

**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 fourth day of January in the year of Our Lord two thousand and five.

---

Volume 132, No. 65

Wednesday, June 22, 2005

Sixty-fifth Day

---

The House of Representatives meets at the State House in Providence, Wednesday, June 22, 2005 and is called to order at 4:27 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

**PRESENT - 70:** The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Watson, Williams, Williamson.

**ABSENT – 5:** Representatives Faria, McCauley, San Bento, Ucci, Winfield.

**INVOCATION**

The Honorable Speaker presents Representative Singleton 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 Tuesday, June 21, 2005 is approved as printed.

**REPORTS OF COMMITTEES  
COMMITTEE ON FINANCE**

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

**House Bill No. 5182 SUB A**

**BY** Naughton, Slater, Lima, Kennedy, Coderre E

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS (establish a school vision-testing program for children ages 3 to 6) {LC770/3/A}

06/22/2005 Placed on House Calendar

**House Bill No. 6180**

**BY** Malik

**ENTITLED**, AN ACT RELATING TO HISTORIC RESIDENCE - TAX CREDIT (provide historic commercial structures) {LC2714/1}

06/22/2005 Placed on House Calendar

**House Bill No. 6315**

**BY** McCauley, Slater, Almeida, Diaz

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (create the Rhode Island Automated Traffic Violation Monitoring System Act of 2005) {LC2672/1}

06/22/2005 Placed on House Calendar

**House Bill No. 5598**

**BY** Mumford, Singleton, Long, Savage, Davey

**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (real property subject to taxation) {LC1538/1}

06/22/2005 Placed on House Calendar

**COMMITTEE ON HEALTH, EDUCATION AND WELFARE**

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

**House Bill No. 6572**

**BY** Corvese

**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES -- SCHOOL BUSES (prevent school buses from using their strobe lights when the bus is moving) {LC3340/1}

06/22/2005 Placed on House Calendar

**House Resolution No. 6439**

**BY** Slater, Almeida, Diaz, Williams

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF SCHOOL DISTRICTS IN RHODE ISLAND {LC3184/1}

06/22/2005 Placed on House Calendar

**House Bill No. 6277****BY** Kilmartin**ENTITLED**, AN ACT RELATING TO EDUCATION - PERFORMANCE ENHANCING DIETARY SUPPLEMENTS ( ban the sale of certain dietary supplements to minors/prohibit athletic coaches from distributing or promoting use of any performance-enhancing dietary supplement. 3) {LC2811/1}

06/22/2005 Placed on House Calendar

**House Bill No. 6340 SUB A****BY** Kilmartin**ENTITLED**, AN ACT RELATING TO EDUCATION (list of performance- enhancing dietary supplements/require coaches to complete a coaching education program/prohibit coaches from distributing or promoting the use of any performance-enhancing dietary supplement) {LC2914/1/A}

06/22/2005 Placed on House Calendar

**Senate Bill No. 710 SUB B****BY** Perry, Polisena, Damiani, McCaffrey, Sosnowski**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT (protect patients with debilitating medical conditions/medical use of marijuana) {LC988/1/B}

06/22/2005 Placed on House Calendar

**Senate Bill No. 916 SUB B****BY** Goodwin, Perry, Paiva-Weed, Pichardo, Roberts**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS -- DOMESTIC ASSAULT (restrict possession of firearms in cases of domestic violence) {LC2638/1/B}

06/22/2005 Placed on House Calendar

**Senate Bill No. 917 SUB B****BY** Goodwin, Perry, Paiva-Weed, Pichardo, Roberts**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION (relinquish firearms pursuant to issuance of domestic abuse protective order) {LC2639/1/B}

06/22/2005 Placed on House Calendar

**COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

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

**Senate Bill No. 961 SUB B****BY** Bates, Sosnowski**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION (certificate issued/pump-out station operators) {LC2798/2/B}

06/22/2005 Placed on House Calendar

**COMMITTEE ON VETERAN'S AFFAIRS****Senate Bill No. 133****BY** Blais**ENTITLED**, AN ACT RELATING TO MILITARY SERVICE -- ACTIVE DUTY TAX EXEMPTION (allow the Coventry town council to provide a tax exemption of up to \$1,000 for active duty armed forces personnel) {LC819/1}

06/22/2005 Placed on House Calendar

**Senate Bill No. 503 SUB A****BY** Felag, Gallo, Connors, Badeau, Levesque C**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES ( eligibility to qualify for plates designated "war veteran," "purple heart" and "ex-POW" retired firefighters.) {LC1749/1/A}

06/22/2005 Placed on House Calendar

**House Bill No. 6430 SUB A****BY** Malik, Carter, Scott, Gallison, Moffitt**ENTITLED**, AN ACT RELATING TO VETERANS' AFFAIRS (increase the membership of the Persian Gulf War Information Relief Commission) {LC3178/1/A}

06/22/2005 Placed on House Calendar

**FROM THE DESK IS TAKEN****Senate Bill No. 46** as amended**BY** Paiva-Weed, Roberts, McCaffrey, Perry, Lenihan**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - CODE OF ETHICS (appointment of RI ethics commission with advice & consent of the senate) {LC307/1}

06/23/2005 Placed on House Calendar

**Senate Bill No. 491** (General Treasurer)**BY** DaPonte, Connors**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -- UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY (gift certificates) {LC1805/1}

06/23/2005 Placed on House Calendar

**Senate Bill No. 1040****BY** McBurney, Doyle, Issa**ENTITLED**, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - DOGS {LC3034/1}

06/23/2005 Placed on House Calendar

**Senate Bill No. 1136 SUB A****BY** Gibbs, Blais, Roberts, Tassoni, Perry**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY LICENSURE ( would establish standards for the licensure of nursing facilities and for the ongoing oversight of nursing facilities) {LC3355/1/A}

06/23/2005 Placed on House Calendar

**Senate Bill No. 1137 SUB A as amended (Attorney General)****BY** Tassoni, Paiva-Weed, Perry, McCaffrey, Roberts**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITIES RECEIVERSHIP ACT ( define mismanagement in nursing facilities and would provide for the use of experts or consultants to effectuate the purposes of this chapter) {LC3361/3/A}

06/23/2005 Placed on House Calendar

**NEW BUSINESS****House Bill No. 6617****BY** Picard, San Bento, Trillo**ENTITLED**, AN ACT RELATING TO LEAD HAZARD MITIGATION {LC3545/1}

06/22/2005 Introduced, referred to House Corporations

**House Bill No. 6618****BY** Picard, San Bento, Trillo**ENTITLED**, AN ACT RELATING TO LEAD HAZARD REDUCTION {LC3551/1}

06/22/2005 Introduced, referred to House Corporations

**House Bill No. 6619****BY** Brien T, Gallison, Moran, Kilmartin, Jacquard**ENTITLED**, AN ACT RELATING TO WEAPONS {LC3092/1}

06/22/2005 Introduced, referred to House Judiciary

**House Resolution No. 6620****BY** Gallison, Anguilla, Gorham, Fox**ENTITLED**, HOUSE RESOLUTION CONGRATULATING BRIAN SULLIVAN ON ATTAINING THE RANK OF EAGLE SCOUT {LC3561/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Menard, Loughlin, Moffitt and Landroche by unanimous consent, on a voice vote.

**House Resolution No. 6621****BY** Carter**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE FEASIBILITY OF DESIGNING A NEW VETERANS LICENSE PLATE {LC3565/1}

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Carter seconded by Representatives Loughlin, Moffitt, Long, Ehrhardt, Fox and McHugh by unanimous consent, on a voice vote.

**House Resolution No. 6622****BY** Fox, Gorham**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC3556/1}

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 voice vote.

**House Resolution No. 6623****BY** Fox, Gorham**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC3557/1}

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 and by unanimous consent, on a rising vote.

**House Bill No. 6624****BY** Watson**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH {LC3406/1}

Representative Watson requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Watson seconded by Representative Fox on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

**House Bill No. 6625**

**BY** Watson

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE ACADEMY PLAYERS {LC3575/1}

Representative Watson requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Watson seconded by Representative Fox on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

**House Resolution No. 6626**

**BY** Amaral, Savage, Long, Gemma, Diaz

**ENTITLED**, HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE 3% TAX ON PHONE SERVICE {LC3535/1}

Representative Amaral requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Amaral seconded by Representative Savage by unanimous consent, on a voice vote.

**House Resolution No. 6627****BY** Lewiss, Crowley, Kilmartin, Fox, Savage**ENTITLED**, HOUSE RESOLUTION HONORING THE RHODE ISLAND ARTS LEARNING NETWORK {LC3560/1}

Representative Lewiss requests unanimous consent for immediate consideration.

There is no objection.

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

**COMMUNICATION FROM THE SENATE**

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

**Senate Bill No. 491** (General Treasurer)**BY** DaPonte, Connors**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -- UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY (gift certificates) {LC1805/1}  
06/22/2005 House held on desk**Senate Bill No. 1160** as amended**BY** Tassoni, Walaska, Blais**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOUSING (technical changes to the Rhode Island housing laws) {LC3473/1}  
06/22/2005 Referred to House Corporations**Senate Bill No. 1119****BY** Gibbs**ENTITLED**, AN ACT RELATING TO ZONING ORDINANCES (consist of five (5) members, each to hold office for a term of five (5) years) {LC3368/1}  
06/22/2005 Referred to House Corporations**Senate Bill No. 1148****BY** Paiva-Weed**ENTITLED**, AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN {LC3391/1}  
06/22/2005 Referred to House Corporations**Senate Bill No. 1145****BY** Lenihan, Raptakis**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH {LC3395/1}  
06/22/2005 Referred to House Corporations

**Senate Bill No. 1127****BY** Algieri, Breene**ENTITLED**, AN ACT RELATING TO CHARLESTOWN FIRE DISTRICT (alter the terms of Charlestown fire district fire board members) {LC3392/1}

06/22/2005 Referred to House Corporations

**Senate Bill No. 1080****BY** Sheehan, Raptakis, Roberts, Lenihan, Sosnowski**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO ADOPT A TAX CLASSIFICATION PLAN (new tax classification) {LC3203/1}

06/22/2005 Referred to House Corporations

**Senate Bill No. 872****BY** Breene, Algieri**ENTITLED**, AN ACT AUTHORIZING THE CHARIHO REGIONAL SCHOOL DISTRICT TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES NOT TO EXCEED \$99,824,000 TO FINANCE THE CONSTRUCTION, RENOVATION, IMPROVEMENT, ALTERATION, REPAIR, FURNISHING AND EQUIPPING OF SCHOOLS AND SCHOOL FACILITIES THROUGHOUT THE REGIONAL SCHOOL DISTRICT, SUCH PROJECT TO BE FINANCED IN TWO PHASES, THE SECOND PHASE NOT TO BE FINANCED BEFORE JUNE 1, 2007 AND SUBJECT TO THE CONDITIONS OF THIS ACT AS TO LEVELS OF STATE AID {LC2532/1}

06/22/2005 Referred to House Finance

**Senate Bill No. 269** SUB A**BY** Breene, Blais, Gibbs**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- EQUIPMENT AND ACCESSORIES GENERALLY (school buses be equipped with an epinephrine pen/staff be trained) {LC902/3/A}

06/22/2005 Referred to House H.E.W.

**House Bill No. 5027** SUB B as amended (Attorney General)**BY** Kennedy, Lewiss, San Bento, Coderre E, Kilmartin**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - - UNFAIR SALES PRACTICES (prohibit the issuer from charging additional fees on the gift certificate) {LC296/1/B}

06/22/2005 Placed on House Calendar

**Senate Bill No. 277** SUB A**BY** DaPonte, Ruggerio, Ciccone, Badeau, Tassoni**ENTITLED**, AN ACT RELATING TO LABOR -- MINIMUM WAGES (increase the minimum hourly wage) {LC1244/1/A}

06/22/2005 Referred to House Labor

**Senate Bill No. 1182****BY** DaPonte**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3550/1}  
06/22/2005 Referred to House Judiciary**Senate Bill No. 1181****BY** Connors**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3562/1}  
06/22/2005 Referred to House Judiciary**Senate Bill No. 1180****BY** Gibbs**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3563/1}  
06/22/2005 Referred to House Judiciary**Senate Bill No. 1131****BY** Paiva-Weed**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3373/1}  
06/22/2005 Referred to House Judiciary**Senate Bill No. 1137** SUB A as amended (Attorney General)**BY** Tassoni, Paiva-Weed, Perry, McCaffrey, Roberts**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITIES RECEIVERSHIP ACT ( define mismanagement in nursing facilities and would provide for the use of experts or consultants to effectuate the purposes of this chapter) {LC3361/3/A}

06/22/2005 House held on desk

**CALENDAR**

From the Calendar are taken:

**1 2005-H 5812 SUB A****BY** Coderre E**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

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

Representative McNamara moves passage of the act, seconded by Representatives Coderre, Diaz, Giannini, Moura, Lima, Lewiss, Williams, Fox, Handy, Melo, Moran, Ajello, Gemma, Brien, Sullivan, and Almeida.

Representative Menard, seconded by Representatives Laroche, and Gemma, offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 5812 SUBSTITUTE A**

AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

Mr. Speaker:

I hereby move to amend 2005 -- H 5812 SUBSTITUTE A, entitled "AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION", as follows:

(1) On page 3, by deleting lines 3 through 11, inclusive and inserting in place thereof the following:

"(e) The prohibition against possessing firearm(s) due solely to the existence of a domestic violence restraining order issued under this section with respect to sworn peace officers as defined in section 12-7-21, and active members of the military, including members of the National Guard, who are required by law or departmental or employment policy to carry a departmental firearm in connection with the performance of their job duties shall be subject to a full "show cause hearing" with the defendant, a designee from the attorney general's office, the chief of the Rhode Island state police or his or her designee, the chief of the local police department or his or her designee, and a representative of the place of employment of the defendant, to show just cause for carrying a firearm(s) for employment purposes only, and to determine the issue of storage of the firearm(s) when the employee is off-duty and to determine the defendant's necessity and to carry a firearm(s) during his or her employment time."

(2) On page 5, by deleting lines 5 through 13, inclusive and inserting in place thereof the following:

"(e) The prohibition against possessing firearm(s) due solely to the existence of a domestic violence restraining order issued under this section with respect to sworn peace officers as defined in section 12-7-21, and active members of the military, including members of the National Guard, who are required by law or departmental or employment policy to carry a departmental firearm in connection with the performance of their job duties shall be subject to a full "show cause hearing" with the defendant, a designee from the attorney general's office, the chief of the Rhode Island state police or his or her designee, the chief of the local police department or his or her designee, and a representative of the place of employment of the defendant, to show just cause for carrying a firearm(s) for employment purposes only, and to determine the issue of storage of the firearm(s) when the employee is off-duty and to determine the defendant's necessity and to carry a firearm(s) during his or her employment time."

Respectfully submitted,

---

REPRESENTATIVE MENARD

Representatives McNamara, Gemma, Gorham, Trillo, Rice, Picard, Menard, Williams, Moran, Lima, Church, Long, Loughlin, Ehrhardt, Coderre, Williamson, Jacquard, Voccola, Petrarca, and Fox discuss the amendment.

The motion to amend fails on a roll call vote 23 members voting in the affirmative and 40 members voting in the negative as follows:

YEAS - 23: Representatives Amaral, Caprio, Davey, Ehrhardt, Gemma, Giannini, Gorham, Laroche, Long, McHugh, McManus, Menard, Moffitt, Mumford, Palumbo, Petrarca, Savage, Singleton, Story, Trillo, Voccola, Wasylyk, Watson.

NAYS - 40: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Anguilla, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Flaherty, Fox, Gallison, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Lewiss, Lima, Loughlin, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Schadone, Shanley, Slater, Sullivan, Williamson.

Representative Loughlin, seconded by Representatives Watson offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 5812 SUBSTITUTE A**

AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

Mr. Speaker:

I hereby move to amend 2005 -- H 5812 SUBSTITUTE A, entitled "AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION", as follows:

On page 5, line 8, by deleting the language "National Guard" and inserting in place thereof the language "reserve components".

Respectfully submitted,

---

REPRESENTATIVE LOUGHLIN

The motion to amend prevails on a roll call vote 39 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 39: Representatives Amaral, Caprio, Church, Davey, Dennigan, Ehrhardt, Gemma, Giannini, Ginaitt, Gorham, Jackson, Kennedy, Lally, Landroche, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Mumford, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, Savage, Schadone, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Watson.

NAYS - 22: Representatives Ajello, Anguilla, Carter, Coderre, Corvese, Costantino, Crowley, Diaz, Flaherty, Fox, Gallison, Handy, Jacquard, Lewiss, Lima, McNamara, Melo, Moran, Moura, Naughton, Rice, Slater.

Representative Amaral, seconded by Representatives Watson offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**T O**  
**2005 -- H 5812 SUBSTITUTE A**

AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

Mr. Speaker:

I hereby move to amend 2005 -- H 5812 SUBSTITUTE A, entitled "AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION", as follows:

(1) On page 2, by deleting lines 6 through 34 in their entirety and inserting in place thereof the following:

"(5) It shall be unlawful for any person who is subject to a court order issued pursuant to this section that:

(a) Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate; and

(b) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child: (i) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm(s) or ammunition; or to receive any firearm(s) or ammunition which has been shipped or transported in interstate or foreign commerce; and

(c) As used in this section – the term "intimate partner" means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person."

(2) On page 4, by deleting lines 9 through 34 in their entirety and inserting in place thereof the following language:

"(4) It shall be unlawful for any person who is subject to a court order issued pursuant to this section that:

(a) Was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate; and

(b) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child: (i) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to

cause bodily injury to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm(s) or ammunition; or to receive any firearm(s) or ammunition which has been shipped or transported in interstate or foreign commerce; and

(c) As used in this section – the term "intimate partner" means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person."

(3) On page 5, by deleting lines 1 and 2 in their entirety.

Respectfully submitted,

---

REPRESENTATIVE AMARAL

Representative Williamson discusses the amendment.

The motion to amend fails on a roll call vote 22 members voting in the affirmative and 37 members voting in the negative as follows:

YEAS - 22: Representatives Amaral, Davey, Ehrhardt, Gemma, Gorham, Jacquard, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Mumford, Pacheco, Palumbo, Savage, Singleton, Smith, Story, Trillo, Voccola.

NAYS - 37: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Carter, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Flaherty, Fox, Gallison, Giannini, Ginaitt, Handy, Jackson, Kennedy, Lally, Landroche, Lewiss, Lima, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Petrarca, Picard, Rice, Rose, Schadone, Shanley, Slater, Sullivan, Williamson.

Representatives Moffitt, Coderre, McNamara, Corvese, Giannini, Gemma, Rice, Caprio, and Williams discuss the act.

Representative Loughlin offers an oral amendment to his amendment seconded by Representatives Amaral and Coderre.

Representative Fox discusses the oral motion to amend the amendment.

The oral motion to amend Representative Loughlin's amendment prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Representative Long, seconded by Representatives Davey offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 5812 SUBSTITUTE A**

AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

Mr. Speaker:

I hereby move to amend 2005 -- H 5812 SUBSTITUTE A, entitled "AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION", as follows:

- (1) On page 3, by deleting all of the language on lines 3 through 11, in their entirety.
- (2) On page 3, line 12, by deleting the designation "(f)", and inserting in place thereof the designation "(e)".
- (3) On page 3, line 14, by deleting the designation "(g)", and inserting in place thereof the designation "(f)".
- (4) On page 3, line 21, by deleting the designation "(h)", and inserting in place thereof the designation "(g)".
- (5) On page 3, line 26, by deleting the designation "(i)", and inserting in place thereof the designation "(h)".
- (6) On page 3, line 28, by deleting the designation "(j)", and inserting in place thereof the designation "(i)".
- (7) On page 5, by deleting all the language on lines 5-13 inclusive and by re-lettering all the subsequent subsections accordingly.

Respectfully submitted,

---

REPRESENTATIVE LONG

Representative McNamara discusses the amendment.

The motion to amend fails on a roll call vote 23 members voting in the affirmative and 36 members voting in the negative as follows:

YEAS - 23: Representatives Amaral, Davey, Ehrhardt, Gorham, Jacquard, Laroche, Long, Loughlin, McHugh, McManus, Moffitt, Mumford, Palumbo, Petrarca, Picard, Rice, Savage, Singleton, Smith, Story, Trillo, Voccola, Watson.

NAYS - 36: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Diaz, Fox, Gallison, Giannini, Ginaitt, Handy, Jackson, Kennedy, Lally, Landroche, Lewiss, Lima, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Rose, Scott, Shanley, Slater, Sullivan, Wasyluk, Williamson.

**REQUEST**

Representative Menard requests the journal to reflect that if he had voted on Representative Long's amendment, he would have voted in the affirmative.

Representative Trillo, Coderre, Anguilla, Gorham, Ajello, Rice, Moran, DeSimone, Handy, and Coderre discuss the act, as amended.

Representative Corvese requests to vote page 2, section C separately. The Honorable Speaker rules it is divisible.

Page 2, section C prevails on a roll call vote of 46 members in the affirmative and 20 voting in the negative as follows.

YEAS - 46: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Lally, Landroche, Lewiss, McHugh, McNamara, Melo, Moffitt, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Rose, Schadone, Scott, Shanley, Slater, Smith, Story, Sullivan, Wasylyk, Williams, Williamson.

NAYS - 20: Representatives Amaral, Corvese, Ehrhardt, Gorham, Jacquard, Kennedy, Laroche, Lima, Long, Loughlin, McManus, Menard, Mumford, Petrarca, Picard, Savage, Singleton, Trillo, Voccola, Watson.

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 15 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, McManus, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Rice, Rose, Savage, Schadone, Scott, Shanley, Slater, Smith, Story, Sullivan, Voccola, Wasylyk, Williams, Williamson.

NAYS - 15: Representatives Amaral, Ehrhardt, Gorham, Jacquard, Long, Loughlin, McHugh, Menard, Moffitt, Mumford, Petrarca, Picard, Singleton, Trillo, Watson.

**2 2005-H 6530 SUB A****BY Kennedy****ENTITLED, AN ACT RELATING TO INSURANCE -- WORKERS'  
COMPENSATION INSURANCE FUND**

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 for Friday, June 24, 2005.

**3 2005-H 5627 SUB A**

**BY Lima**

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

Committee on Judiciary 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, June 23, 2005.

**4 2005-H 6548 SUB A**

**BY Moffitt**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE  
LONG-TERM CARE REFORM ACT OF 2005 -- NURSING  
FACILITY LICENSURE**

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

Representative Moffitt moves passage of the act, seconded by Representatives Scott, Savage, Story, Davey, Long and Amaral.

Representative Moffitt, seconded by Representative Scott offers a written motion to amend.

**F L O O R   A M E N D M E N T  
T O  
2005 -- H 6548 SUBSTITUTE A**

**AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM  
ACT OF 2005 -- NURSING FACILITY LICENSURE**

Mr. Speaker:

I hereby move to amend 2005 -- H 6548 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- THE LONG-TERM CARE REFORM ACT OF 2005 -- NURSING FACILITY LICENSURE", as follows:

1. On page 2, line 28, by adding the following language following the word "corporation",

"that is not exempt from taxation under section 501(a) of the U.S. Internal Revenue Code as an organization described in section 501(c)(3) of such code;"

Respectfully submitted,

---

REPRESENTATIVE MOFFITT

The motion to amend prevails on a roll call vote 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Wasylyk, Watson, Williams.

NAYS - 0.

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

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

NAYS - 0.

**5 2005-H 5717**

**BY Malik**

**ENTITLED, AN ACT RELATING TO LABOR RELATIONS ACT**

Committee on Labor recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, June 29, 2005

**6 2005-H 5075 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 Shanley moves passage of the act, seconded by Representative Lally.

Representative Shanley, offers Representative San Bento's amendment, seconded by Representatives Lally, Corvese, and Lewiss offer a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 5075 SUBSTITUTE A, As Amended**

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2005 -- H 5075 SUBSTITUTE A, As Amended, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

SECTION 1. Chapter 42-35 of the General Laws entitled "Administrative Procedures" is hereby amended by adding thereto the following section:

42-35-2.4. Electronic filing. – In addition to all other requirements imposed by law, all agencies and authorities (as defined in this chapter) shall be required to electronically submit their annual reports to the general assembly for posting on the general assembly website in lieu of a printed copy. However, an agency or authority shall produce a printed copy on demand.

SECTION 2. This act shall take effect on January 1, 2006.

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE SAN BENTO

The motion to amend prevails on a roll call vote 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams.

NAYS - 0.

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

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 5075 SUBSTITUTE A**

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Mr. Speaker:

I hereby move to amend 2005 -- H 5075 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT", as follows:

On page 1, line 5, after the word "copy" and before the period ".", by inserting the following language: "and such report shall include all information, on an annual basis, that such agency or authority is required to report to the secretary of state quarterly, pursuant to chapter 90 of this title".

Respectfully submitted,

---

REPRESENTATIVE GORHAM

Representatives Costantino, Watson, Shanley, and Gorham discuss the amendment.

The motion to amend fails on a roll call vote 24 members voting in the affirmative and 31 members voting in the negative as follows:

YEAS - 24: Representatives Amaral, Caprio, Davey, Dennigan, Ehrhardt, Gemma, Giannini, Gorham, Laroche, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Pacheco, Rose, Savage, Scott, Singleton, Smith, Story, Trillo, Watson.

NAYS - 31: The Honorable Speaker Murphy and Representatives Ajello, Brien, Carter, Church, Corvese, Costantino, Crowley, Diaz, Fox, Gallison, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Lewiss, McHugh, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Petrarca, Picard, Schadone, Shanley, Slater, Sullivan.

### REQUESTS

Representative McHugh requests the journal to reflect that he had voted incorrectly on Representative Gorham's amendment he should have voted in the affirmative.

There is no objection.

Representative Gorham discusses 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, 60 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Williamson.

NAYS - 1: Representative Watson.

**7 2005-H 6551 SUB A****BY Jackson****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- THE  
LONG-TERM CARE REFORM ACT OF 2005 -- NURSING  
FACILITIES RECEIVERSHIP ACT

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

Representative Jackson moves passage of the act, seconded by Representatives Church, Rice, Sullivan, Diaz, and Kennedy.

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

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

NAYS - 0.

**8 2005-H 5845****BY Fox****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE  
COMMISSION ON DEFENSE ECONOMY PLANNING

Committee on Finance recommends passage.

Representative Gallison moves passage of the act, seconded by Representatives Jackson, Naughton, Moffitt, Long, Landroche, Kennedy, and Rice.

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

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williamson.

NAYS - 0.

**REQUEST**

Representative Gemma requests the journal to reflect that if he had voted on (05-H 5845), he would have voted in the affirmative.

**9 2005-H 6052 SUB A****BY Slater****ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS MEDICAL MARIJUANA ACT**

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

Representative McNamara moves passage of the act, seconded by Representatives Slater, Williams, Diaz, Moura, Costantino, Watson, Lewiss, Moffitt, Lally, McHugh, Lima, Gemma, Pacheco, Handy, Ajello, Fox and Shanley.

Representative Fox, seconded by Representatives Moran, Carter, Costantino, Gemma, Pacheco, Ajello, Handy, Sullivan, Picard, Schadone, Corvese, Voccola, McNamara, Coderre, Williams, Shanley, Moffitt, and Lewiss, offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2005 -- H 6052 SUBSTITUTE A****AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS MEDICAL MARIJUANA ACT**

Mr. Speaker:

I hereby move to amend 2005 -- H 6052 SUBSTITUTE A, entitled "AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS MEDICAL MARIJUANA ACT", as follows:

(1) On page 1, line 4, by inserting the words "and Thomas C. Slater" after the word "Hawkins".

(2) On page 1, line 6, by inserting the words "and Thomas C. Slater" after the word "Hawkins".

Respectfully submitted,

---

REPRESENTATIVE FOX

The motion to amend prevails on a roll call vote 62 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone,

Ehrhardt, Flaherty, Fox, Gallison, Gemma, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson.

NAYS - 1: Representative Slater.

Representatives Brien, Slater and Trillo discuss the act, as amended.

Representative Trillo seconded by Representative Scott offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 6052 SUBSTITUTE A**

AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS MEDICAL  
MARIJUANA ACT

Mr. Speaker:

I hereby move to amend 2005 -- H 6052 SUBSTITUTE A, entitled "AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS MEDICAL MARIJUANA ACT", as follows:

On page 4, by inserting the following language between lines 29 and 30:

"(k) Any person found in possession of less than five (5) ounces of marijuana and which person has and/or suffers from any of the diseases set forth in this act, and with documentation contained and/or supported by a physician's statement, shall not be criminally and/or civilly punished under the laws of the state of Rhode Island solely for such possession of said marijuana; provided, that there has been no attempt by the person to re-sell said marijuana."

Respectfully submitted,

---

REPRESENTATIVE TRILLO

Representatives McNamara, Slater, and Brien discuss the amendment.

The motion to amend fails on a roll call vote 13 members voting in the affirmative and 47 members voting in the negative as follows:

YEAS - 13: Representatives Amaral, Ehrhardt, Gorham, Long, Loughlin, Mumford, Picard, Savage, Scott, Story, Trillo, Voccola, Watson.

NAYS - 47: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lima, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Naughton, O'Neill, Pacheco,

Palumbo, Petrarca, Rice, Rose, Schadone, Shanley, Singleton, Slater, Smith, Sullivan, Williams, Williamson.

Representatives Ehrhardt, Gemma, Costantino, McNamara, Loughlin, and Williamson discuss the act, as amended.

### **NOW PRESIDING**

At 7:02 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

Representatives McHugh, Davey, Watson and Slater continue discussion on the act, as amended.

### **NOW PRESIDING**

At 7:19 o'clock P.M. the Honorable Speaker Pro Tempore Lima yields the rostrum to the Honorable Speaker Murphy

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 10 members voting in the negative as follows:

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Anguilla, Carter, Church, Coderre, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, McHugh, McNamara, Melo, Moffitt, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williams, Williamson.

NAYS - 10: Representatives Amaral, Brien, Corvese, DeSimone, Giannini, Gorham, Loughlin, McManus, Menard, Moran.

### **REQUESTS**

Representative Costantino requests the journal to reflect that if he had voted on (05-H 6052 SUB Aaa), he would have voted in the affirmative.

Representative Palumbo requests the journal to reflect that if he had voted on (05-H 6052 SUB Aaa), he would have voted in the negative.

#### **10 2005-H 6483 SUB A**

**BY Costantino**

**ENTITLED, AN ACT RELATING TO HEALTH CARE SERVICES --  
UTILIZATION REVIEW ACT**

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

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, DeSimone, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Williams, Williamson.

NAYS - 0.

### REQUEST

Representative Diaz requests the journal to reflect that if she had voted on (05-H 6483 SUB A), she would have voted in the affirmative.

#### **11 2005-H 6590 SUB A**

**BY Kennedy**

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

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

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

Representatives Watson, Kennedy, Gorham, Petrarca, McHugh, Caprio, Menard, Gorham and Gemma discuss the act.

Representative Watson requests to vote page 13, lines 29-32 separately.

The Honorable Speaker rules it is divisible.

Page 13, lines 29-32, prevails, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Watson, Williams, Williamson.

NAYS - 0.

Representative Gorham requests to vote page 7, lines 2-14 separately. The Honorable Speaker rules it is divisible.

Page 7, lines 2-14 prevails, on a roll call vote, 55 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Lewiss, Lima, Long, Loughlin, McHugh, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Williams, Williamson.

NAYS - 6: Representatives Ehrhardt, Laroche, McManus, Menard, Palumbo, Watson.

### REQUEST

Representative Gorham requests the journal to reflect that he had voted incorrectly on (05-H 6590 SUB A), he should have voted in the negative.

Representative Mumford moves an oral amendment seconded by Representative Watson.

The oral amendment prevails on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 59 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Smith, Story, Sullivan, Trillo, Williams, Williamson.

NAYS - 3: Representatives McManus, Menard, Watson.

### NOW PRESIDING

At 7:50 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

#### **12 2005-H 6589**

**BY Landroche**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- BUILDING AND FIRE SAFETY CODE**

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Ginaitt, Gemma, Williams, and Church.

Representatives Trillo and McHugh discuss the act.

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

YEAS - 60: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Wasylyk, Williams, Williamson.

NAYS - 0.

**13 2005-H 6276 as amended****BY Jacquard****ENTITLED, AN ACT RELATING TO THE OFFICE OF THE STATE MEDICAL EXAMINERS**

Committee on Finance recommends passage as amended.

Representative Naughton moves passage of the act, seconded by Representatives Amaral, Gallison, Savage and Mumford.

Read and passed, as amended, on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Lally, Landroche, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, McNamara, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Slater, Story, Sullivan, Trillo, Williamson.

NAYS - 0.

**14 2005-H 5803 SUB A****BY Gallison****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --  
OFFICE OF THE STATE MEDICAL EXAMINERS**

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

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

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

YEAS - 56: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Wasylyk, Watson.

NAYS - 0.

**15 2005-H 5262 SUB A****BY Lewiss****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES**

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

Representative Lewiss moves passage of the act, seconded by Representatives Gallison, Corvese, Diaz, Savage, Pacheco, Fox and Rice.

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

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 5262 SUBSTITUTE A**

AN ACT RELATING TO CRIMINAL OFFENSES

Mr. Speaker:

I hereby move to amend 2005 -- H 5262 SUBSTITUTE A, entitled "AN ACT RELATING TO CRIMINAL OFFENSES", as follows:

(1) On page 2, line 20, by deleting the language beginning with the word "Unless" and ending on line 21, with the language "hour.", and by inserting in place thereof the following: "In no case shall the detention be for a period exceeding one hour."

(2) On page 3, line 8, by deleting the language "in good faith believed to have" and by inserting in place thereof the following: "had reasonable grounds to believe".

Respectfully submitted,

---

REPRESENTATIVE AJELLO

The motion to amend fails on a roll call vote 16 members voting in the affirmative and 29 members voting in the negative as follows:

YEAS - 16: Representatives Ajello, Amaral, Caprio, Dennigan, Ehrhardt, Gemma, Gorham, Handy, Long, McHugh, McManus, Moura, Savage, Singleton, Trillo, Watson.

NAYS - 29: Representatives Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, DeSimone, Diaz, Fox, Gallison, Giannini, Ginaitt, Kennedy, Lally, Laroche, Lewiss, McNamara, Melo, Menard, Moran, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Schadone, Shanley, Slater.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 49 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 49: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Long, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, O'Neill, Pacheco, Palumbo, Picard, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Wasylyk.

NAYS - 3: Representatives Ehrhardt, Petrarca, Watson.

Representative Rice requests the journal to reflect that if she had voted on (05-H5262 SUB A) she would have voted in the affirmative.

Majority Leader Fox requests to hold (05-H5262 SUB A) on the desk.

**16 2005-H 6583**

**BY Ginaitt**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION --  
COASTAL RESOURCES MANAGEMENT COUNCIL

Committee on Environment and Natural Resources recommends passage.

Representative Ginaitt moves passage of the act, seconded by Representatives Shanley, Ehrhardt, Handy, and Gemma.

Read and passed, on a roll call vote, 48 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 48: Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Lewiss, Lima, Long, McHugh, McManus, McNamara, Melo, Moffitt, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Wasylyk.

NAYS - 3: Representatives Gorham, Lally, Watson.

**17 2005-H 6370**

**BY Ginaitt**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RHODE  
ISLAND RESOURCE RECOVERY CORPORATION

Committee on Environment and Natural Resources recommends passage.

Representative Ginaitt moves passage of the act, seconded by Representatives Naughton, Gemma, Pacheco, Caprio, Amaral, Trillo, and McNamara.

Read and passed, on a roll call vote, 46 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 46: Representatives Ajello, Amaral, Caprio, Carter, Church, Coderre, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Lally, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Savage, Schadone, Shanley, Slater, Story, Sullivan, Trillo, Watson.

NAYS - 0.

**18 2005-H 6598 SUB A**

**BY Ginaitt**

**ENTITLED, AN ACT RELATING TO MERCURY REDUCTION AND  
EDUCATION**

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

Representative Ginaitt moves passage of the act, seconded by Representatives Gemma, O'Neill, Story, Savage, Pacheco and Naughton.

Representative Ginaitt, seconded by Representative O'Neill offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2005 -- H 6598 SUBSTITUTE A**

**AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION**

Mr. Speaker:

I hereby move to amend 2005 -- H 6598 SUBSTITUTE A, entitled "AN ACT RELATING TO MERCURY REDUCTION AND EDUCATION", as follows:

(1) On Page 4, line 1, by deleting the word "After" and inserting in place thereof the following: "Except as otherwise provided for in this chapter, after".

(2) On Page 4, between lines 11 and 12, by inserting in place thereof the following:

"(d) The restrictions on the disposal of mercury-added components in motor vehicles shall be as set forth in subsection (a) of this section effective January 1, 2006, and shall be implemented as provided for in subsection (c)(2) of this section and subsection 23-24.9-10(b)(2)."

(3) On Page 4, line 20, after the words and punctuation "containing it." by adding the following sentence: "Mercury-added components in motor vehicles shall be collected and recycled as provided for in subsection (b)(2) of this section."

(4) On Page 4, by deleting lines 21 through 26.

(5) On Page 4, line 27, by deleting the designation "(c)" and inserting in place thereof the designation "(b)".

(6) On Page 4, between lines 30 and 31, by inserting the following:

"SECTION 2. Chapter 23-24.9 of the General Laws entitled "Mercury Reduction and Education Act" is hereby amended by adding thereto the following sections:

23-24.9-10.1. Resource recovery corporation option. -- The department and the Rhode Island Resource Recovery Corporation shall establish a statewide network for the collection of mercury-added products when the household consumer is finished with them. Manufacturers, except motor vehicle manufacturers subject to the provisions of subsection 23-24.9(10)(b)(2) of mercury-added products may satisfy their obligations, as set forth in subsection 23-24.9-10(a), by entering into a written agreement with those agencies to support the statewide program including, but not limited to, advertisement, education and/or funding through a system established in regulation.

23-24.9-20.1. Effective dates for implementation. – Notwithstanding the effective date of January 1, 2006, set forth in subsections 23-24.9-7(a)(1), 23-24.9-8(a), and 23-24.9-10(a), the initial deadline for complying with the requirements of these subsections shall be January 1, 2006, or ninety (90) days after the effective date of regulations adopted by the department in order to effectuate the purposes of the subsections, whichever date is the later."

(7) On Page 4, line 31, after the word "SECTION" by deleting the numeral "2" and inserting in place thereof the numeral "3".

(8) On Page 16, line 1, after the word "SECTION" by deleting the numeral "3" and inserting in place thereof the numeral "4".

Respectfully submitted,

---

REPRESENTATIVE GINAITT

Representatives Gorham discusses the amendment.

The motion to amend prevails on a roll call vote 42 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 42: Representatives Ajello, Amaral, Caprio, Carter, Church, Costantino, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Lally, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Moran, Naughton, O'Neill, Pacheco, Picard, Rice, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Watson.

NAYS - 0.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 50 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 50: Representatives Ajello, Amaral, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Lally, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Wasylyk, Watson.

NAYS - 0.

**19 2005-H 6206 SUB A****BY Crowley****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS --  
EDUCATION**

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

Representative Crowley moves passage of the act, seconded by Representatives Naughton, Jackson, and Lewiss.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 48 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 48: Representatives Ajello, Amaral, Anguilla, Church, Coderre, Corvese, Costantino, Crowley, DeSimone, Diaz, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Watson.

NAYS - 0.

**20 2005-H 6164 SUB B****BY Coderre E****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

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

Representative Coderre moves passage of the act, seconded by Representatives Carter, Jackson, and Gemma.

Representative Coderre, seconded by Representatives Crowley and Gemma offers a written motion to amend.

**F L O O R   A M E N D M E N T  
T O  
2005 -- H 6164 SUBSTITUTION B**

AN ACT RELATING TO SEPARATION OF POWERS

Mr. Speaker:

I hereby move to amend 2005 -- H 6164 SUBSTITUTION B, entitled "AN ACT RELATING TO SEPARATION OF POWERS", as follows:

(1) On page 1, line 14, by deleting the words "shall be the", and inserting in place thereof

the words "appointed by the governor, who shall give due consideration to a recommendation from the".

(2) On page 1, lines 14 and 15, by deleting the words "or his or her designee".

(3) On page 2, line 11, by deleting the first "," and inserting in its place thereof a ".".

(4) On page 2, lines 11-15, by deleting the following language:

"one of whom shall be a representative of a local land trust, one of whom shall be a representative of a local chamber of commerce, one of whom shall be a registered landscape architect, and one of whom shall be a registered professional transportation engineer. As far as is reasonably practicable the transportation engineer shall have experience with community planning, traffic calming and flexible design policies.", and inserting in its place thereof the following language:

"In making these appointments, the governor shall take into consideration the impact on the local communities. The governor shall give due consideration to members of local land trusts, chamber of commerce recommendations and shall also consider the need for individuals with expertise in landscape architecture, community planning, and/or transportation engineers with experience with traffic calming and flexible design policies."

(5) On page 2, line 33, by inserting a period "." after the word "section".

(6) On page 2, lines 33-34, and on page 3, line 1, by deleting the language:

"as a representative of a local land trust, a representative of a local chamber of commerce, a registered landscape architect, and a registered professional transportation engineer."

Respectfully submitted,

---

REPRESENTATIVE CODERRE

The motion to amend prevails on a roll call vote 46 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 46: Representatives Ajello, Amaral, Anguilla, Church, Coderre, Corvese, Costantino, Crowley, Diaz, Ehrhardt, Flaherty, Fox, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Lally, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Slater, Smith, Story, Sullivan, Wasylyk, Watson.

NAYS - 0.

Representatives Gorham, Coderre, Gemma, Watson, and Handy discuss the act as amended.

The bill marked Substitute "B" is read and passed, as amended, and the original bill and the bill marked Substitute "A" indefinitely postponed, on a roll call vote, 54 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 54: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, DeSimone, Diaz, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Naughton, O'Neill, Pacheco, Palumbo,

Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Sullivan, Trillo, Wasylyk, Williamson.

NAYS - 6: Representatives Ehrhardt, Gorham, McManus, Mumford, Story, Watson.

**21 2005-H 6170 SUB A as amended**

**BY Coderre E**

**ENTITLED, AN ACT SEPARATION OF POWERS**

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 28, 2005.

**22 2005-H 6323 SUB A as amended**

**BY Coderre E**

**ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT**

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

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

Representative Gorham offers Representative Davey's amendment, seconded by Representatives Mumford offers a written motion to amend.

**F L O O R   A M E N D M E N T  
T O**

**2005 -- H 6323 SUBSTITUTE A, AS AMENDED**

**AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND  
UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT**

Mr. Speaker:

I hereby move to amend 2005 -- H 6323 SUBSTITUTE A, AS AMENDED, entitled "AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT", as follows:

On page 1, line 15, by adding the language "and who shall be a nonvoting member" after the word "insurance".

Respectfully submitted,

---

REPRESENTATIVE DAVEY

Representatives Watson and Coderre discuss the amendment.

The motion to amend prevails on a roll call vote 43 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 43: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Savage, Schadone, Scott, Story, Wasyluk, Watson.

NAYS - 4: Representatives Crowley, Lally, Rice, Shanley.

Representative Gorham offers Representative Davey's amendment, seconded by Representatives Mumford and Coderre offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2005 -- H 6323 SUBSTITUTE A, As Amended**

AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND  
UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT

Mr. Speaker:

I hereby move to amend 2005 -- H 6323 SUBSTITUTE A, As Amended entitled "AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT", as follows:

On page 2, line 8, by adding the language, ", one of whom shall have expertise and experience in financial matters," after the word "members".

Respectfully submitted,

---

REPRESENTATIVE DAVEY

The motion to amend prevails on a roll call vote 44 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 44: Representatives Ajello, Amaral, Anguilla, Brien, Carter, Coderre, Corvese, Costantino, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Savage, Schadone, Scott, Story, Watson.

NAYS - 3: Representatives Crowley, Lally, Shanley.

Representative Smith requests that the journal reflect that if he had voted on (05-H 6323 SUB Aaa) he would have voted in the affirmative.

Representative Gorham, offers a written motion to amend, seconded by Representatives Mumford, Crowley, Coderre and several other members of the House.

**F L O O R   A M E N D M E N T**  
**T O**  
**2005 -- H 6323 SUBSTITUTE A AS AMENDED**

**AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND  
UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT**

Mr. Speaker:

I hereby move to amend 2005 -- H 6323 SUBSTITUTE A AS AMENDED, entitled "AN ACT RELATING TO WATERS AND NAVIGATION -- RHODE ISLAND UNDERGROUND STORAGE TANK FINANCIAL RESPONSIBILITY ACT", as follows:

1. On page 2, by deleting the language on lines 10 through 11 inclusive and inserting in place thereof the following:

"experience, backgrounds and qualifications with the petroleum industry, marine trades and environmental issues.";

2. On page 2, line 12, by deleting the language "Association and the Rhode Island Marine Trade Association.";

3. On page 5, line 14, by deleting the language "be removable by" and inserting in place thereof the language "serve at the pleasure of";

4. On page 5, line 14, by deleting the language "pursuant to section 36-17" and inserting in place thereof a period ".";

5. On page 5, by deleting the language on lines 15 and 16 in their entirety.

Respectfully submitted,

---

REPRESENTATIVE GORHAM

The motion to amend fails on a roll call vote 19 members voting in the affirmative and 33 members voting in the negative as follows:

YEAS - 19: Representatives Amaral, Caprio, Dennigan, Ehrhardt, Giannini, Gorham, Long, Loughlin, McNamara, Menard, Moffitt, Moran, Mumford, Palumbo, Savage, Singleton, Story, Wasylyk, Watson.

NAYS - 33: Representatives Ajello, Anguilla, Brien, Carter, Church, Coderre, Costantino, Crowley, Diaz, Flaherty, Fox, Gallison, Ginaitt, Handy, Jackson, Jacquard, Lally, Laroche, Lewiss, Lima, McHugh, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Schadone, Shanley, Sullivan, Williamson.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 47 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 47: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rose, Savage, Schadone, Shanley, Singleton, Sullivan, Wasylyk, Williamson.

NAYS - 5: Representatives Gorham, McManus, Mumford, Story, Watson.

**23 2005-H 6378 SUB A**

**BY Coderre E**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION**

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

Representative Coderre moves passage of the act, seconded by Representatives Crowley, Jackson, and Petrarca.

Representative Coderre, seconded by Representatives Menard and Jackson offers a written motion to amend.

**F L O O R   A M E N D M E N T  
T O  
2005 -- H 6378 SUBSTITUTE A**

**AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION**

Mr. Speaker:

I hereby move to amend 2005 -- H 6378 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION", as follows:

On page 3, line 7, by inserting the following language immediately following the word "Johnston": ", two (2) of the public members shall by the chief elected or chief appointed officer of a city or town. The governor shall give due consideration to the recommendation of the League of Cities and Towns for those appointments".

Respectfully submitted,

---

REPRESENTATIVE CODERRE

The motion to amend prevails on a roll call vote 50 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 50: Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Dennigan, DeSimone, Diaz, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Story, Sullivan, Wasyluk.

NAYS - 2: Representatives Gorham, Watson.

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

**FLOOR AMENDMENT  
TO  
2005 -- H 6378 SUBSTITUTE A**

**AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE  
RECOVERY CORPORATION**

Mr. Speaker:

I hereby move to amend 2005 -- H 6378 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION", as follows:

- (1) Page 3, line 6, by deleting the language "three (3) of".
- (2) Page 3, line 6, by inserting the language "and substantial" after the word "due".
- (3) Page 3, line 7, by deleting the language "recommendations from the mayor of the town of Johnston. For the remainder of " and inserting in place thereof the language "local municipal government in proximity to the central landfill, and to experience, backgrounds, and qualifications of person involved in".
- (4) Page 3, line 9, by deleting the language "representatives of", and by deleting the word "haulers" and inserting in place thereof the language "hauling industry".
- (5) Page 3, line 9, by deleting the language "organizations and shall".
- (6) Page 3, line 10, by deleting the language "consider persons experienced".
- (7) Page 4, line 3, by deleting the language "be removable by" and inserting in place thereof the language "serve at the pleasure of".
- (8) Page 4, lines 4 and 5, by deleting the language ", and removal solely for partisan or personal reasons unrelated to capacity or fitness for the office shall be unlawful".
- (9) Page 13, line 12, by inserting after the first semi-colon appearing in said line the language: "the amount of salary, benefits, or compensation paid to each employee, consultant, or independent contractor employed or retained by the corporation, stated separately as to each;".

Respectfully submitted,

---

REPRESENTATIVE GORHAM

Representatives Coderre and Gorham discuss the amendment.

The motion to amend fails on a roll call vote 15 members voting in the affirmative and 42 members voting in the negative as follows:

YEAS - 15: Representatives Amaral, Caprio, Ehrhardt, Gorham, Laroche, Long, Loughlin, McManus, Moffitt, Mumford, Savage, Singleton, Story, Trillo, Watson.

NAYS - 42: Representatives Ajello, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Lewiss, Lima, McHugh, McNamara, Melo, Menard, Moran, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Schadone, Shanley, Slater, Smith, Sullivan, Williams.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williams, Williamson.

NAYS - 0.

**24 2005-H 6539 as amended**

**BY Coderre E**

**ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

Committee on Separation of Powers recommends passage as amended.

Representative Coderre moves passage of the act, seconded by Representatives Gemma, and Jackson

Representative Gorham, seconded by Representatives Watson Story, and Mumford offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2005 -- H 6539, As Amended**

**AN ACT RELATING TO SEPARATION OF POWERS**

Mr. Speaker:

I hereby move to amend 2005 -- H 6539 As Amended, entitled "AN ACT RELATING TO SEPARATION OF POWERS", as follows:

(1) On page 2, lines 3 through 14, inclusive, by deleting all of the language on said lines commencing with the language "One other of the ", and concluding with the language "automatically terminate."

(2) On page 2, line, 25 by deleting the language "be removable by" and inserting in place thereof the language "serve at the pleasure of".

(3) On page 2, line 25, by striking the comma "," after the word "governor", inserting a period "." in place thereof, and by striking the language "pursuant to the provisions".

(4) On page 2, by deleting the language on lines 26 and 27.

Respectfully submitted,

---

REPRESENTATIVE GORHAM

Representatives Coderre, Crowley and Watson discuss the amendment.

Representative Watson requests to vote Section 1, and Sections 2, 3, and 4, separately. The Honorable Speaker rules it is divisible.

Section 1, fails on a roll call vote 16 members voting in the affirmative and 38 members voting in the negative as follows:

YEAS - 16: Representatives Caprio, Ehrhardt, Giannini, Gorham, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Mumford, Singleton, Story, Trillo, Watson.

NAYS - 38: Representatives Ajello, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Lewiss, Lima, McNamara, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Schadone, Shanley, Slater, Smith, Sullivan, Williamson.

Sections 2, 3, and 4, prevails on a roll call vote 18 members voting in the affirmative and 36 members voting in the negative as follows:

YEAS - 18: Representatives Amaral, Caprio, Ehrhardt, Giannini, Gorham, Long, Loughlin, McHugh, McManus, McNamara, Menard, Moffitt, Mumford, Palumbo, Singleton, Story, Trillo, Watson.

NAYS - 36: Representatives Ajello, Anguilla, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Melo, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Schadone, Shanley, Slater, Smith, Sullivan, Williamson.

Read and passed, as amended, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: Representatives Ajello, Amaral, Anguilla, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fox, Gallison, Gemma,



YEAS - 54: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 58 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 58: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**26 2005-H 5512 SUB A**

**BY Dennigan**

**ENTITLED, AN ACT RELATING TO INSURANCE - INDIVIDUAL HEALTH  
INSURANCE COVERAGE**

Ordered on the Calendar

Representative Fox moves passage of the act, seconded by Representatives Naughton, Diaz, Dennigan, Amaral, Gemma, and Ginaitt.

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

YEAS - 59: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Wasylyk, Watson, Williamson.

NAYS - 0.

**27 2005-H 5228 SUB B****BY Naughton****ENTITLED, AN ACT RELATING TO INSURANCE -- EARLY INTERVENTION SERVICES**

Ordered on the Calendar

Representative Fox moves passage of the act, seconded by Representatives Naughton, Gemma, Diaz and Slater

The bill marked Substitute "B" is read and passed in concurrence, and the original bill and the bill marked Substitute "A" indefinitely postponed, on a roll call vote 54 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 54: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, Long, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Wasyluk.

NAYS - 0.

**28 2005-H 5504 as amended****BY Kennedy****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CONSUMER ENFORCEMENT OF MOTOR VEHICLE WARRANTIES**

Ordered on the Calendar

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

Read and passed, as amended, in concurrence, on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 55: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**29 2005-H 5280 SUB A****BY Ginaitt****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --  
EMERGENCY MEDICAL TRANSPORTATION SERVICES**

Ordered on the Calendar

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**30 2005-H 5775 SUB B****BY Kennedy****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT  
-- ECONOMIC DEVELOPMENT CORPORATION -- SMALL  
BUSINESS ADVOCATE**

Ordered on the Calendar

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

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill and the bill marked Substitute "A" indefinitely postponed, on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 55: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**31 2005-S 495 as amended****BY Doyle****ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL  
REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES**

Committee on Corporations recommends passage as amended.

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

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

**F L O O R   A M E N D M E N T  
T O  
2005 -- S 495**

**AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY  
PROVISIONS -- UNFAIR SALES PRACTICES**

Mr. Speaker:

I hereby move to amend 2005 -- S 495, entitled "AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES", as follows:

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

“SECTION 1. Section 6-13-12 of the General Laws in Chapter 6-13 entitled "Unfair Sales Practices" is hereby amended to read as follows:

6-13-12. Sales of gift certificates. -- "Gift certificate" means a record evidencing a promise, made for monetary consideration, by the seller or issuer for the record that goods or services will be provided to the owner of the record to the value shown in the record and includes, but is not limited to, a record that contains a microprocessor chip, magnetic strip or other means of storage of information that is pre-funded and for which the value is decremented upon each use, a gift card, an electronic gift card, stored-value card or certificate, a store card, a prepaid telephone card, used solely for nonwireless, long distance telephone service, or a similar record or card. Any person, firm, or corporation that sells gift certificates for any product or merchandise sold by the person, firm, or corporation, shall be required to record the sales and keep an accurate and complete record of each gift certificate sold. The record shall include the date of sale, the full value of the certificate, the identification number assigned by the retailer to the certificate, and the state in which the sale of the certificate took place. The retailer shall further be required to give to the purchaser of gift certificates exceeding fifty dollars (\$50.00) a written and numbered receipt evidencing the sale of the certificate. It shall be unlawful for any person, firm, or corporation of any kind to charge additional monthly or annual service or maintenance fees on gift certificates or to limit the time for the redemption of a gift certificate or to place an expiration date upon the gift certificate. No gift certificate or any agreement with respect to such gift certificate may contain language suggesting that an expiration date may apply to the gift certificate. Any person, firm, or corporation that shall violate the provisions of this

section shall be punished by a fine of not more than two hundred dollars (\$200). Due to the unlimited redemption period, the division of taxation shall not escheat the funds paid for those unredeemed gift certificates. Any unused portion of a redeemed gift certificate shall be afforded to the consumer by reissuing the gift certificate for the unused amount or providing cash where the balance due the consumer is less than one dollar (\$1.00). This section shall not apply to the following:

~~(a) General use prepaid cards issued by a third party prepaid card issuer which shall mean plastic cards or other electronic payment devices which are: (1) usable at multiple, unaffiliated, merchants or service providers and/or at automatic teller machines ("ATMs"); (2) issued in a requested amount which amount may be, at the option of the issuer, increased to value or reloaded if requested by the holder; (3) purchased and/or loaded on a prepaid basis by a consumer and shall not include debit cards linked to a deposit account, or cards purchased by a business entity; and (4) honored upon presentation by merchants for goods or services, or at ATMs.~~

~~(b) (a)~~ Gift certificates that are distributed to a consumer pursuant to an awards, loyalty or promotional program without any money or other thing of value being given in exchange for the gift certificate by the consumer. Any restrictions or limitations which such gift certificates may be subject to must be disclosed to the consumer, in writing, at the time the gift certificates are distributed to the consumer.

~~(c) (b)~~ Cards used for prepaid wireless telephone services will not be subject to this section until January 1, 2006. Prepaid wireless telephone service or prepaid wireless telephone card. "Prepaid wireless telephone service" means wireless telephone service that is activated in advance by payment for a finite dollar amount of service or for a finite set of minutes that terminate either upon use by a customer and delivery by the wireless provider of an agreed-upon amount of service corresponding to the total dollar amount paid in advance or within a certain period of time following the initial purchase or activation, unless additional payments are made.

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

Respectfully submitted,

---

REPRESENTATIVE KENNEDY

Representative Gorham discusses the amendment.

The motion to amend prevails on a roll call vote 51 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 51: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson.

NAYS - 1: Representative Gorham.

Read and passed, as amended, on a roll call vote, 48 members voting in the affirmative and 4 members voting in the negative as follows:

YEAS - 48: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo.

NAYS - 4: Representatives Gorham, Loughlin, McManus, Watson.

**32 2005-S 1035 as amended**

**BY Montalbano J**

**ENTITLED, AN ACT RELATING TO THE CLEARY SCHOOL**

Committee on Corporations recommends passage as amended in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, June 29, 2005.

**33 2005-S 377**

**BY Goodwin**

**ENTITLED, JOINT RESOLUTION MEMORIALIZING CONGRESS TO OPPOSE  
PRIVATIZATION OF SOCIAL SECURITY**

Committee on Finance recommends passage in concurrence.

Representative Fox moves passage of the act, seconded by Representatives Handy, Rice, Gemma, Ginaitt, Slater, Naughton and Diaz.

Read and passed, in concurrence, on a roll call vote, 41 members voting in the affirmative and 9 members voting in the negative as follows:

YEAS - 41: Representatives Ajello, Anguilla, Brien, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Lally, Laroche, Lewiss, Lima, McHugh, McNamara, Melo, Menard, Moran, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Schadone, Shanley, Singleton, Slater, Smith, Sullivan, Williamson.

NAYS - 9: Representatives Amaral, Gorham, Loughlin, McManus, Moffitt, Mumford, Savage, Story, Watson.

**34 2005-S 815**

**BY Alves**

**ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- ALL-INCLUSIVE  
CARE FOR THE ELDERLY**

Committee on Finance recommends passage in concurrence.

Representative Fox moves passage of the act, seconded by Representatives Naughton, Gemma, and Shanley.

Read and passed, in concurrence, on a roll call vote, 50 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 50: Representatives Ajello, Amaral, Anguilla, Brien, Carter, Church, Corvese, Costantino, Crowley, Dennigan, Diaz, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Watson, Williamson.

NAYS - 0.

**35 2005-S 497**

**BY Paiva-Weed**

**ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE  
COMMISSION ON DEFENSE ECONOMY PLANNING**

Committee on Finance recommends passage in concurrence.

Representative Gallison moves passage of the act, seconded by Representatives Jackson, Naughton, Moffitt, Long Landroche, Kennedy and Rice.

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

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

NAYS - 0.

**36 2005-S 267 SUB B**

**BY Alves**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
NURSING SERVICE AGENCIES**

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

Representative Fox moves passage of the act, seconded by Representatives Gemma, Naughton Diaz, and Slater.

The bill marked Substitute "B" is read and passed, and the original bill and the bill marked Substitute "A" indefinitely postponed, on a roll call vote, 54 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 54: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, McHugh, McManus, McNamara, Melo, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**37 2005-S 39 SUB A as amended**

**BY Bates**

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

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 28, 2005.

**38 2005-S 483 SUB A**

**BY Felag**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
CONSUMER ENFORCEMENT OF MOTOR VEHICLE  
WARRANTIES

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

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 55: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill,

Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**39 2005-S 423 SUB B**

**BY Cote**

**ENTITLED, AN ACT RELATING TO INSURANCE -- EARLY INTERVENTION SERVICES**

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

Representative Fox moves passage of the act, seconded by Representatives Gemma, Naughton, Corvese, Slater and Diaz.

The bill marked Substitute "B" is read and passed, and the original bill and the bill marked Substitute "A" indefinitely postponed, on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**40 2005-S 548 SUB A**

**BY Bates**

**ENTITLED, AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION AND PRACTICES**

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 28, 2005.

**41 2005-S 123 SUB A**

**BY Gibbs**

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

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 28, 2005.

**42 2005-S 311**

**BY Blais**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- SMALL EMPLOYER  
HEALTH INSURANCE AVAILABILITY ACT

Committee on Corporations recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday June 28, 2005.

**43 2005-S 881 SUB A**

**BY Pichardo**

**ENTITLED,** AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS

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

Representative Fox moves passage of the act, seconded by Representatives Diaz, Gemma, Pacheco, Jacquard and Lewis.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 53 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 53: Representatives Ajello, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewis, Lima, Long, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**44 2005-S 81 SUB A as amended**

**BY Badeau**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
SUNDAY BUSINESS

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

Representative Fox moves passage of the act, seconded by Representatives, Gemma, Kennedy, Picard, and Brien.

The bill marked Substitute "A" is read and passed, as amended, 0 in concurrence, and the original bill indefinitely postponed, on a roll call vote, 38 members voting in the affirmative and 15 members voting in the negative as follows:

YEAS - 38: Representatives Ajello, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Fox, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Lima, McHugh, McNamara, Melo, Moran, Naughton, O'Neill, Pacheco, Picard, Rose, Schadone, Singleton, Slater, Story, Sullivan, Williamson.

NAYS - 15: Representatives Amaral, Ehrhardt, Gorham, Jacquard, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Savage, Shanley, Smith, Trillo, Watson.

**45 2005-S 1156**

**BY Revens**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. PAUL EVANGELICAL LUTHERAN CHURCH

Committee on Corporations recommends passage in concurrence.

Representative Fox moves passage of the act, seconded by Representatives Gemma and Pacheco

Read and passed, , in concurrence, on a roll call vote, 54 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 54: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0.

**46 2005-S 682 as amended**

**BY Goodwin**

**ENTITLED,** AN ACT RELATING TO THE OFFICE OF THE STATE MEDICAL EXAMINERS

Committee on Finance recommends passage as amended.

Representative Naughton moves passage of the act, seconded by Representatives Savage, Gallison, Mumford, and Amaral.

Read and passed, as amended, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 57: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Lally, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, McNamara, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Wasyluk, Watson, Williamson.

NAYS - 0.

**47 2005-S 44 SUB B**

**BY Montalbano J**

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES**

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

Representative Fox moves passage of the act, seconded by Representatives Gemma and Lewiss.

The bill marked Substitute "B" is read and passed, and the original bill and the bill marked Substitute "A" indefinitely postponed, on a roll call vote, 48 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 48: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Slater, Smith, Story, Sullivan, Williamson.

NAYS - 6: Representatives Ehrhardt, Loughlin, McManus, Singleton, Trillo, Watson.

**48 2005-S 680 SUB A**

**BY Goodwin**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY --  
OFFICE OF THE STATE MEDICAL EXAMINERS**

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

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

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 54 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 54: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison,

Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Lally, Laroche, Lewiss, Long, Loughlin, McHugh, McManus, McNamara, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Wasylyk, Watson.

NAYS - 0.

**49 2005-S 170**

**BY Felag**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION - -  
COASTAL RESOURCES MANAGEMENT COUNCIL

Committee on Environment and Natural Resources recommends passage in concurrence.

Representative Fox moves passage of the act, seconded by Representatives Pacheco, Gemma, Naughton, Ginaitt, Amaral, Savage and several other members of the House.

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

YEAS - 52: Representatives Ajello, Amaral, Anguilla, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson.

NAYS - 0.

**50 2005-S 304 as amended**

**BY Paiva-Weed**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RHODE  
ISLAND RESOURCE RECOVERY CORPORATION

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

Representative Fox moves passage of the act, seconded by Representatives Gemma, Handy, Pacheco, Long and Savage.

Read and passed, as amended, in concurrence, on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 55: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini,

Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 0

**51 2005-S 384 SUB A**

**BY Perry**

**ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY  
-- ANIMAL CARE**

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

Representative Fox moves passage of the act, seconded by Representatives Gemma, Handy, Giannini, Lewiss and several other members of the House.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 51 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 51: Representatives Ajello, Amaral, Anguilla, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Laroche, Lewiss, Lima, Long, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Singleton, Slater, Smith, Story, Sullivan, Trillo, Watson, Williamson.

NAYS - 3: Representatives Gorham, Loughlin, Shanley.

**TRANSMITTAL**

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith, with the exception of bills being held on the desk.

**ANNOUNCEMENTS**

Representative Costantino announces that the Committee on Finance will meet today, at the rise of the House, in Room 35 of the State House.

Representative McNamara announces that the Committee on Health, Education and Welfare will meet today, at the rise of the House, in Room 135 of the State House.

Representative Fox announces there will be session at 4:00 P.M. on Friday, June 24, 2005.

Representative Costantino announces that the Committee on Finance will meet tomorrow at 2:30 o'clock P.M. for a budget briefing, in the House Lounge of the State House.

Representative Kennedy announces that the Committee on Corporations will meet Friday, June 24, 2005 at 3 o'clock P.M. in Room 203 of the State House.

Representative Gallison congratulates Monica DeAguiar, House Head Page, on going to Portugal to study abroad for two months.

### GUEST

Representative Williams welcomes to the House Chamber as guest, Maria Diaz, daughter of Representative Diaz.

### ADJOURNMENT

At 9:45 o'clock P.M. on motion of Representative Jacquard, and as a further mark of respect to the memory of Stephen Maroney; on motion of Representative Kennedy, and as a further mark of respect to the memory of Helen E. Mills; on motion of Representatives Mumford, Davey, Lima, and Carter and as a further mark of respect to the memory of Mary L. Barone; on motion of Representative Corvese, and as a further mark of respect to the memory of Clara Cimini; on motion of Representatives Ginaitt, Carter Naughton and Ginaitt, and as a further mark of respect to the memories of Ralph Mills, George Aiken, and Susan Sweet; on motion of Representative Story, and as a further mark of respect to the memory of Heston Hirst; on motion of Representative Jackson, and as a further mark of respect to the memory of Everett Joseph Calibani seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
**Recording Clerk**

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE RICHARD W. SINGLETON**

Thank you God for Your presence here with us and Your blessings on this Assembly today and every day. Amen.

## APPENDIX

## TRANSMITTED TO THE GOVERNOR

**House Bill No. 5228** SUB B

**BY** Naughton, Costantino, Slater

**ENTITLED**, AN ACT RELATING TO INSURANCE -- EARLY INTERVENTION SERVICES {LC958/1/B}

**House Bill No. 5280** SUB A

**BY** Ginatt, Anguilla, Gemma, Laroche, Naughton

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- EMERGENCY MEDICAL TRANSPORTATION SERVICES (expand funding sources for the emergency medical services for children) {LC865/1/A}

**House Bill No. 5504** as amended (Attorney General)

**BY** Kennedy, Sullivan, Lewiss, Gallison, Coderre E

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CONSUMER ENFORCEMENT OF MOTOR VEHICLE WARRANTIES (establish a motor vehicle arbitration board/arbitrating "lemon law") {LC1974/1}

**House Bill No. 5512** SUB A

**BY** Dennigan, Slater, Anguilla, Rose

**ENTITLED**, AN ACT RELATING TO INSURANCE - INDIVIDUAL HEALTH INSURANCE COVERAGE (change amount of time a health insurance carrier may not provide coverage in the individual market after the carrier elects to discontinue coverage) {LC1752/1/A}

**House Bill No. 5775** SUB B (Lieutenant Governor)

**BY** Kennedy, Lewiss, Coderre E, Moura, Kilmartin

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT CORPORATION -- SMALL BUSINESS ADVOCATE (create a small business advocate at the economic development corporation) {LC2099/1/B}

**House Bill No. 6206** SUB A

**BY** Crowley, Coderre E, Lewiss, Carter, Jackson

**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS -- EDUCATION (remove legislators and legislative appointees from certain boards and commissions relating to education) {LC2779/2/A}

## APPENDIX

## CALENDAR

## IN ORDER FOR THURSDAY, JUNE 23, 2005:

**1 2005-H 6389****BY Naughton****ENTITLED, AN ACT RELATING TO AQUACULTURE**

Committee on Environment and Natural Resources recommends passage.

**2 2005-H 6274 SUB A****BY Moura****ENTITLED, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND  
MAINTENANCE OF STATE ROADS**

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

**3 2005-H 5259 SUB A****BY Fox****ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --  
NATIONAL SECURITY INFRASTRUCTURE SUPPORT FUND**

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

**4 2005-H 6566****BY Ajello****ENTITLED, AN ACT RELATING TO EDUCATION - THE EDUCATION EQUITY  
AND PROPERTY TAX RELIEF ACT**

Committee on Finance recommends passage.

**5 2005-H 6577 SUB A****BY Fox****ENTITLED, AN ACT RELATING TO FIDUCIARIES -- PUBLIC RADIO  
STATIONS**

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

**6 2005-H 5386 SUB A****BY Lally****ENTITLED, AN ACT RELATING TO CHILDREN**

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

**7 2005-H 5258****BY Fox****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Finance recommends passage.

**8 2005-H 5677****BY San Bento****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- TAXATION AND TOBACCO -- DELIVERY AND SALE OF TOBACCO PRODUCTS

Committee on Finance recommends passage.

**9 2005-H 5815****BY Landroche****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Finance recommends passage.

**10 2005-H 6579 as amended****BY Almeida****ENTITLED,** JOINT RESOLUTION TO APPROVE AND PUBLISH AND TO SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION (ELECTIONS)

Committee on Judiciary recommends passage as amended.

**11 2005-H 6452 SUB A****BY Carter****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES

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

**12 2005-H 5627 SUB A****BY Lima****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

**13 2005-S 540 SUB A****BY Roberts****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- ENERGY AND CONSUMER SAVINGS ACT OF 2005

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

**14 2005-S 981 as amended**

**BY Ciccone**

**ENTITLED,** AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS

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

**15 2005-S 1153**

**BY Gallo**

**ENTITLED,** AN ACT RELATING TO EDUCATION - THE EDUCATION EQUITY AND PROPERTY TAX RELIEF ACT

Committee on Finance recommends passage in concurrence.

**16 2005-S 458 as amended**

**BY Metts**

**ENTITLED,** JOINT RESOLUTION TO APPROVE AND PUBLISH AND TO SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION (ELECTIONS)

Committee on Judiciary recommends passage as amended.

**17 2005-S 40 SUB A**

**BY Walaska**

**ENTITLED,** AN ACT RELATING TO INSURANCE

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

**18 2005-S 541**

**BY Bates**

**ENTITLED,** AN ACT RELATING TO THE INTERSTATE COMPACT ON INSURANCE PRODUCT REGULATION

Committee on Corporations recommends passage in concurrence.

**19 2005-S 542**

**BY Bates**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- AGENTS, BROKERS AND SOLICITORS

Committee on Corporations recommends passage in concurrence.

**20 2005-S 546****BY Bates****ENTITLED,** AN ACT RELATING TO INSURANCE -- FIRE AND MARINE  
INSURANCE RATING

Committee on Corporations recommends passage in concurrence.

**21 2005-S 774****BY Bates****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage in concurrence.

**22 2005-S 1133****BY Polisena****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- BUILDING  
AND FIRE SAFETY CODE

Committee on Corporations recommends passage in concurrence.

**23 2005-S 1128****BY Roberts****ENTITLED,** AN ACT RELATING TO HEALTH CARE SERVICES --  
UTILIZATION REVIEW ACT

Committee on Corporations recommends passage in concurrence.

**24 2005-S 490 SUB A****BY Alves****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
PUBLIC ACCOUNTANCYCommittee on Corporations recommends indefinite postponement of the original bill  
and passage of Substitute A in concurrence.**25 2005-S 1085****BY Fogarty P****ENTITLED,** AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Corporations recommends passage in concurrence.

**26 2005-S 1130****BY Algieri****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE CHARTER OF PREMIER MOTORS, INC.

Committee on Corporations recommends passage in concurrence.

**IN ORDER FOR FRIDAY, JUNE 24, 2005:****1 2005-H 6430 SUB A****BY Malik****ENTITLED, AN ACT RELATING TO VETERANS' AFFAIRS**

Committee on Veterans' Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

**2 2005-H 5027 SUB B as amended****BY Kennedy****ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - - UNFAIR SALES PRACTICES**

Ordered on the Calendar

**3 2005-H 6530 SUB A****BY Kennedy****ENTITLED, AN ACT RELATING TO INSURANCE -- WORKERS' COMPENSATION INSURANCE FUND**

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

**4 2005-H 5182 SUB A****BY Naughton****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS**

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

**5 2005-H 6180****BY Malik****ENTITLED, AN ACT RELATING TO HISTORIC RESIDENCE - TAX CREDIT**

Committee on Finance recommends passage.

**6 2005-H 6315****BY McCauley****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

Committee on Finance recommends passage.

**7 2005-H 5598****BY Mumford****ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES**

Committee on Finance recommends passage.

**8 2005-H 6572****BY Corvese****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES -- SCHOOL BUSES

Committee on Health, Education &amp; Welfare recommends passage.

**9 2005-H 6439****BY Slater****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF SCHOOL DISTRICTS IN RHODE ISLAND

Committee on Health, Education &amp; Welfare recommends passage.

**10 2005-H 6277****BY Kilmartin****ENTITLED,** AN ACT RELATING TO EDUCATION - PERFORMANCE ENHANCING DIETARY SUPPLEMENTS

Committee on Health, Education &amp; Welfare recommends passage.

**11 2005-H 6340 SUB A****BY Kilmartin****ENTITLED,** AN ACT RELATING TO EDUCATION

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

**12 2005-S 133****BY Blais****ENTITLED,** AN ACT RELATING TO MILITARY SERVICE -- ACTIVE DUTY TAX EXEMPTION

Committee on Veterans' Affairs recommends passage in concurrence.

**13 2005-S 503 SUB A****BY Felag****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES

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

**14 2005-S 961 SUB B****BY Bates****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION

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

**15 2005-S 710 SUB B****BY Perry****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT

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

**16 2005-S 916 SUB B****BY Goodwin****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS -- DOMESTIC ASSAULT

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

**17 2005-S 917 SUB B****BY Goodwin****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS -- DOMESTIC ABUSE PREVENTION

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

**SPECIAL ORDER OF BUSINESS IN ORDER FOR MONDAY, JUNE 27, 2005****1 2005-H 5270 SUB A****BY Watson****ENTITLED,** AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2006

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

**IN ORDER FOR TUESDAY, JUNE 28, 2005:****1 2005-H 6170 SUB A as amended****BY Coderre E****ENTITLED,** AN ACT SEPARATION OF POWERS

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

**2 2005-S 39 SUB A as amended****BY Bates****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

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

**3 2005-S 508 SUB A****BY Alves****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT  
-- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

**4 2005-S 548 SUB A****BY Bates****ENTITLED,** AN ACT RELATING TO INSURANCE -- UNFAIR COMPETITION  
AND PRACTICES

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

**5 2005-S 123 SUB A****BY Gibbs****ENTITLED,** AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT  
OF LOCAL TAXES

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

**6 2005-S 311****BY Blais****ENTITLED,** AN ACT RELATING TO INSURANCE -- SMALL EMPLOYER  
HEALTH INSURANCE AVAILABILITY ACT

Committee on Corporations recommends passage in concurrence.

**IN ORDER FOR WEDNESDAY, JUNE 29, 2005:****1 2005-H 6160****BY Faria****ENTITLED,** HOUSE RESOLUTION CREATING A SPECIAL HOUSE  
COMMISSION TO STUDY AUTO BODY AND SALVAGE SHOPS

Committee on Labor recommends passage.

**2 2005-H 6167**

**BY Kilmartin**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
CERTIFICATES OF TITLE AND SECURITY INTERESTS

Committee on Corporations recommends passage.

**3 2005-H 5717**

**BY Malik**

**ENTITLED,** AN ACT RELATING TO LABOR RELATIONS ACT

Committee on Labor recommends passage.

**4 2005-S 1035 as amended**

**BY Montalbano J**

**ENTITLED,** AN ACT RELATING TO THE CLEARY SCHOOL

Committee on Corporations recommends passage as amended in concurrence.

**Louis D'Antuono**  
**Clerk of the House**

**Thursday, June 23, 2005**