2/DIVISION STREET "HIGH HAZARD INTERSECTION" PROJECT {LC2838/1}

Representative Gemma requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 8222

BY Lewiss, Jacquard, Melo, Serpa, Silva

ENTITLED, HOUSE RESOLUTION CONGRATULATING THE COLLEGE PLANNING CENTER OF RHODE ISLAND ON A DECADE OF HELPING STUDENTS ATTAIN HIGHER EDUCATION {LC2852/1}

Representative Shanley requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Shanley seconded by Representatives Picard, Lally, Lewiss and many other members of the House by unanimous consent, on a voice vote.

House Resolution No. 8223

BY Shanley, Lally, Caprio D, Walsh, Malik

ENTITLED, HOUSE RESOLUTION CONGRATULATING M. BEVERLY SWAN ON THE RENAMING OF THE UNIVERSITY OF RHODE ISLAND'S INDEPENDENCE HALL TO "SWAN HALL" IN HER HONOR {LC2830/1}

Representative Shanley requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Shanley seconded by Representatives Pacheco, Carter, Lally, Caprio and many other members of the House by unanimous consent, on a voice vote.

House Bill No. 8224

BY Ucci

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SALO LANDSCAPING AND CONSTRUCTION CO., INC. {LC2848/1}

Representative Ucci requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Ucci seconded by Representative Scott on a roll call vote, 42 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 42: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Caprio, Carter, Church, Costantino, Dennigan, Diaz, Ehrhardt, Fellela, Ferri, Fox,

Gallison, Gemma, Gorham, Handy, Jackson, Kilmartin, Lally, Lewiss, Long, Loughlin, Mattiello, Mumford, Pacheco, Palumbo, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Story, Trillo, Ucci, Vaudreuil, Wasylyk, Williams.

NAYS - 0.

House Resolution No. 8225

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2844/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representative Watson by unanimous consent, on a rising vote.

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, APRIL 29, 2008:

By unanimous consent, Majority Leader Fox takes up the following bills.

3 2008-H 7301 SUB A

BY McCauley

ENTITLED, AN ACT RELATING TO SPORTS RACING AND ATHLETICS --
MIXED MARTIAL ARTS

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday May 13, 2008.

10 2008-H 7909

BY Dennigan

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY, DEVELOP A STRATEGY, AND
PROMOTE INTEROPERABILITY OF ALL ASPECTS OF
ELECTRONIC HEALTH RECORD UTILIZATION IN THE STATE
OF RHODE ISLAND

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

17 2008-H 7017

BY Gemma

ENTITLED, HOUSE RESOLUTION RESPECTFULLY URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO FULLY SUPPORT HOUSE BILL 808

Committee on Constituent Services recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

18 2008-H 7312

BY Caprio D

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constituent Services recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

19 2008-H 8068

BY McCauley

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CANNON & BROWN, INC.

Committee on Constituent Services recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

20 2008-H 8087

BY Amaral

ENTITLED, HOUSE RESOLUTION CONGRATULATING ROBERT LITTLEFIELD ON BEING NAMED RHODE ISLAND'S "PRINCIPAL OF THE YEAR"

Committee on Constituent Services recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

22 2008-H 8107**BY Lally**

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF TAU OMEGA CHAPTER OF TAU EPSILON PHI FRATERNITY, INC.

Committee on Constituent Services recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

23 2008-H 7371**BY Walsh**

ENTITLED, HOUSE RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO ADEQUATELY PROVIDE FOR OUR COUNTRY'S VETERANS

Committee on Veterans' Affairs recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

29 2008-H 7391**BY Naughton**

ENTITLED, HOUSE RESOLUTION EXTENDING THE COMMISSION LIFE AND AMENDING THE MEMBERSHIP OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY AND ESTABLISH AN OLMSTEAD DECISION TASK FORCE IN THE STATE OF RHODE ISLAND

Committee on Health, Education & Welfare recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

32 2008-H 7466**BY Lewiss**

ENTITLED, JOINT RESOLUTION CREATING A JOINT TASK FORCE TO STUDY ALL ASPECTS OF HEALTH CARE REFORM RELATING TO THE HEALTHY RHODE ISLAND REFORM ACT OF 2008 - PART VIII

Committee on Health, Education & Welfare recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

38 2008-H 7961 SUB A**BY Handy****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
NURSES

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday May 8, 2008.

39 2008-H 7571**BY Dennigan****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND ESTABLISH HEALTH CARE REFORM MODELS TO EXPAND HEALTH CARE COVERAGE AND TO DECREASE HEALTH CARE COSTS FOR RHODE ISLAND RESIDENTS

Committee on Health, Education & Welfare recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

47 2008-H 8119**BY Gablinske****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF BRISTOL TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN ANTICIPATION THEREOF IN AN AMOUNT NOT TO EXCEED \$2,000,000 FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF AN ANIMAL SHELTER IN BRISTOL, RHODE ISLAND, INCLUDING THE FURNISHING AND EQUIPPING THEREOF, AND THE PROVISION OF ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER SERVICES NECESSARY OR APPROPRIATE THEREFORE

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

48 2008-H 8095**BY Lewiss****ENTITLED,** AN ACT AUTHORIZING AN INCREASE IN THE HOLDINGS OF THE WATCH HILL CHAPEL SOCIETY

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

49 2008-H 8120

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

53 2008-H 8132

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND RECONSTRUCTION OF STREETS AND SIDEWALKS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

54 2008-H 8133

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$700,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

55 2008-H 8134**BY Coderre E**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

56 2008-H 8136**BY Coderre E**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE IMPROVEMENT AND REPLACEMENT OF TRAFFIC CONTROL DEVICES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

69 2008-S 2614**BY Sosnowski**

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constituent Services recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

70 2008-S 2783**BY Felag**

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF T.M. ENT. INC.

Committee on Constituent Services recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday April 30, 2008.

1 2008-H 7040 SUB A

BY San Bento

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Finance 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 2 as item # 2A.

2 2008-H 7107 SUB A

BY Brien

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

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

Representative Corvese moves passage of the act, seconded by Representatives Brien, Loughlin, Trillo, Coaty, Singleton, Mattiello, Gemma, Ehrhardt, and Gablinske.

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

**FLOOR AMENDMENT
TO
2008 -- H 7107 SUBSTITUTE A**

AN ACT RELATING TO LABOR AND LABOR RELATIONS

Mr. Speaker:

I hereby move to amend 2008 -- H 7107 SUBSTITUTE A, entitled "AN ACT RELATING TO LABOR AND LABOR RELATIONS", as follows:

(1) On page 1, line 11, by deleting the word "places" and inserting in place thereof the word "place".

(2) On page 1, lines 13 through 16 by deleting all language thereon.

(3) On page 3, beginning on line 31 by adding the following language after the word "section": "; provided, however, that nothing contained herein shall be construed to limit remedies or relieve obligations and/or penalties under state anti-discrimination laws".

Respectfully submitted,

MAJORITY LEADER FOX

Representative Fox discusses the amendment.

The motion to amend prevails 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, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coaty, Coderre, Corvese, Costantino, Dennigan, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Ucci, Walsh, Watson, Williams, Winfield.

NAYS - 2: Representatives Diaz, Gorham.

Representatives Brien, Gemma, Almeida, Watson, Fox, Corvese, Palumbo, Petrarca, Loughlin, Diaz, Singleton, Ajello, Sullivan, Caprio, Melo, Handy, Gorham, Williams, Walsh, and Trillo discuss the Act as Amended.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 52 members voting in the affirmative and 17 members voting in the negative as follows.

YEAS - 52: The Honorable Speaker Murphy and Representatives Amaral, Baldelli-Hunt, Brien, Carter, Church, Coaty, Coderre, Corvese, DeSimone, Ehrhardt, Fellela, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Menard, Mumford, O'Neill, Palumbo, Petrarca, Picard, Rose, San Bento, Savage, Schadone, Scott, Serpa, Shanley, Singleton, Story, Trillo, Ucci, Vaudreuil, Watson, Winfield.

NAYS - 17: Representatives Ajello, Almeida, Caprio, Costantino, Dennigan, Diaz, Ferri, Handy, McCauley, Pacheco, Rice, Segal, Silva, Slater, Sullivan, Walsh, Williams.

REQUEST

Representative Jacquard requests the journal to reflect that if he had voted on (08-H7107 SUB A, as amended), he would have voted in the affirmative.

2A 2008-H 7040 SUB A

BY San Bento

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

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 Fox, San Bento, Kilmartin, Carter, Almeida, Gemma, Lima, and Slater.

By unanimous consent, Representative Costantino seconded by Representatives Carter, San Bento, Slater, and many other members of the House offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

(1) On page 1, line 1, by deleting the word "and" after the number "42-61.2-1" and inserting a comma ",", in place thereof.

(2) On page 1, line 1, by inserting the language and number "and 42-61.2-7" after the number "42-61.2-6".

(3) On page 2, between lines 27 and 28 by inserting the following language:

"42-61.2-7. Division of revenue. -- (a) Notwithstanding the provisions of section 42-61-15, the allocation of net terminal income derived from video lottery games is as follows:

(1) For deposit in the general fund and to the state lottery division fund for administrative purposes: Net terminal income not otherwise disbursed in accordance with subdivisions (a)(2) -- (a)(~~6~~)(7) herein;

(i) Except for the fiscal year ending June 30, 2008, nineteen one hundredths of one percent (0.19%) up to a maximum of twenty million dollars (\$20,000,000) shall be equally allocated to the distressed communities as defined in section 45-13-12 provided that no eligible community shall receive more than twenty-five percent (25%) of that community's currently enacted municipal budget as its share under this specific subsection. Distributions made under this specific subsection are supplemental to all other distributions made under any portion of general laws section 45-13-12. For the fiscal year ending June 30, 2008 distributions by community shall be identical to the distributions made in the fiscal year ending June 30, 2007 and shall be made from general appropriations.

(ii) Five one hundredths of one percent (0.05%) up to a maximum of five million dollars (\$5,000,000) shall be appropriated to property tax relief to fully fund the provisions of section 44-33-2.1. The maximum credit defined in subdivision 44-33-9(2) shall increase to the maximum amount to the nearest five dollar (\$5.00) increment within the allocation until a maximum credit of five hundred dollars (\$500) is obtained. In no event shall the exemption in any fiscal year be less than the prior fiscal year.

(iii) One and twenty-two one hundredths of one percent (1.22%) to fund section 44-34.1-1, entitled "Motor Vehicle and Trailer Excise Tax Elimination Act of 1998", to the maximum amount to the nearest two hundred fifty dollar (\$250) increment within the allocation. In no event shall the exemption in any fiscal year be less than the prior fiscal year.

(iv) Except for the fiscal year ending June 30, 2008, ten one hundredths of one percent (0.10%) to a maximum of ten million dollars (\$10,000,000) for supplemental distribution to

communities not included in paragraph (a)(1)(i) above distributed proportionately on the basis of general revenue sharing distributed for that fiscal year. For the fiscal year ending June 30, 2008 distributions by community shall be identical to the distributions made in the fiscal year ending June 30, 2007 and shall be made from general appropriations.

(2) To the licensed video lottery retailer:

(a) (i) Prior to the effective date of the NGJA Master Contract, Newport Jai Ali twenty-six percent (26%) minus three hundred eighty four thousand nine hundred ninety-six dollars (\$384,996);

(ii) On and after the effective date of the NGJA Master Contract, to the licensed video lottery retailer who is a party to the NGJA Master Contract, all sums due and payable under said Master Contract minus three hundred eighty four thousand nine hundred ninety-six dollars (\$384,996).

(b) (i) Prior to the effective date of the UTGR Master Contract, to the present licensed video lottery retailer at Lincoln Park which is not a party to the UTGR Master Contract, twenty-eight and eighty-five one hundredths percent (28.85%) minus seven hundred sixty-seven thousand six hundred eighty-seven dollars (\$767,687);

(ii) On and after the effective date of the UTGR Master Contract, to the licensed video lottery retailer who is a party to the UTGR Master Contract, all sums due and payable under said Master Contract minus seven hundred sixty-seven thousand six hundred eighty-seven dollars (\$767,687).

(3) (i) To the technology providers who are not a party to the GTECH Master Contract as set forth and referenced in Public Law 2003, Chapter 32, seven percent (7%) of the net terminal income of the provider's terminals;

(ii) To contractors who are a party to the Master Contract as set forth and referenced in Public Law 2003, Chapter 32, all sums due and payable under said Master Contract;

(iii) Notwithstanding paragraphs (i) and (ii) above, there shall be subtracted proportionately from the payments to technology providers the sum of six hundred twenty-eight thousand seven hundred thirty-seven dollars (\$628,737);

(4) To the city of Newport one and one hundredth percent (1.01%) of net terminal income of authorized machines at Newport Grand except that upon passage the allocation shall be one and two tenths percent (1.2%) of net terminal income of authorized machines at Newport Grand for each week the facility operates video lottery games on a twenty-four (24) hour basis for all eligible hours authorized in section 42-61.2-6(b) and to the town of Lincoln one and twenty-six hundredths (1.26%) of net terminal income of authorized machines at Lincoln Park; ~~and except that upon passage the allocation shall be one and forty-five hundredths percent (1.45%) of net terminal income of authorized machines at Lincoln Park for each week the facility operates video lottery games on a twenty-four (24) hour basis for all eligible hours authorized in section 42-61.2-6(b);~~

(5) To the Narragansett Indian Tribe, seventeen hundredths of one percent (0.17%) of net terminal income of authorized machines at Lincoln Park up to a maximum of ten million dollars (\$10,000,000) per year, which shall be paid to the Narragansett Indian Tribe for the account of a Tribal Development Fund to be used for the purpose of encouraging and promoting: home ownership and improvement, elderly housing, adult vocational training; health and social services; childcare; natural resource protection; and economic development consistent with state law. Provided, however, such distribution shall terminate upon the opening of any gaming facility in which the Narragansett Indians are entitled to any payments or other incentives; and

provided further, any monies distributed hereunder shall not be used for, or spent on previously contracted debts; and

(6) To the permanent school fund established in chapter 16-4 the additional revenue accruing to the state as the direct result of the additional hours authorized by this act net of the additional revenue to the city of Newport and the Town of Lincoln resulting directly from the additional hours authorized under this act, not to exceed fourteen million one hundred thousand dollars (\$14,100,000) by June 30, 2009, to be allocated as aid to local education authorities as determined by the general assembly for fiscal year 2009, notwithstanding the provisions of chapter 16-4 of the Rhode Island General Laws.

~~(6)~~ (7) Unclaimed prizes and credits shall remit to the general fund of the state;

~~(7)~~ (8) Payments into the state's general fund specified in subdivisions (a)(1) and (a)~~(6)~~(7) shall be made on an estimated monthly basis. Payment shall be made on the tenth day following the close of the month except for the last month when payment shall be on the last business day.

(4) On page 2, line 28 after the word "passage" by inserting the following language: "and shall expire on June 30, 2009."

Respectfully submitted,

REPRESENTATIVE COSTANTINO

=====
LC00259/36
=====

Representatives Costantino and Watson discuss the amendment.

Representative Kilmartin rises on a point of order for Minority Leader Watson to speak germane to the amendment. The Honorable Speaker Murphy rules for Minority Leader Watson to speak germane to the amendment.

Representatives Watson, Flaherty, McManus, Coaty, Jackson, Ucci, Sullivan, Scott, Gemma, Ehrhardt, Story, Trillo and Gorham continue discussion on the amendment.

Representative Lima rises on a point of order for Representative Gorham to speak germane to the amendment.

The Honorable Speaker Murphy rules for Representative Gorham to speak germane to the amendment.

Representatives Gorham, Costantino, McManus, Fellela, Lima, Palumbo, Rice and Petrarca continue discussion on the amendment.

The motion to amend prevails on a roll call vote 49 members voting in the affirmative and 21 members voting in the negative as follows:

YEAS - 49: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ferri,

Fox, Gablinske, Gallison, Giannini, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Schadone, Scott, Segal, Shanley, Silva, Slater, Smith, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams.

NAYS - 21: Representatives Amaral, Caprio, Coaty, Ehrhardt, Fellela, Flaherty, Gemma, Gorham, Jackson, Long, Loughlin, McManus, Mumford, Rice, Serpa, Singleton, Story, Trillo, Ucci, Watson, Winfield.

Representative Gorham rises on points of order stating local appropriations need a 2/3 vote. The Honorable Speaker rules against point of order.

Representative Gorham and Fox discuss the Ruling of the Chair.

Representative Gorham appeals the Ruling of the Chair.

The Ruling of the Chair is upheld on a roll call vote 52 members voting in the affirmative and 16 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Ferri, Fox, Gablinske, Gallison, Gemma, Jackson, Jacquard, Kennedy, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 16: Representatives Amaral, Caprio, Coaty, Ehrhardt, Flaherty, Gorham, Long, Loughlin, McManus, Mumford, Singleton, Story, Trillo, Wasylyk, Watson, Winfield.

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

F L O O R A M E N D M E N T
TO
2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

(1) On page 2, by inserting the following language between lines 27 and 28:

"(c) The expansion in hours of operation provided for in subsection (b) herein in either of the facilities shall require the affirmative vote of the subject or host city or town of the facility, and an affirmative vote of the electors of the state of Rhode Island allowing for such expansion, shall be necessary for the approval and allowance of said expansion, and no such expansion shall

take place without both affirmative votes as provided herein."

Respectfully submitted,

REPRESENTATIVE JACKSON

=====
LC00259/4
=====

Representatives Jackson, Costantino, Coaty, Gorham, and Gemma discuss the amendment.

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

YEAS - 18: Representatives Amaral, Coaty, Ehrhardt, Fellela, Gorham, Jackson, Long, Loughlin, McManus, Menard, Mumford, Petrarca, Rice, Story, Trillo, Walsh, Wasylyk, Watson.

NAYS - 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Church, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ferri, Fox, Gablinske, Gallison, Gemma, Giannini, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McCauley, McNamara, Melo, O'Neill, Palumbo, Picard, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Sullivan, Ucci, Vaudreuil, Williams.

By unanimous consent, Representative Jackson seconded by Representative Coaty offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

(1) On page 2, line 27, after the word "herein" by inserting the words, "provided the town or city council for the host community shall approve additional hours by affirmative vote".

Respectfully submitted,

REPRESENTATIVE JACKSON

=====
LC00259/12
=====

Representatives Jackson, Costantino, Coaty, and Ehrhardt discuss the amendment.

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

YEAS - 18: Representatives Amaral, Coaty, Ehrhardt, Fellela, Gorham, Jackson, Long, Loughlin, McManus, Menard, Mumford, Petrarca, Rice, Story, Trillo, Walsh, Wasylyk, Winfield.

NAYS - 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fox, Gablinske, Gallison, Gemma, Giannini, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McCauley, McNamara, Melo, O'Neill, Pacheco, Palumbo, Picard, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Williams.

REQUESTS

Representative Watson requests the journal to reflect that if he had voted on (LC00259/12), he would have voted in the affirmative.

Representative Brien requests the journal to reflect that if he had voted on (LC00259/12), he would have voted in the negative.

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

FLOOR AMENDMENT TO 2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

(1) On page 1, line 1, by deleting the word "and" after the number "42-61.2-1" and inserting a comma ",", in place thereof.

(2) On page 1, line 1, by inserting the language and number "and 42-61.2-7" after the number "42-61.2-6".

(3) On page 2, between lines 27 and 28 insert the following language:

"42-61.2-7. Division of revenue. -- (a) Notwithstanding the provisions of section 42-61-15, the allocation of net terminal income derived from video lottery games is as follows:

(1) For deposit in the general fund and to the state lottery division fund for administrative purposes: Net terminal income not otherwise disbursed in accordance with subdivisions (a)(2) -- (a)(6) herein;

(i) Except for the fiscal year ending June 30, 2008, nineteen one hundredths of one percent (0.19%) up to a maximum of twenty million dollars (\$20,000,000) shall be equally allocated to the distressed communities as defined in section 45-13-12 provided that no eligible community shall receive more than twenty-five percent (25%) of that community's currently enacted municipal budget as its share under this specific subsection. Distributions made under this specific subsection are supplemental to all other distributions made under any portion of general laws section 45-13-12. For the fiscal year ending June 30, 2008 distributions by community shall be identical to the distributions made in the fiscal year ending June 30, 2007 and shall be made from general appropriations.

(ii) Five one hundredths of one percent (0.05%) up to a maximum of five million dollars (\$5,000,000) shall be appropriated to property tax relief to fully fund the provisions of section 44-33-2.1. The maximum credit defined in subdivision 44-33-9(2) shall increase to the maximum amount to the nearest five dollar (\$5.00) increment within the allocation until a maximum credit of five hundred dollars (\$500) is obtained. In no event shall the exemption in any fiscal year be less than the prior fiscal year.

(iii) One and twenty-two one hundredths of one percent (1.22%) to fund section 44-34.1-1, entitled "Motor Vehicle and Trailer Excise Tax Elimination Act of 1998", to the maximum amount to the nearest two hundred fifty dollar (\$250) increment within the allocation. In no event shall the exemption in any fiscal year be less than the prior fiscal year.

(iv) Except for the fiscal year ending June 30, 2008, ten one hundredths of one percent (0.10%) to a maximum of ten million dollars (\$10,000,000) for supplemental distribution to communities not included in paragraph (a)(1)(i) above distributed proportionately on the basis of general revenue sharing distributed for that fiscal year. For the fiscal year ending June 30, 2008 distributions by community shall be identical to the distributions made in the fiscal year ending June 30, 2007 and shall be made from general appropriations.

(2) To the licensed video lottery retailer:

(a) (i) Prior to the effective date of the NGJA Master Contract, Newport Jai Ali twenty-six percent (26%) minus three hundred eighty four thousand nine hundred ninety-six dollars (\$384,996);

(ii) On and after the effective date of the NGJA Master Contract, to the licensed video lottery retailer who is a party to the NGJA Master Contract, all sums due and payable under said Master Contract minus three hundred eighty four thousand nine hundred ninety-six dollars (\$384,996).

(b) (i) Prior to the effective date of the UTGR Master Contract, to the present licensed video lottery retailer at Lincoln Park which is not a party to the UTGR Master Contract, twenty-eight and eighty-five one hundredths percent (28.85%) minus seven hundred sixty-seven thousand six hundred eighty-seven dollars (\$767,687);

(ii) On and after the effective date of the UTGR Master Contract, to the licensed video lottery retailer who is a party to the UTGR Master Contract, all sums due and payable under said Master Contract minus seven hundred sixty-seven thousand six hundred eighty-seven dollars (\$767,687).

(3) (i) To the technology providers who are not a party to the GTECH Master Contract as set forth and referenced in Public Law 2003, Chapter 32, seven percent (7%) of the net terminal income of the provider's terminals;

(ii) To contractors who are a party to the Master Contract as set forth and referenced in Public Law 2003, Chapter 32, all sums due and payable under said Master Contract;

(iii) Notwithstanding paragraphs (i) and (ii) above, there shall be subtracted proportionately from the payments to technology providers the sum of six hundred twenty-eight thousand seven hundred thirty-seven dollars (\$628,737);

(4) To the city of Newport ~~one and one hundredth percent (1.01%)~~ one and twenty-six hundredths percent (1.26%) of net terminal income of authorized machines at Newport Grand and to the town of Lincoln one and twenty-six hundredths (1.26%) of net terminal income of authorized machines at Lincoln Park; and

(5) To the Narragansett Indian Tribe, seventeen hundredths of one percent (0.17%) of net terminal income of authorized machines at Lincoln Park up to a maximum of ten million dollars (\$10,000,000) per year, which shall be paid to the Narragansett Indian Tribe for the account of a Tribal Development Fund to be used for the purpose of encouraging and promoting: home ownership and improvement, elderly housing, adult vocational training; health and social services; childcare; natural resource protection; and economic development consistent with state law. Provided, however, such distribution shall terminate upon the opening of any gaming facility in which the Narragansett Indians are entitled to any payments or other incentives; and provided further, any monies distributed hereunder shall not be used for, or spent on previously contracted debts.

(6) Unclaimed prizes and credits shall remit to the general fund of the state;

(7) Payments into the state's general fund specified in subdivisions (a)(1) and (a)(6) shall be made on an estimated monthly basis. Payment shall be made on the tenth day following the close of the month except for the last month when payment shall be on the last business day."

Respectfully submitted,

REPRESENTATIVE COATY

=====
LC00259/5
=====

Representatives Coaty and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 16 members voting in the affirmative and 49 members voting in the negative as follows:

YEAS - 16: Representatives Amaral, Coaty, Dennigan, Ehrhardt, Gorham, Jackson, Long, Loughlin, McManus, Mumford, Rice, Scott, Story, Trillo, Watson, Winfield.

NAYS - 49: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DeSimone, Diaz, Fellela, Ferri, Fox, Gablinske, Gallison, Gemma, Giannini, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Sullivan, Ucci, Vaudreuil, Wasyluk, Williams.

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

**FLOOR AMENDMENT
TO
2008 -- H 7040 SUBSTITUTE A**

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

1. On page 1, line 1 by deleting the word "and" after the number "42-61.2-1" and inserting a comma "," in place thereof.

2. On page 1, line 1 by inserting "and 42-61.2-11" after the number "42-61.2-6".

3. On page 2, between lines 27 and 28 by inserting the following:

42-61-11. Unclaimed prize money. -- Unclaimed prize money for the prize on a winning ticket or share shall be retained by the director for the person entitled thereto for one year after the drawing in which the prize was won. If no claim is made for the money within that year, the prize money shall automatically revert to the lottery fund and be dedicated to programs for the treatment of problem gambling, the winner shall have no claim to the prize.

Respectfully submitted,

REPRESENTATIVE COATY

=====
LC00259/8
=====

Representatives Coaty and Costantino discuss the amendment.

The motion to amend fails on a roll call vote 23 members voting in the affirmative and 45 members voting in the negative as follows:

YEAS - 23: Representatives Amaral, Baldelli-Hunt, Caprio, Coaty, Ehrhardt, Fellela, Giannini, Gorham, Jackson, Long, Loughlin, McManus, Mumford, Rice, Segal, Smith, Story, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

NAYS - 45: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ferri, Fox, Gablinske, Gallison, Gemma, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Schadone, Scott, Serpa, Shanley, Silva, Slater, Sullivan, Vaudreuil, Williams.

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

F L O O R A M E N D M E N T
TO
2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

1. On page 2 between lines 27 and 28 by inserting the following language:

"SECTION 2. Chapter 42-61.2 of the General Laws entitled "Video Lottery Terminal" is hereby amended by adding thereto the following section:

42-61.2-13. Compliance with Americans with disabilities act -- Study. -- Within six (6) months after the passage of this act each of the facilities described in and authorized by this chapter shall conduct, and have approved by the Rhode Island Commission for Human Rights, a study to insure that each of the buildings and structures being used by such facilities in connection with the operation of video lottery gaming is in compliance with the relevant provisions of the Americans with Disabilities Act (ADA)."

2. On page 2, line 28, by deleting the number "2" and inserting in place thereof the number "3".

Respectfully submitted,

REPRESENTATIVE COATY

=====
LC00259/22
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Representatives Coaty, Costantino, Watson, Fox, Petrarca and Lima discuss the amendment. Representative Trillo rises on a point of order for Representative Lima to speak germane to the amendment.

The Honorable Speaker Murphy rules for Representative Lima to speak germane to the amendment.

Representatives Lima, Gemma, Gorham, Jacquard, and Ucci continue discussion on the amendment.

The motion to amend fails on a roll call vote 14 members voting in the affirmative and 56 members voting in the negative as follows:

YEAS - 14: Representatives Amaral, Coaty, Ehrhardt, Gorham, Jackson, Long, Loughlin, Mumford, Segal, Story, Trillo, Ucci, Wasylyk, Watson.

NAYS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy,

Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Vaudreuil, Walsh, Williams, Winfield.

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

**FLOOR AMENDMENT
TO
2008 -- H 7040 SUBSTITUTE A**

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

(1) On page 2, line 28, by deleting the language "This act shall take effect upon passage", and inserting in place thereof the following language:

"This act shall become effective upon the execution of a written agreement with UTGR, Inc. or its successor or successors, and Newport Grand Jai Alai, LLC or its successor or successors that relieves the State of Rhode Island from all duties and obligations pertaining to "Slippage Protection" deriving from certain "Master Video Lottery Terminal Contract With UTGR, Inc." and "Master Video Lottery Terminal Contract With Newport Grand Jai Alai, LLC" as described in P.L. 2005 chapters 322 and 323".

Respectfully submitted,

REPRESENTATIVE GORHAM

=====
LC00259/14
=====

Representative Gorham discusses the amendment.

Representatives Lally and Fox inquire whether the amendment is germane. The Honorable Speaker Murphy rules the amendment is not germane.

Representative Gorham appeals the Ruling of the Chair.

The Ruling of the Chair is upheld by a vote of 54 members voting in the affirmative and 10 members voting in the negative as follows:

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

NAYS - 10: Representatives Coaty, Ehrhardt, Gorham, Jackson, Long, Loughlin, McManus, Mumford, Story, Watson.

REQUEST

Representative Ucci requests the journal to reflect that if he had voted on (LC00259/14), he would have voted in the affirmative.

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

FLOOR AMENDMENT TO 2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

1. On page 1, line 1, after the language "SECTION 1" by inserting the following language:

"Section 42-35-18 of the General Laws in Chapter 42-35 entitled "Administrative Procedures" is hereby amended to read as follows:

42-35-18. Effective date of chapter -- Scope of application and exemptions. -- (a) This chapter shall take effect upon January 1, 1964, and thereupon all acts and parts of acts inconsistent herewith shall stand repealed; provided, however, that except as to proceedings pending on June 30, 1963, this chapter shall apply to all agencies and agency proceedings not expressly exempted.

(b) None of the provisions of this chapter shall apply to the following sections and chapters:

- (1) Section 16-32-10 (University of Rhode Island);
- (2) Chapter 41 of title 16 (New England Higher Education Compact);
- (3) Section 16-33-6 (Rhode Island College);
- (4) Chapter 16 of title 23 (Health Facilities Construction Act);
- (5) Chapter 8 of title 20 (Atlantic States Marine Fisheries Compact);
- (6) Chapter 38 of title 28 (Dr. John E. Donley Rehabilitation Center);
- (7) Chapter 7 of title 17 (State Board of Elections);
- (8) Chapter 16 of title 8 (Judicial Tenure and Discipline);
- ~~(9) Chapter 61 of title 42 (State Lottery);~~
- ~~(10) (9) Chapter 59 of title 16 (Board of Governors for Higher Education);~~
- ~~(11) (10) Chapter 60 of title 16 (Board of Regents for Elementary and Secondary Education);~~
- ~~(12) (11) Chapter 24.4 of title 45 (Special Development Districts);~~
- ~~(13) (12) Chapter 12 of title 35 (The University of Rhode Island Research Corporation).~~

(c) The provisions of sections 42-35-9, 42-35-10, 42-35-11, 42-35-12 and 42-35-13 shall not apply to:

(1) Any and all acts, decisions, findings, or determinations by the board of review of the department of labor and training or the director of the department of labor and training or his, her, its or their duly authorized agents and to any and all procedures or hearings before and by the director or board of review of the department of labor and training or his or her agents under the provisions of chapters 39 -- 44 of title 28.

(2) Section 28-5-17 (Conciliation of charges of unlawful practices).

(3) Chapter 8 of title 13 (Parole).

(4) Any and all acts, decisions, findings or determinations by the administrator of the division of motor vehicles or his or her duly authorized agent and to any and all procedures or hearings before and by said administrator or his or her said agent under the provisions of chapters 10, 11, 31 to 33, inclusive, of title 31.

(5) Procedures of the board of examiners of hoisting engineers under chapter 26 of title 28.

(6) Any and all acts, decisions, findings, or determinations made under authority from the provisions of chapters 29 -- 38 of title 28, concerning workers' compensation administration, procedure and benefits.

SECTION 2. Section 42-61-4 of the General Laws in Chapter 42-61 entitled "State Lottery" is hereby amended to read as follows:

42-61-4. Powers and duties of director. -- The director shall have the power and it shall be his or her duty to:

(1) Supervise and administer the operation of lotteries in accordance with this chapter, chapter 61.2 of this title and with the rules and regulations of the division;

(2) Act as the chief administrative officer having general charge of the office and records and to employ necessary personnel to serve at his or her pleasure and who shall be in the unclassified service and whose salaries shall be set by the director of the department of revenue, pursuant to the provisions of section 42-61-3.

(3) In accordance with this chapter and the rules and regulations of the division, license as agents to sell lottery tickets those persons, as in his or her opinion, who will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent, in an amount provided in the rules and regulations of the division. Every licensed agent shall prominently display his or her license, or a copy of their license, as provided in the rules and regulations of the committee;

(4) Confer regularly as necessary or desirable, and not less than nine (9) times per year, with the permanent joint committee on state lottery on the operation and administration of the lotteries; make available for inspection by the committee, upon request, all books, records, files, and other information, and documents of the division; advise the committee and recommend those matters that he or she deems necessary and advisable to improve the operation and administration of the lotteries;

(5) Suspend or revoke any license issued pursuant to this chapter, chapter 61.2 of this title or the rules and regulations promulgated under this chapter and chapter 61.2 of this title;

(6) Enter into contracts for the operation of the lotteries, or any part of the operation of the lotteries, and into contracts for the promotion of the lotteries;

(7) Ensure that monthly financial reports are prepared providing gross monthly revenues, prize disbursements, other expenses, net income, and the amount transferred to the state general fund for keno and for all other lottery operations; submit this report to the state budget officer, the auditor general, the permanent joint committee on state lottery, the legislative fiscal advisors,

and the governor no later than the twentieth business day following the close of the month; the monthly report shall be prepared in a manner prescribed by the members of the revenues estimating conference; at the end of each fiscal year the director shall submit an annual report based upon an accrual system of accounting which shall include a full and complete statement of lottery revenues, prize disbursements and expenses, to the governor and the general assembly, which report shall be a public document and shall be filed with the secretary of state;

(8) Carry on a continuous study and investigation of the state lotteries throughout the state, and the operation and administration of similar laws, which may be in effect in other states or countries;

(9) Implement the creation and sale of commercial advertising space on lottery tickets as authorized by section 42-61-4 of this chapter as soon as practicable after June 22, 1994;

(10) Promulgate rules and regulations, which shall include, but not be limited to:

(i) The price of tickets or shares in the lotteries;

(ii) The number and size of the prizes on the winning tickets or shares;

(iii) The manner of selecting the winning tickets or shares;

(iv) The manner of payment of prizes to the holders of winning tickets or shares;

(v) The frequency of the drawings or selections of winning tickets or shares;

(vi) The number and types of location at which tickets or shares may be sold;

(vii) The method to be used in selling tickets or shares;

(viii) The licensing of agents to sell tickets or shares, except that a person under the age of eighteen (18) shall not be licensed as an agent;

(ix) The license fee to be charged to agents;

(x) The manner in which the proceeds of the sale of lottery tickets or shares are maintained, reported, and otherwise accounted for;

(xi) The manner and amount of compensation to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the general public;

(xii) The apportionment of the total annual revenue accruing from the sale of lottery tickets or shares and from all other sources for the payment of prizes to the holders of winning tickets or shares, for the payment of costs incurred in the operation and administration of the lotteries, including the expense of the division and the costs resulting from any contract or contracts entered into for promotional, advertising, consulting, or operational services or for the purchase or lease of facilities, lottery equipment, and materials, for the repayment of moneys appropriated to the lottery fund;

(xiii) The superior court upon petition of the director after a hearing may issue subpoenas to compel the attendance of witnesses and the production of documents, papers, books, records, and other evidence in any matter over which it has jurisdiction, control or supervision. If a person subpoenaed to attend in the proceeding or hearing fails to obey the command of the subpoena without reasonable cause, or if a person in attendance in the proceeding or hearing refuses without lawful cause to be examined or to answer a legal or pertinent question or to exhibit any book, account, record, or other document when ordered to do so by the court, that person may be punished for contempt of the court;

(xiv) The manner, standards, and specification for a process of competitive bidding for division purchases and contracts; and

(xv) The sale of commercial advertising space on the reverse side of, or in other available areas upon, lottery tickets provided that all net revenue derived from the sale of the

advertising space shall be deposited immediately into the state's general fund and shall not be subject to the provisions of section 42-61-15.

(10) The director, in promulgating any rule or regulation, shall comply with the provisions of the Administrative Procedures Act set forth in chapter 42-35.

SECTION 3."

2. On page 1, line 1, after the number "42-61.2-1", and before the word "and", by inserting the following: ", 42-61.2-3 and 42-61.2-4".

3. On page 2, after line 9 and before line 10 by inserting the following language:

"42-61.2-3. Additional powers and duties of the director. – (a) In addition to the powers and duties of the state lottery director under section 42-61-4, the director shall promulgate reasonable rules and regulations relating to video lottery games and to make recommendations and set policy for these games. These rules and regulations ~~and~~ shall include, but not be limited to:

(1) The division shall license technology providers capable of interfacing with a central communications system controlled by the division. In making its licensing decision, the division shall select providers based on the following factors: providers experienced in performing comparable projects, financial stability, technical and management abilities, the quality of the product and service capabilities, likelihood of timely performance, maximum revenue generation, its ability to pass a law enforcement background investigation, and any other factors found to be relevant to performance. The award of a license to technology providers under this section shall satisfy the requirements of chapter 2 of title 37. An outside independent testing laboratory may be utilized by the division at the expense of the individual provider;

(2) Accounting procedures for determining the net terminal income from lottery video terminals, and unclaimed prizes and credits;

(3) The type of video lottery games to be conducted;

(4) The price to play each game and the prizes or credits to be awarded;

(5) Financial reporting procedures for licensed video lottery retailers and control procedures in the event that any of these retailers should become insolvent;

(6) Insurance and bonding by:

(i) Licensed video lottery retailers; and

(ii) Technology provider;

(7) The licensing of licensed video lottery retailers;

(8) The contracting with technology providers;

(9) All video lottery machines shall be linked under a central communications system to provide auditing program information as approved by the division. The communications system approved by the division may not limit participation to only one manufacturer of video lottery machines by either cost of implementing the necessary program modifications to communicate or the inability to communicate with the central communication system;

(10) Establishment of information system, operating procedures, reporting and accounting criteria in order to comply with the provisions of section 42-61.2-12; and

(11) Any other matters necessary for video lottery terminals or for the convenience of the public.

(b) The director, in promulgating any rule or regulation, shall comply with the provisions of the Administrative Procedures Act set forth in chapter 42-35.

42-61.2-4. Additional powers and duties of director and lottery division. -- In addition to the powers and duties set forth in sections 42-61-4 and 42-61.2-3, the director shall have the

power to:

(1) Supervise and administer the operation of video lottery games in accordance with this chapter and with the rules and regulations of the division;

(2) Suspend or revoke upon a hearing any license issued pursuant to this chapter or the rules and regulations promulgated under this chapter; and

(3) In compliance with the provisions of chapter 2 of title 37, enter into contracts for the operation of a central communications system and technology providers, or any part thereof.

(4) Certify monthly to the budget officer, the auditor general, the permanent joint committee on state lottery, and to the governor a full and complete statement of lottery revenues, prize disbursements and other expenses for the preceding month; ensure that monthly financial reports are prepared providing gross monthly revenues, prize disbursements, other expenses, and net income for keno and for all other lottery operations; submit this report to the state budget officer, the auditor general, the permanent joint committee on state lottery, the legislative fiscal advisors, and the governor no later than the twentieth business day following the close of the month; at the end of each fiscal year the director shall submit an annual report based upon an accrual system of accounting which shall include a full and complete statement of lottery revenues, prize disbursements and expenses, to the governor and the general assembly, which report shall be a public document and shall be filed with the secretary of state. The monthly report shall be prepared in a manner prescribed by the members of the revenue estimating conference.

(b) The director, in promulgating any rule or regulation, shall comply with the provisions of the Administrative Procedures Act set forth in chapter 42-35."

4. On page 2, line 28, by eliminating the number "2" and inserting in place thereof the number "4".

Respectfully submitted,

REPRESENTATIVE GORHAM

=====
LC00259/10
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Representatives Gorham and Costantino discuss the amendment.

Representative Costantino inquires whether the amendment is germane. The Honorable Speaker Murphy rules the amendment is not germane.

Representative Gorham appeals the Ruling of the Chair.

The Ruling of the Chair is upheld by a vote of 55 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewis, Lima, Malik, Mattiello, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo,

Petrarca, Picard, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Williams, Winfield.

NAYS - 13: Representatives Caprio, Coaty, Ehrhardt, Gorham, Jackson, Long, Loughlin, McManus, Mumford, Story, Trillo, Wasylyk, Watson.

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

F L O O R A M E N D M E N T
TO
2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

1. Page 2, by inserting the following language between lines 27 and 28:

“(c) No member of the general assembly or general officer shall derive any income or receive any remuneration from Twin River or Newport Grand or from any vendor or supplier to Twin River or Newport Grand during such member’s service in the general assembly or such general officer’s service as a general officer, and for a period of five (5) years after such member of the general assembly’s last day of service if a member of the general assembly or, in the case of a general officer, the general officer’s last day of service as a general officer.”

Respectfully submitted,

REPRESENTATIVE GORHAM

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LC00259/30

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Representatives Gorham, Watson and Costantino discuss the amendment.

Representative Costantino inquires whether the amendment is germane. The Honorable Speaker Murphy rules the amendment is not germane.

Representative Gorham appeals the Ruling of the Chair.

The Ruling of the Chair is upheld by a vote of 52 members voting in the affirmative and 16 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McNamara, Melo, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice,

Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Sullivan, Vaudreuil, Walsh, Williams, Winfield.

NAYS - 16: Representatives Amaral, Baldelli-Hunt, Coaty, Ehrhardt, Ferri, Gorham, Jackson, Long, Loughlin, McManus, Menard, Mumford, Story, Ucci, Wasylyk, Watson.

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

F L O O R A M E N D M E N T
TO
2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

(1) On page 1, line 1, by deleting the word "and" after the number "42-61.2-1" and inserting a comma ",", in place thereof.

(2) On page 1, line 1, by inserting the language "42-61.2-5 and" before the number "42-61.2-6".

(3) On page 2, between lines 9 and 10 by adding the following language:

"42-61.2-5. Exclusion of minors. -- No person under the age of ~~eighteen (18)~~ twenty-one (21) years may play a video lottery game authorized by this chapter, nor shall any licensed video lottery retailer knowingly permit a ~~minor~~ a person under 21 years of age to play a video lottery machine or knowingly pay a ~~minor~~ a person under 21 years of age with respect to a video lottery credit slip. Violation of this section shall be punishable by a fine of five hundred dollars (\$500)."

Respectfully submitted,

REPRESENTATIVE FELLELA

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LC00259/24
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Representatives Fellela, Gemma, Gorham, Ucci, Costantino, Amaral, Williams, Watson, Baldelli-Hunt, Slater, Loughlin and Segal discuss the amendment.

The motion to amend fails on a roll call vote 24 members voting in the affirmative and 45 members voting in the negative as follows:

YEAS - 24: Representatives Amaral, Baldelli-Hunt, Caprio, Coaty, Ehrhardt, Fellela, Ferri, Gorham, Jackson, Lewiss, Long, Loughlin, Menard, Mumford, Petrarca, Schadone, Smith, Story, Trillo, Ucci, Walsh, Wasylyk, Williams, Winfield.

NAYS - 45: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Mattiello, McManus, McNamara, Melo, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Sullivan, Vaudreuil, Watson.

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

**F L O O R A M E N D M E N T
T O
2008 -- H 7040 SUBSTITUTE A**

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

1. On page 1, line 1, by adding the numerals and punctuation “, 42-61.2-3” after the number “42-61.2-1”.

2. On page 2, between line 9 and 10 by adding the following language:

42-61.2-3. Additional powers and duties of the director. -- In addition to the powers and duties of the state lottery director under section 42-61-4, the director shall promulgate reasonable rules and regulations relating to video lottery games and to make recommendations and set policy for these games. These rules and regulations shall be adopted in accordance with chapter 42-35 and shall include, but not be limited to:

(1) The division shall license technology providers capable of interfacing with a central communications system controlled by the division. In making its licensing decision, the division shall select providers based on the following factors: providers experienced in performing comparable projects, financial stability, technical and management abilities, the quality of the product and service capabilities, likelihood of timely performance, maximum revenue generation, its ability to pass a law enforcement background investigation, and any other factors found to be relevant to performance. The award of a license to technology providers under this section shall satisfy the requirements of chapter 2 of title 37. An outside independent testing laboratory may be utilized by the division at the expense of the individual provider;

(2) Accounting procedures for determining the net terminal income from lottery video terminals, and unclaimed prizes and credits;

(3) The type of video lottery games to be conducted;

(4) The price to play each game and the prizes or credits to be awarded;

(5) Financial reporting procedures for licensed video lottery retailers and control procedures in the event that any of these retailers should become insolvent;

(6) Insurance and bonding by:

(i) Licensed video lottery retailers; and

(ii) Technology provider;

(7) The licensing of licensed video lottery retailers;

(8) The contracting with technology providers;

(9) All video lottery machines shall be linked under a central communications system to provide auditing program information as approved by the division. The communications system approved by the division may not limit participation to only one manufacturer of video lottery machines by either cost of implementing the necessary program modifications to communicate or the inability to communicate with the central communication system;

(10) Establishment of information system, operating procedures, reporting and accounting criteria in order to comply with the provisions of section 42-61.2-12; and

(11) Any other matters necessary for video lottery terminals or for the convenience of the public.

Respectfully submitted,

REPRESENTATIVE GORHAM

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LC00259/13
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Representative Gorham discusses the amendment.

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

Representative Gorham discusses the motion.

The motion prevails on a roll call vote 51 members voting in the affirmative and 16 members voting in the negative as follows:

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

NAYS - 16: Representatives Amaral, Caprio, Coaty, Ehrhardt, Gorham, Jackson, Long, Loughlin, McManus, Menard, Mumford, Story, Trillo, Ucci, Wasylyk, Watson.

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

F L O O R A M E N D M E N T
TO
2008 -- H 7040 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2008 -- H 7040 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

1. On page 1, line 1, after the language "42-61.2-1" by inserting the following language ", 42-61.2-5".

2. On page 2, between lines 9 and 10, by inserting the following language:

"42-61.2-5. Exclusion of minors. -- No person under the age of ~~eighteen (18)~~ twenty (20) years may play a video lottery game authorized by this chapter, nor shall any licensed video lottery retailer knowingly permit a minor to play a video lottery machine or knowingly pay a minor with respect to a video lottery credit slip. Violation of this section shall be punishable by a fine of five hundred dollars (\$500)."

Respectfully submitted,

REPRESENTATIVE BALDELLI-HUNT

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LC00259/33
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Representative Baldelli-Hunt discusses the amendment.

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

Representative Baldelli-Hunt discusses the motion.

The motion prevails on a roll call vote 44 members voting in the affirmative and 24 members voting in the negative as follows:

YEAS - 44: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Malik, Mattiello, McNamara, Melo, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, San Bento, Schadone, Segal, Serpa, Shanley, Silva, Singleton, Slater, Sullivan, Vaudreuil, Williams.

NAYS - 24: Representatives Amaral, Baldelli-Hunt, Caprio, Coaty, Ehrhardt, Fellela, Ferri, Gorham, Jackson, Lima, Long, Loughlin, McManus, Menard, Mumford, Rice, Smith, Story, Trillo, Ucci, Walsh, Wasylyk, Watson, Winfield.

Representatives Gorham, Petrarca, Jackson, Coaty, Lima, Amaral, Gemma, Trillo, Singleton, Costantino discuss the act, as amended.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 51 members voting in the affirmative and 19 members voting in the negative as follows.

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz,

Ferri, Fox, Gablinske, Gallison, Giannini, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, O'Neill, Pacheco, Palumbo, Picard, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Singleton, Slater, Smith, Sullivan, Ucci, Vaudreuil, Wasyluk, Williams.

NAYS - 19: Representatives Amaral, Coaty, Ehrhardt, Fellela, Gemma, Gorham, Jackson, Long, Loughlin, McManus, Menard, Mumford, Petrarca, Rice, Story, Trillo, Walsh, Watson, Winfield.

By unanimous consent, Majority Leader Fox moves to take up # 9 on today's Calendar next. There is no objection.

9 2008-H 7915

BY Kennedy

ENTITLED, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX

Committee on Corporations recommends passage.

Majority Leader Fox moves to recommit to the Committee on Finance. There is no objection.

Read and recommitted to the Committee on Finance.

On suggestion of Representative Fox, and by unanimous consent, the remainder of the Calendar for today is continued to Thursday, May 1st.

TRANSMITTAL

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

ANNOUNCEMENT

Representative Corvese wishes Bill Souza, the Committee clerk from Labor, a speedy recovery.

GUESTS

At 4:34 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Kilmartin.

By unanimous consent, Representative Kilmartin addresses the members of the House and welcomes to the House Alan V. Sokolow, Executive Director of the Council of State Government, Eastern Regional Conference.

By unanimous consent Alan V. Sokolow addresses the members of the House. Representative Kilmartin presents Alan Sokolow with a plaque and congratulations him on his retirement.

Representative Kilmartin also welcomes Wendall Hannaford-Deputy Executive Director of Council of State Government, Eastern Regional Conference.

At 4:40 o'clock P.M. the Honorable Speaker returns to the rostrum.

ADJOURNMENT

At 9:30 o'clock P.M. on motion of Representative Serpa, and as a further mark of respect to the memories of Michael "Micky" Di Martino and Allen Swann; on motion of Representative Caprio, and as a further mark of respect to the memory of Robert Plante; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX**INVOCATION****REPRESENTATIVE ANASTASIA P. WILLIAMS**

Dear Lord, bestow your blessings on all assembled in this chamber. Help us to always bear in mind that the people who elected us to serve them have placed their trust in us. May we serve them well in the ways in which you have taught us. Amen

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 30, 2008:

1 2008-H 7909**BY Dennigan**

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY, DEVELOP A STRATEGY, AND PROMOTE INTEROPERABILITY OF ALL ASPECTS OF ELECTRONIC HEALTH RECORD UTILIZATION IN THE STATE OF RHODE ISLAND

Committee on Corporations recommends passage.

2 2008-H 7017**BY Gemma**

ENTITLED, HOUSE RESOLUTION RESPECTFULLY URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO FULLY SUPPORT HOUSE BILL 808

Committee on Constituent Services recommends passage.

3 2008-H 7312**BY Caprio D**

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constituent Services recommends passage.

4 2008-H 8068**BY McCauley**

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CANNON & BROWN, INC.

Committee on Constituent Services recommends passage.

5 2008-H 8087**BY Amaral**

ENTITLED, HOUSE RESOLUTION CONGRATULATING ROBERT LITTLEFIELD ON BEING NAMED RHODE ISLAND'S "PRINCIPAL OF THE YEAR"

Committee on Constituent Services recommends passage.

6 2008-H 8107**BY Lally**

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF TAU OMEGA CHAPTER OF TAU EPSILON PHI FRATERNITY, INC.

Committee on Constituent Services recommends passage.

7 2008-H 7371**BY Walsh**

ENTITLED, HOUSE RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO ADEQUATELY PROVIDE FOR OUR COUNTRY'S VETERANS

Committee on Veterans' Affairs recommends passage.

8 2008-H 7391**BY Naughton**

ENTITLED, HOUSE RESOLUTION EXTENDING THE COMMISSION LIFE AND AMENDING THE MEMBERSHIP OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY AND ESTABLISH AN OLMSTEAD DECISION TASK FORCE IN THE STATE OF RHODE ISLAND

Committee on Health, Education & Welfare recommends passage.

9 2008-H 7466**BY Lewiss**

ENTITLED, JOINT RESOLUTION CREATING A JOINT TASK FORCE TO STUDY ALL ASPECTS OF HEALTH CARE REFORM RELATING TO THE HEALTHY RHODE ISLAND REFORM ACT OF 2008 - PART VIII

Committee on Health, Education & Welfare recommends passage.

10 2008-H 7571**BY Dennigan**

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

Committee on Health, Education & Welfare recommends passage.

11 2008-H 8119**BY Gablinske**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF BRISTOL TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN ANTICIPATION THEREOF IN AN AMOUNT NOT TO EXCEED \$2,000,000 FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF AN ANIMAL SHELTER IN BRISTOL, RHODE ISLAND, INCLUDING THE FURNISHING AND EQUIPPING THEREOF, AND THE PROVISION OF ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER SERVICES NECESSARY OR APPROPRIATE THEREFORE

Committee on Municipal Government recommends passage.

12 2008-H 8095**BY Lewiss**

ENTITLED, AN ACT AUTHORIZING AN INCREASE IN THE HOLDINGS OF THE WATCH HILL CHAPEL SOCIETY

Committee on Municipal Government recommends passage.

13 2008-H 8120**BY Coderre E**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

14 2008-H 8132**BY Coderre E**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND RECONSTRUCTION OF STREETS AND SIDEWALKS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

15 2008-H 8133**BY Coderre E**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$700,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

16 2008-H 8134**BY Coderre E**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

17 2008-H 8136**BY Coderre E**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE IMPROVEMENT AND REPLACEMENT OF TRAFFIC CONTROL DEVICES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2009 AND 2010

Committee on Municipal Government recommends passage.

18 2008-S 2614**BY Sosnowski**

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constituent Services recommends passage in concurrence.

19 2008-S 2783**BY Felag****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF T.M. ENT. INC.

Committee on Constituent Services recommends passage in concurrence.

IN ORDER FOR THURSDAY, MAY 1, 2008:**1 2008-H 7030****BY Gemma****ENTITLED,** AN ACT RELATING TO RESIDENTIAL RENTAL REAL ESTATE

Committee on Judiciary recommends passage.

2 2008-H 7259**BY Almeida****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- HOMICIDE

Committee on Judiciary recommends passage.

3 2008-H 7497 SUB A**BY Jacquard****ENTITLED,** AN ACT RELATING TO THE RHODE ISLAND AUTOMOBILE
REPOSSESSION ACT

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

4 2008-H 7999 SUB A**BY Church****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ELECTRICIANS

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

5 2008-H 7948 SUB A**BY Lewiss****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS

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

6 2008-H 7870 SUB A**BY Kilmartin****ENTITLED,** AN ACT RELATING BUSINESSES AND PROFESSIONS -
PHYSICAL THERAPISTS

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

7 2008-H 7723 SUB A**BY Singleton****ENTITLED,** AN ACT RELATING TO PROPERTY-- REVERSE MORTGAGES

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

8 2008-H 7722**BY Trillo****ENTITLED,** AN ACT RELATING TO INSURANCE -- FIRE AND MARINE
INSURANCE RATING

Committee on Corporations recommends passage.

9 2008-H 7337 SUB A**BY Schadone****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ATHLETIC AGENTS

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

10 2008-H 7803 SUB A**BY San Bento****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- DEPARTMENT OF BUSINESS REGULATION-AUTOMOBILE
WRECKING AND SALVAGE YARDS

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

11 2008-H 7439 SUB A**BY Rice****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
REAL ESTATE SALES DISCLOSURES

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

12 2008-H 8042 SUB A**BY Handy**

ENTITLED, HOUSE RESOLUTION CALLING UPON THE GOVERNMENTS OF KUWAIT, THE UNITED STATES OF AMERICA AND THE STATE OF RHODE ISLAND TO FORM A STATE RELATIONSHIP BETWEEN RHODE ISLAND AND KUWAIT

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

13 2008-H 7213 SUB A**BY McNamara**

ENTITLED, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

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

14 2008-H 7250**BY McNamara**

ENTITLED, AN ACT RELATING TO EDUCATION

Committee on Health, Education & Welfare recommends passage.

15 2008-H 7280 SUB A**BY McNamara**

ENTITLED, AN ACT RELATING TO EDUCATION -- CURRICULUM

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

16 2008-H 7281**BY Naughton**

ENTITLED, AN ACT RELATING TO HEALTH CARE QUALITY PROGRAM -- MONITORING THE OCCURRENCE OF PRESSURE ULCERS IN HEALTH CARE FACILITIES

Committee on Health, Education & Welfare recommends passage.

17 2008-H 7354 SUB A**BY Fellela**

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - PERMIT PROGRAM FOR CATS

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

18 2008-H 7463 SUB A**BY Baldelli-Hunt****ENTITLED,** AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

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

19 2008-H 7464**BY McNamara****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

Committee on Health, Education & Welfare recommends passage.

20 2008-H 7467 SUB A**BY Naughton****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -
BREASTFEEDING - PROMOTES THE INTERESTS OF MATERNAL
AND CHILD HEALTH

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

21 2008-H 7468 SUB A**BY Ferri****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PHYSICIANS ASSISTANTS

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

22 2008-H 7931**BY Jacquard****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -
APPRENTICES

Committee on Health, Education & Welfare recommends passage.

23 2008-H 7733**BY Story****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- DEPARTMENT
OF HEALTH

Committee on Health, Education & Welfare recommends passage.

24 2008-H 7734**BY Story****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- OFFICE OF
STATE MEDICAL EXAMINERS

Committee on Health, Education & Welfare recommends passage.

25 2008-H 8038**BY Melo****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PSYCHOLOGISTS

Committee on Health, Education & Welfare recommends passage.

26 2008-H 7109 SUB A**BY Lewiss****ENTITLED,** AN ACT ENABLING BUILDING CODE VIOLATIONS TO BE
PROSECUTED IN THE MUNICIPAL COURT OF THE TOWN OF
WESTERLYCommittee on Municipal Government recommends indefinite postponement of the
original bill and passage of Substitute A.**27 2008-H 7148 SUB A****BY Kilmartin****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - EMERGENCY
POLICE POWERCommittee on Municipal Government recommends indefinite postponement of the
original bill and passage of Substitute A.**28 2008-H 7482****BY Caprio D****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
SECOND-HAND DEALERS

Committee on Municipal Government recommends passage.

29 2008-H 7050**BY Rose****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - SIZE,
WEIGHT AND LOAD LIMITS

Committee on Municipal Government recommends passage.

30 2008-H 8081**BY Vaudreuil****ENTITLED,** AN ACT RELATING TO TAXATION -- THE TOWN OF CUMBERLAND -- HOMESTEAD EXEMPTION

Committee on Municipal Government recommends passage.

31 2008-H 8096**BY Walsh****ENTITLED,** AN ACT TOWNS AND CITIES -- ORDINANCES

Committee on Municipal Government recommends passage.

32 2008-H 8060**BY Vaudreuil****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- SEWER CHARGES

Committee on Municipal Government recommends passage.

33 2008-H 8103**BY Naughton****ENTITLED,** AN ACT RELATING TO NAMING THE NEW KENT COUNTY COURTHOUSE

Committee on Constituent Services recommends passage.

34 2008-H 7775**BY Ehrhardt****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY -- BENEFITS

Committee on Labor recommends passage.

35 2008-H 7283 SUB A**BY Kilmartin****ENTITLED,** AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS

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

36 2008-H 7410**BY Ucci****ENTITLED,** AN ACT RELATING TO EDUCATION - ELIGIBILITY FOR ATTENDANCE

Committee on Health, Education & Welfare recommends passage.

37 2008-H 7570 SUB A**BY McNamara****ENTITLED,** AN ACT RELATING TO FOOD AND DRUG -- UNIFORM
CONTROLLED SUBSTANCES ACT

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

38 2008-H 7817 SUB A**BY Handy****ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- PUBLIC
ASSISTANCE ACT

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

39 2008-H 7885 SUB A**BY Diaz****ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
DEFENSE CIVIL PREPAREDNESS

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

40 2008-H 7914 SUB A**BY Pacheco****ENTITLED,** AN ACT RELATING TO INSURANCE -- SMALL EMPLOYER
HEALTH INSURANCE AVAILABILITY ACT

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

41 2008-H 7863**BY Slater****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
LICENSES

Committee on Corporations recommends passage.

42 2008-H 7493 SUB A**BY Ferri****ENTITLED,** AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE
MARKET EXPANSION

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

43 2008-H 7441**BY DeSimone****ENTITLED,** AN ACT RELATING TO INSURANCE -- ENTERAL NUTRITION PRODUCTS

Committee on Corporations recommends passage.

44 2008-H 7437 SUB A**BY Caprio D****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES

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

45 2008-H 7398 SUB A**BY Ucci****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES

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

46 2008-H 7113**BY Carter****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- TRAVEL AGENCIES

Committee on Corporations recommends passage.

47 2008-H 7512**BY Serpa****ENTITLED,** AN ACT RELATING TO PROPERTY -- CONDOMINIUM LAW

Committee on Corporations recommends passage.

48 2008-H 8041 SUB A**BY Fox****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

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

49 2008-H 8014 SUB A**BY Fox****ENTITLED,** AN ACT RELATING TO INSURANCE

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

50 2008-H 7523

BY Walsh

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
AMEND THE ENVIRONMENTAL CONSERVATION LAW, IN
RELATION TO VEHICLE GLOBAL WARMING INDEX TABLE.

Committee on Environment and Natural Resources recommends passage.

51 2008-H 7684 SUB A

BY Naughton

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - AQUACULTURE

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

52 2008-H 7487

BY DeSimone

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Separation of Powers recommends passage.

IN ORDER FOR TUESDAY, MAY 6, 2008:

1 2008-H 7147 SUB A

BY Gemma

ENTITLED, AN ACT RELATING TO TAXATION -- REAL ESTATE

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

IN ORDER FOR THURSDAY, MAY 8, 2008:

1 2008-H 7961 SUB A

BY Handy

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
NURSES

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

IN ORDER FOR TUESDAY, MAY 13, 2008:

1 2008-H 7301 SUB A

BY McCauley

**ENTITLED, AN ACT RELATING TO SPORTS RACING AND ATHLETICS --
MIXED MARTIAL ARTS**

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

Francis P. McCabe
Clerk of the House

Tuesday, April 29, 2008