

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. 66

Thursday, June 23, 2005

Sixty-sixth Day

The House of Representatives meets at the State House in Providence, Thursday, June 23, 2005 and is called to order at 4:26 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 69 members present and 6 members absent as follows:

PRESENT - 69: 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, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

ABSENT – 6: Representatives Faria, Palumbo, San Bento, Scott, Ucci, Wasylk.

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Wednesday, June 22, 2005 is approved as printed.

**REPORT OF COMMITTEE
COMMITTEE ON VETERANS AFFAIRS**

Representative Carter, for the Committee on Veterans Affairs, reports back the following measure, with recommendation of passage:

Senate Bill No. 825 SUB A

BY Tassoni, Fogarty P, Lanzi, Badeau

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES (motor vehicle plate for all active & retired members of the
US Reserve Forces) {LC2516/1/A}

06/23/2005 Placed on House Calendar

NEW BUSINESS

House Bill No. 6628

BY Lewiss, Almeida, Williams, Diaz, Slater

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS {LC3548/1}

06/23/2005 Introduced, referred to House Finance

House Bill No. 6629

BY Lewiss, Shanley, Kennedy, Moffitt, Dennigan

ENTITLED, AN ACT RELATING TO PERSONAL INCOME TAX {LC3571/1}

06/23/2005 Introduced, referred to House Finance

House Resolution No. 6630

BY Rice, Williamson, Smith, Watson, Gorham

ENTITLED, HOUSE RESOLUTION STRONGLY URGING GOVERNOR CARCIERI NOT
TO USE THE BIG RIVER RESERVOIR AREA AS THE SITE FOR THE NEW STATE
POLICE HEADQUARTERS {LC3543/1}

06/23/2005 Introduced, referred to House Finance

House Bill No. 6631

BY McManus

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS
{LC2863/1}

06/23/2005 Introduced, referred to House Corporations

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 820 SUB A

BY Gallo, Tassoni, Walaska

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS AND INFORMATION
ACT (no consent for release/transfer of confidential health care info be required by a third-party
adm, HMO, nonprofit hospital and medical service corp or service provider if permitted by
HIPAA.) {LC1958/1/A}

06/23/2005 Referred to House H.E.W.

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.

Representative Ginaitt moves passage of the act, seconded by Representatives Naughton, Kilmartin, Shanley, Loughlin, Costantino, and Gemma.

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

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kilmartin, Lally, Landroche, Lewiss, Lima, Loughlin, Malik, McCauley, McHugh, McManus, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Petrarca, Picard, Rice, Rose, Savage, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Watson, Williams, Winfield.

NAYS - 0.

REQUEST

Representative Kennedy requests the journal to reflect that if he had voted on (05-H 6389), he would have voted in the affirmative.

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.

Representative Ginaitt moves passage of the act, seconded by Representatives Moura, Mumford, Shanley, and Gemma.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 52 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Ehrhardt, Flaherty, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Landroche, Lewiss, Lima, Long, Loughlin, McCauley, McHugh, McManus, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Watson, Williams, Winfield.

NAYS - 1: Representative Dennigan.

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.

Representative Costantino moves passage of the act, seconded by Representatives Gallison, Carter, Jackson, Jacquard, Loughlin, Brien and Naughton.

Read, and by unanimous consent, ordered to be placed on the Calendar after item # 9 as item # 9a.

RECONSIDERATION

Representative Ginaitt moves to reconsider item #2 (05-H6274 SUBA), seconded by Representative Kilmartin.

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

YEAS - 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Flaherty, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kilmartin, Lally, Landroche, Lewiss, Malik, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Petrarca, Picard, Rose, Savage, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Winfield.

NAYS - 0.

REQUESTS

Representatives Amaral, and Pacheco request the journal to reflect that if they had voted on the motion to reconsider (05-H 6274 SUB A), they would have voted in the affirmative.

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.

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

**FLOOR AMENDMENT
TO
2005 -- H 6274 SUBSTITUTE A****AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS**

Mr. Speaker:

I hereby move to amend 2005 -- H 6274 SUBSTITUTE A, entitled "AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS", as follows:

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

"SECTION 1. Sections 24-8-15 and 24-8-26 of the General Laws in Chapter 24-8 entitled "Construction and Maintenance of State Roads" are hereby amended to read as follows:

24-8-15. Snow and ice removal -- Notice of defects. -- (a) Every town or city shall at its own expense keep state roads within its limits, respectively, sufficiently clear of snow and ice so the roads shall be reasonably safe for travel as now required by law, and shall at once notify in writing the director of transportation or his or her employees of any defect or want of repair of state roads within its limits.

(b)(1) ~~Notwithstanding any other provision of law or state policy regarding the removal of snow and ice from state maintained roads, the application of de-icing agents to any road within the Scituate watershed shall, whenever possible and not precluded by the severity of road conditions, be in the premixed ratio of four (4) parts sodium chloride to one part calcium chloride, which de-icing mix shall be applied at the ratio of two (2) parts de-icing agent to seven (7) parts sand at the rate of one hundred seventy (170) pounds per lane mile.~~

(2) All storage piles or areas where road de-icing agents are stored within the Scituate watershed shall be adequately covered and stored on an impervious base to mitigate runoff impacts to ground and surface waters. The director of the department of transportation shall ensure where funds allow, that all drivers, loaders and handlers of de-icing agents within any watershed participate in training sessions in the proper application and control of road de-icing

agents; that de-icing vehicles, wherever feasible, operating within the Scituate watershed area equipped with sensor devices to control the spread rate of de-icing materials in relation to the speed of the vehicle.

(3) For purposes of this section the "Scituate watershed" shall mean the total drainage area into the Scituate Reservoir -- an area of some 92.8 square miles in the towns of Scituate, Johnston, Foster, Gloucester, and Smithfield -- which because of its topography, soil type, and drainage patterns acts as a collector of rain waters which replenish or regorge existing public drinking water supplies in the Scituate Reservoir.

24-8-26. Removal of snow and ice from bridges -- Notice of defects. -- (a) Every town or city in which any bridge is located, which shall be maintained by the state under the provisions of this chapter, shall at its own expense keep the bridge within its limits sufficiently clear of snow and ice so that the bridge shall be reasonably safe for traveling, and shall at once notify in writing the director of transportation or the director's employees of any defect or want of repair in the bridge. The director of transportation shall upon the receipt of the information notify any public utility using the bridge of the defect or want of repair.

~~(b) Notwithstanding any other provision of law or state policy regarding the removal of snow and ice from state maintained roads, the application of de-icing agents to any road within the Scituate watershed shall, whenever possible and not precluded by the severity of road conditions, be in the premixed ratio of four (4) parts sodium chloride to one part calcium ehloride, which de-icing mix shall be applied at the ratio of two (2) parts de-icing agent to seven (7) parts sand at the rate of one hundred seventy (170) pounds per lane mile.~~

(c) All storage piles or areas where road de-icing agents are stored within the Scituate watershed shall be adequately covered and stored on an impervious base to mitigate runoff impacts to ground and surface waters. The director of the department of transportation shall ensure where funds allow, that all drivers, loaders, and handlers of de-icing agents within any watershed participate in training sessions in the proper application and control of road de-icing agents; that de-icing vehicles, wherever feasible, operating within the Scituate watershed area equipped with sensor devices to control the spread rate of de-icing materials in relation to the speed of the vehicle.

(d) For purposes of this section the "Scituate watershed" shall mean the total drainage area into the Scituate Reservoir -- an area of some 92.8 square miles in the towns of Scituate, Johnston, Foster, Gloucester, and Smithfield -- which because of its topography, soil type, and drainage patterns acts as a collector of rain waters which replenish or regorge existing public drinking water supplies in the Scituate Reservoir.

SECTION 2. Section 46-15.3-11 of the General Laws in Chapter 46-15.3 entitled "Public Drinking Water Supply System Protection" is hereby amended to read as follows:

46-15.3-11. Disbursements from the funds. -- (a) Only suppliers which withdraw water from wells, reservoirs, springs, or other original sources of potable water shall be entitled to disbursements from the first of the two (2) mentioned funds created under section 46-15.3-10 administered by the water resources board. From amounts available from bond proceeds held by the water resources board, that board shall disburse to each supplier contributing to the fund a proportional amount based upon each supplier's pro rata withdrawal of water by volume from wells, reservoirs, springs, or other original sources of water averaged over the three (3) calendar years preceding disbursement as determined by the water resources board. Suppliers shall be required to expend this money as follows:

(1) Not less than fifty-five percent (55%) shall be spent for acquisition of land or rights

in land or physical improvements to acquired land required to protect the quality of raw water of the water supply system. Expenditures for maintenance, administration, and payment of taxes on land acquired under this chapter shall be included within this subdivision.

(2) Any remaining funds may be used for any eligible expenditures as defined in section 46-15.3-4.

(b) The city of Providence shall make expenditures from amounts available in the fund held by the city of Providence based on the same formula as in subsections (a)(1) and (a)(2) above; provided, however, the city of Providence shall be exempt from participating in the use of an alternate deicing mixture within the Scituate watershed unless drinking water supply sodium levels exceed fifteen (15) ppm (parts per million) for three (3) consecutive years or seventeen (17) ppm (parts per million) for one year. The city of Providence will monitor sodium levels and report sodium testing results to the Rhode Island Department of Health and the public on a yearly basis. If drinking water supply sodium levels exceed fifteen (15) ppm for three (3) consecutive years or seventeen (17) ppm for one year, the city of Providence shall immediately participate in the use of an alternative deicing mixture within the Scituate watershed. In December of 2008, the city of Providence will provide a three (3) year report to the Rhode Island Department of Environmental Management, the general assembly and the public. Every three (3) years, the city of Providence will submit a report to the general assembly on monitoring data for sodium levels within the Scituate watershed. This report will include monitoring data from the previous three (3) year period. provided, however, that upon receipt of authenticated vouchers from the director of the department of transportation for expenditures made by the department in the purchase of deicing agent alternatives in the removal of snow and ice from roads and bridges within the Scituate watershed, pursuant to sections 24-8-15 and 24-8-26, the city of Providence shall honor the vouchers.

(c) In making decisions about the expenditure of money under the provisions of this chapter, suppliers shall take into account the following factors:

- (1) The likelihood of development of the specific parcel proposed for acquisition;
- (2) The existing land uses, as well as the likelihood of development, in the watershed;
- (3) The potential threat to public drinking water sources posed by development in the watershed including, but not limited to, the intensity of development, the types of land uses, proximity to reservoirs and/or well heads, and the buffering and filtration capacity of the natural systems;
- (4) Whether alternative protection measures are available and/or have been attempted, including local land use regulations;
- (5) The number of persons who presently depend on the sources for their drinking water, as well as the number of persons who may depend on it in the future;
- (6) The anticipated cost of the parcel proposed to be purchased, and whether less than a fee interest may be acquired which would reduce the cost significantly while still providing protection to the source;
- (7) Other cost effectiveness considerations, including whether protection of the source can be provided by the construction of physical improvements;
- (8) Whether acquisition of the specific parcel, and the protection of the watershed of which it is a part, is consistent with other planning considerations;
- (9) Proposed management techniques for the parcel proposed to be acquired which will maximize its capacity to protect the source.

(d) The costs of issuance of notes and bonds authorized by section 46-15.3-10 may be

payable from any monies in the water quality protection funds.

SECTION 3. This act shall take effect upon passage."

Respectfully submitted,

REPRESENTATIVE GINAITT

Representative Ginaitt discusses the amendment.

The motion to amend prevails on a roll call vote 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Costantino, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Watson, Williams, Winfield.

NAYS - 0.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 54 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Church, Coderre, Corvese, Crowley, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rose, Savage, Schadone, Shanley, Singleton, Slater, Sullivan, Trillo, Watson, Williams, Winfield.

NAYS - 1: Representative Dennigan.

REQUESTS

Representatives Amaral, Story and Davey requests the journal to reflect that if they had voted on (05-H 6274 SUB A aa), they would have voted in the affirmative.

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.

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

Read and passed, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Coderre, Costantino, Crowley, Davey, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Winfield.

NAYS - 0.

REQUEST

Representative Corvese requests the journal to reflect that if he had voted on (05-H 6566), he would have voted in the affirmative.

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.

Representative Costantino moves passage of the act, seconded by Representatives Naughton, Rose, Crowley, Malik, Coderre, Sullivan, Lewiss, Moura, Carter, Ajello, Handy, and Kilmartin.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 57 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Slater, Story, Sullivan, Voccola, Williams, Winfield.

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

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.

Representative Lally moves passage of the act, seconded by Representatives Ginaitt, Williams, Schadone, and Carter.

Representatives Handy, Corvese, Trillo, Lally, Caprio, Amaral, Moura, and Long discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 50 members voting in the affirmative and 10 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Flaherty, Fox, Gallison, Giannini, Ginaitt, Jackson, Jacquard, Kennedy, Lally, Landroche, Lewiss, Lima, McCauley, McHugh, McNamara, Melo, Menard, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Sullivan, Trillo, Voccola, Williams, Williamson, Winfield.

NAYS - 10: Representatives Davey, Ehrhardt, Gorham, Handy, Laroche, Long, Loughlin, McManus, Moffitt, Story.

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

Committee on Finance recommends passage.

By unanimous consent, Representative Costantino moves to recommit, seconded by Representative Fox. There is no objection.

Read, and recommitted to the Committee on Finance.

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.

Representative Shanley moves passage of the act, seconded by Representative Costantino

Read and passed, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Costantino, Davey, DeSimone, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Lally, Landroche, Laroche, Lewiss, Lima, Long, Malik, McCauley, McHugh, McManus, Melo, Menard, Moffitt, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Corvese requests the journal to reflect that if he had voted on (05-H 5677), he would have voted in the affirmative.

9 2005-H 5815

BY Landroche

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Finance recommends passage.

Representative Landroche moves passage of the act, seconded by Representative Rose.

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

9a 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.

Representative Costantino moves passage, seconded by Representatives Fox, Shanley, Lally, Landroche, Carter, Rice, Jackson, Gallison, Flaherty, Lima, Pacheco, Long, Diaz, and Brien.

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

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard,

Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, Savage, Schadone, Shanley, Slater, Story, Sullivan, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

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.

Representative Flaherty moves passage of the resolution, seconded by Representatives Almeida, Ajello, Handy, O'Neill, Davey, Williams, Coderre, and Slater.

Representatives Trillo, Flaherty, and Gorham discuss the resolution, as amended.

Representative Flaherty rises on several points of order for Representative Gorham to speak germane to the resolution, as amended. The Honorable Speaker rules for Representative Gorham to speak germane to the resolution, as amended.

Representatives Gorham, Davey, continue discussion on the resolution, as amended.

NOW PRESIDING

At 5:03 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

Representatives Gemma and Long discuss the resolution, as amended.

NOW PRESIDING

At 5:13 o'clock P.M. the Honorable Speaker Pro Tempore Lima yields the rostrum to the Honorable Speaker Murphy

Representatives Rice, Shanley, Caprio, Almeida, Handy, McHugh, Diaz, Williams, Trillo, Williamson, Lima, and Slater continue discussion on the resolution, as amended.

Read and passed, as amended, on a roll call vote, 59 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Williams, Williamson, Winfield.

NAYS - 6: Representatives Brien, Caprio, Gorham, McHugh, Mumford, Watson.

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.

Representative Kennedy moves passage of the act, seconded by Representatives Carter, Landroche, Lewiss, and Lima.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 59 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, Savage, Schadone, Shanley, Slater, Story, Sullivan, Voccola, Williams, Williamson, Winfield.

NAYS - 2: Representatives Gorham, Watson.

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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Friday, June 24, 2005.

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.

Representative Fox moves passage of the act, seconded by Representatives Handy, Ajello, Lewiss, Ginaitt, Slater, Long, and Brien.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a roll call vote, 51 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, Savage, Schadone, Shanley, Slater, Story, Sullivan, Voccola, Williamson, Winfield.

NAYS - 6: Representatives Gorham, McManus, Menard, Mumford, Trillo, Watson.

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.

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

Read and passed, as amended, in concurrence, on a roll call vote, 58 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Williams, Winfield.

NAYS - 2: Representatives Dennigan, Pacheco.

REQUEST

Representative Gorham requests the journal to reflect that if they had voted on item # 14(05-S 981aa, in concurrence), he would have voted in the affirmative.

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.

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

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

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

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.

Representative Flaherty moves passage of the resolution, seconded by Representatives Ajello, Almeida, Handy, O'Neill, Slater, Williams, Lally and Carter.

Read and passed, as amended, on a roll call vote, 58 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice,

Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Williams, Winfield.

NAYS - 5: Representatives Brien, Caprio, Gorham, McHugh, Mumford.

REQUEST

Representative Watson requests the journal to reflect that if he had voted on (05-S 458aa), he would have voted in the negative.

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.

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

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 7 members voting in the negative as follows:

YEAS - 49: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Giannini, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Malik, McCauley, McNamara, Melo, Menard, Moran, Mumford, Naughton, O'Neill, Petrarca, Rice, Rose, Savage, Schadone, Shanley, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 7: Representatives Gorham, Long, Loughlin, McHugh, McManus, Moura, Picard.

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.

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

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

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

NAYS - 0.

19 2005-S 542

BY Bates

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

Committee on Corporations recommends passage in concurrence.

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

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, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

20 2005-S 546

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- FIRE AND MARINE INSURANCE RATING

Committee on Corporations recommends passage in concurrence.

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

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

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox,

Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Williams, Williamson, Winfield.

NAYS - 2: Representatives Gorham, Watson.

21 2005-S 774

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage in concurrence.

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

Read and passed, in concurrence, on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 0.

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.

Representative Kennedy moves passage of the act, seconded by Representatives Landroche, Carter, Sullivan and Laroche.

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, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh,

McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

23 2005-S 1128

BY Roberts

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

Committee on Corporations recommends passage in concurrence.

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

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, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, Raymond C. Church, State Representative, District 48, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: 05-S 490 SUB A
2. (Nature of the potential conflict) I have the following interest in the matter:
I have been given an advisory by the Ethics Commission not to vote on any matter concerning accountancy.
3. (Complete and (A.) or (B.) and cross out whichever does not apply
B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

Raymond C. Church
Representative, District 48

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 23rd day of June AD, 2005

David W. Dumas
Notary Public

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

WILLIAM J. MURPHY
Speaker of the House of Representatives

24 2005-S 490 SUB A

BY Alves

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PUBLIC ACCOUNTANCY**

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

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

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

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

25 2005-S 1085

BY Fogarty P

ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Corporations recommends passage in concurrence.

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

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

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Williamson, Winfield.

NAYS - 0.

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.

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

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

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, Loughlin, McCauley, McHugh, McManus, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 0.

REQUESTS

Representative Flaherty requests the journal to reflect that if he had voted on (05-S 1130), he would have voted in the affirmative.

Representative Fox requests leave of the House to take up item # 2 (05-S 932 SUB A) from the Senate Duplicate Calendar, in order for Friday, June 24, 2005. There is no objection.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

AFFIDAVIT

I, John Loughlin II, State Representative, District 71, hereby under oath depose and say:

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

05-S 932 SUB A Relating to film & television tax credit

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

Owner (op. of film & television production company)

3. (Complete and (A.) or (B.) and cross out whichever does not apply

B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

John Loughlin II
Representative, District 71

State of Rhode Island
County of Providence

Subscribed and sworn to before me this 23rd day of June AD, 2005

David W. Dumas
Notary Public

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

WILLIAM J. MURPHY
Speaker of the House of Representatives

2 2005-S 932 SUB A

BY Montalbano J

ENTITLED, AN ACT RELATING TO FILM AND TELEVISION TAX CREDIT

Ordered on the Calendar

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

Read and passed, in concurrence, on a roll call vote, 56 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Church, Coderre, Corvese, Costantino, Davey, Dennigan, Diaz, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Malik, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Singleton, Slater, Story, Sullivan, Trillo, Voccola, Williams, Winfield.

NAYS - 3: Representatives Ehrhardt, McManus, Watson.

REQUEST

Representative Long requests the journal to reflect that if he had voted on (05-S 932 SUB A, in concurrence), he would have voted in the affirmative.

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.

COMMUNICATION FROM THE SENATE

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

By unanimous consent, Representative Fox requests to take up 6 House bills that were amended in the Senate. There is no objection.

House Bill No. 5500 SUB B applications for emergency mail ballots

BY Lewiss, Kennedy, O'Neill, McNamara, Gemma

ENTITLED, AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS

(applications for emergency mail ballots) {LC1469/1/B}

06/23/2005 Placed on House Calendar

House Bill No. 5569 SUB B

BY Slater, Almeida, Williams, Diaz, McCauley

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSING SERVICE AGENCIES (nursing pool licensure) {LC826/1/B}

06/23/2005 Placed on House Calendar

House Bill No. 5883 SUB A

BY Kennedy, Costantino, Corvese, McNamara, Story

ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS (provide coverage to self-insured groups for excess losses) {LC2245/1/A}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a motion of Representative Fox seconded by Representative Watson on a roll call vote, 52 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 52: The Honorable Speaker Murphy and Representatives Ajello, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Laroche, Lewis, Lima, Long, Loughlin, McCauley, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Picard, Rice, Rose, Savage, Schadone, Shanley, Slater, Story, Sullivan, Trillo, Voccola, Watson, Winfield.

NAYS - 0.

House Bill No. 5631 SUB A

BY Lewiss, Anguilla, San Bento, Shanley, Kennedy

ENTITLED, AN ACT RELATING TO PROPERTY -- POWERS (power of attorney/third person) {LC214/1/A}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, on a motion of Representative Fox seconded by Representatives Watson and Lima, on a roll call vote, 51 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 51: Representatives Ajello, Almeida, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Laroche, Lewis, Long, Loughlin, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Savage, Schadone, Shanley, Slater, Story, Sullivan, Trillo, Voccola, Winfield.

NAYS - 0.

House Bill No. 5420 SUB B

BY Lima, Diaz, Slater, Moura, Almeida

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES (increase minimum wage) {LC1074/1/B}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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 motion of Representative Fox seconded by Representative Lima on a roll call vote, 50 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 50: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Ehrhardt, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, McCauley, McHugh, McNamara, Melo, Menard, Moran, Moura, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Shanley, Slater, Story, Sullivan, Voccola, Williams, Winfield.

NAYS - 7: Representatives Davey, Gorham, Loughlin, Moffitt, Mumford, Trillo, Watson.

REQUEST

Representative Davey requests the journal to reflect that he had voted incorrectly on (05-H 5420 SUB B, in concurrence), he should have voted in the affirmative.

House Bill No. 6361 as amended

BY Sullivan, Watson

ENTITLED, AN ACT RELATING TO TAXATION -- WEST GREENWICH (separate tax classification for unimproved residentially zoned real property) {LC3025/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, as amended, in concurrence, on a motion of Representative Fox seconded by Representatives Gemma, Shanley, and Sullivan, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Caprio, Carter, Church, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Laroche, Lewiss, Lima, Long, McCauley, McHugh, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Picard, Rice, Rose, Savage, Schadone, Slater, Story, Sullivan, Trillo, Voccola, Watson, Williams, Winfield.

NAYS - 0.

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

Representative McNamara announces that the Committee on Health, Education and Welfare will meet tomorrow, at 3:30 o'clock P.M. in Room 135 of the State House.

Representative Almeida announces that the Committee on Labor will meet tomorrow, at 3 o'clock P.M. in Room 201 of the State House.

GUESTS

Representative Coderre welcomes to the House Chamber as guests from Pawtucket, the Tolman High School "Tigers" Spring Baseball-Varsity, Division II Boys State Champions as follows: Jeff Costa, Eric d'Oliveira, Kyle M. Dumont, Michael Pirtle, Joshua Hutton, along with their Head Coach-Mr. Patrick Sullivan.

Also, Representative Coderre welcomes to the House Chambers as guests from Pawtucket, the Tolman High School "Tigers" Spring Slowpitch Girls Softball-Varsity, Division I, undefeated State Champions as follows: Trisha Grasso-Captain, Christie Hoffer, Kayla Mendonca, Kerry Martinez, Brittany Olson-Captain, Mallory Mooney-Captain, Alexandra Gustafson, Amanda Tremblay, Danielle Gard, Emily Sharkey, Stephanie Phillips, Shana Girouard, Maritza Rivera, Rebecca Estrella, along with their Head Coach-Mr. Tom Vecoli.

ADJOURNMENT

At 6:12 o'clock P.M. on motion of Representative Coderre, and as a further mark of respect to the memory of Stephen C. Azevedo (for poem see appendix of this journal); on motion of Representative Shanley, and as a further mark of respect to the memory of Donald M. Szrom seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE NORMAN L. LANDROCHE

Heavenly Father, look with favor on our deliberation and assist us by your grace to do what is just and wise. Amen.

APPENDIX**POEM****DEDICATED TO
STEPHEN C. AZEVEDO**

I would like to adjourn today in the memory of Stephen C. Azevedo the nephew of former Representative Robert Salisbury.

I first met Stephen 31 years ago on his first day of kindergarten. He was a dark haired child with a wonderful smile. On Sunday, June 19th Stephen lost a two month battle with cancer and died at the age of thirty-five. He will be missed by his Family and friends.

I dedicate this poem to his memory:

I'd like the memory of me to be a happy one.

I'd like to leave an afterglow of smiles when life is done.

I'd like to leave an echo whispering softly down the ways, of happy times and laughing times and bright sunny days.

I'd like the tears of those who grieve, to dry before the sun of happy memories that I leave when life is done.

Rest in peace Stephen.

APPENDIX

TRANSMITTED TO THE GOVERNOR

House Bill No. 5883 SUB A

BY Kennedy, Costantino, Corvese, McNamara, Story

ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS (provide coverage to self-insured groups for excess losses) {LC2245/1/A}

House Bill No. 5631 SUB A

BY Lewiss, Anguilla, San Bento, Shanley, Kennedy

ENTITLED, AN ACT RELATING TO PROPERTY -- POWERS (power of attorney/third person) {LC214/1/A}

House Bill No. 5420 SUB B

BY Lima, Diaz, Slater, Moura, Almeida

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES (increase minimum wage) {LC1074/1/B}

House Bill No. 6361 as amended

BY Sullivan, Watson

ENTITLED, AN ACT RELATING TO TAXATION -- WEST GREENWICH (separate tax classification for unimproved residentially zoned real property) {LC3025/1}

Senate Bill No. 81 SUB A as amended

BY Badeau, Cote, Ciccone, Bates, McBurney

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - SUNDAY BUSINESS (retail establishments not open on Christmas but could be open on Sundays & other holidays) {LC630/1/A}

Senate Bill No. 431

BY Caprio F

ENTITLED, AN ACT RELATING TO PROPERTY -- POWERS (person who acts in good faith reliance on a power of attorney not incur liability) {LC1351/1}

Senate Bill No. 778 SUB A

BY Roberts, Pichardo

ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS (self-funded groups for excess losses incurred) {LC1956/1/A}

Senate Bill No. 815

BY Alves, McBurney, Doyle, Issa, Walaska

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- ALL-INCLUSIVE CARE FOR THE ELDERLY (authorize and initiate a state program for all-inclusive care for the elderly) {LC2383/1}

Senate Bill No. 822**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS (amend various sections of the Rhode Island Business Corporation Act) {LC2407/1}**Senate Bill No. 881 SUB A****BY** Pichardo, Connors, Gallo, Issa, Goodwin**ENTITLED**, AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS (applications for emergency mail ballots be received by 4:00 p.m. on the day prior to the election or primary) {LC2499/1/A}**Senate Bill No. 952****BY** Breene**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS (establish a municipal court in the town of Exeter) {LC2794/1}**Senate Bill No. 1015 SUB A****BY** Walaska, Bates, Paiva-Weed, Polisen**ENTITLED**, AN ACT RELATING TO INSURANCE -- PRODUCER LICENSING ACT (rules for compensation disclosure) {LC2995/1/A}**Senate Bill No. 1033****BY** McBurney**ENTITLED**, AN ACT EXEMPTING FROM TAXATION THE REAL, MIXED AND PERSONAL PROPERTY OF BLACKSTONE VALLEY COMMUNITY ACTION PROGRAM, INC. OF PAWTUCKET (exempt the Blackstone Valley Community Action Program, Inc. of Pawtucket from taxation) {LC3104/1}**Senate Bill No. 1132****BY** Goodwin**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF INTERCITY AMBULANCE SERVICE, INC. {LC3239/1}**Senate Bill No. 1156****BY** Revens**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. PAUL EVANGELICAL LUTHERAN CHURCH {LC3463/1}

APPENDIX

CALENDAR

IN ORDER FOR FRIDAY, JUNE 24, 2005:

1 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.

2 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.

3 2005-H 5027 SUB B as amended**BY Kennedy****ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRACTICES**

Ordered on the Calendar

4 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.

5 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.

6 2005-H 6180**BY Malik****ENTITLED, AN ACT RELATING TO HISTORIC RESIDENCE - TAX CREDIT**

Committee on Finance recommends passage.

7 2005-H 6315**BY McCauley****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Finance recommends passage.

8 2005-H 5598**BY Mumford****ENTITLED,** AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Finance recommends passage.

9 2005-H 6572**BY Corvese****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES -- SCHOOL BUSES

Committee on Health, Education & Welfare recommends passage.

10 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 & Welfare recommends passage.

11 2005-H 6277**BY Kilmartin****ENTITLED,** AN ACT RELATING TO EDUCATION - PERFORMANCE ENHANCING DIETARY SUPPLEMENTS

Committee on Health, Education & Welfare recommends passage.

12 2005-H 6340 SUB A**BY Kilmartin****ENTITLED,** AN ACT RELATING TO EDUCATION

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

13 2005-S 133**BY Blais****ENTITLED,** AN ACT RELATING TO MILITARY SERVICE -- ACTIVE DUTY TAX EXEMPTION

Committee on Veterans' Affairs recommends passage in concurrence.

14 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.

15 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.

16 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.

17 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.

18 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 5815****BY Landroche****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Finance recommends passage.

2 2005-H 5500 SUB B**BY Lewiss****ENTITLED,** AN ACT RELATING TO ELECTIONS -- GENERAL PROVISIONS

Ordered on the Calendar

3 2005-H 5569 SUB B**BY Slater****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSING SERVICE AGENCIES

Ordered on the Calendar

4 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.

5 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.

6 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.

7 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.

8 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.

9 2005-S 311**BY Blais****ENTITLED,** AN ACT RELATING TO INSURANCE -- SMALL EMPLOYER
HEALTH INSURANCE AVAILABILITY ACT

Committee on Corporations recommends passage in concurrence.

10 2005-S 825 SUB A**BY Tassoni****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.

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