

State of Rhode Island and Providence Plantations

JOURNAL
-OF THE-
HOUSE OF REPRESENTATIVES

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the third day of January in the year of Our Lord two thousand and six.

Volume 133, No. 56

Thursday, May 25, 2006

Fifty-sixth Day

The House of Representatives meets at the State House in Providence, Thursday, May 25, 2006 and is called to order at 4:31 o'clock P.M., by the Honorable William J. Murphy, Speaker.

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

PRESENT - 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Caprio, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Ehrhardt, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McCauley, McHugh, McManus, McNamara, Melo, Menard, Moffitt, Moran, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Singleton, Slater, Smith, Story, Sullivan, Trillo, Ucci, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

ABSENT – 3: Representatives Anguilla, DeSimone, Petrarca.

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, May 24, 2006 is approved as printed.

**REPORTS OF COMMITTEES
COMMITTEE ON CORPORATIONS**

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

House Bill No. 8104

BY Malik

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES - TOWN OF WARREN (provide procedure for assessment and taxation of new real estate construction in the town of Warren) {LC3183/1}

05/25/2006 Placed on House Calendar

House Bill No. 8062

BY Watson

ENTITLED, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO IMPLEMENT A TAX INCREASE DEFERRAL PROGRAM FOR SENIOR RESIDENT HOMEOWNERS (defer the payment of property tax increases and interest thereon on residences of property owned and occupied by a person or persons 65 years of age or older) {LC3130/1}

05/25/2006 Placed on House Calendar

House Bill No. 8017

BY Pacheco, Winfield, Gorham

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION (amend the property tax exemptions for the elderly and disabled in the town of Gloucester) {LC3058/1}

05/25/2006 Placed on House Calendar

House Bill No. 7951 (by request)

BY Rice, Jackson, Long

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- AUTHORIZING THE TOWN OF MIDDLETOWN TO CONSTRUCT AND MAINTAIN A STORMWATER CONTROL SYSTEM (establish a special assessment to be collected from all owners of land abutting roads where drainage pipes and other storm water apparatus have been installed at the town's expense) {LC2900/1}

05/25/2006 Placed on House Calendar

House Bill No. 8020 SUB A

BY Church

ENTITLED, AN ACT IN AMENDMENT OF CHAPTER 218 OF THE PUBLIC LAWS OF 1993 ENTITLED "AN ACT RELATING TO THE TOWN OF NORTH SMITHFIELD TO CREATE THE NORTH SMITHFIELD WATER AUTHORITY AND TO PROVIDE FOR ITS POWERS AND DUTIES" {LC3049/1/A}

05/25/2006 Placed on House Calendar

NEW BUSINESS**House Bill No. 8151****BY** Trillo, Picard, Singleton, Mumford, Faria**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- LEAD HAZARD MITIGATION {LC3062/1}

05/25/2006 Introduced, referred to House Finance

House Bill No. 8152**BY** Gorham, Pacheco, Winfield**ENTITLED**, AN ACT AN ACT IN AMENDMENT OF CHAPTER 109 OF THE PUBLIC LAWS OF 1958**ENTITLED** "AN ACT AUTHORIZING THE FORMATION OF A REGIONAL SCHOOL DISTRICT EMBRACING THE TOWNS OF FOSTER AND GLOCESTER" {LC3313/1}

05/25/2006 Introduced, referred to House Finance

House Bill No. 8153**BY** Lima**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF HILCO ATHLETIC AND GRAPHICS, INC. {LC3320/1}

05/25/2006 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. 2083 SUB A**BY** Raptakis, Walaska, Bates, McCaffrey, Damiani**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- REGULATION OF SALES (licensees under title 3) {LC101/4/A}

05/25/2006 Referred to House Corporations

Senate Bill No. 2868 as amended**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY CODE (places of worship would comply with the requirements for places of worship by the fire safety code board of appeal and review and administered by the state fire marshal) {LC1794/1}

05/25/2006 Referred to House Corporations

House Bill No. 7170 SUB A as amended**BY** Moura, Long, Corvese, Schadone**ENTITLED**, AN ACT RELATING TO AUTOMOBILE BODY REPAIR SHOPS (require the licensing advisory board to establish minimum requirements for licensing of auto repair technicians) {LC1233/1/A}

05/25/2006 Referred to House Corporations

Senate Bill No. 2904 SUB A**BY** Sosnowski, Walaska, Sheehan, Paiva-Weed, Montalbano J**ENTITLED**, AN ACT RELATING TO RENEWABLE ENERGY (guidelines and procedures) {LC2698/1/A}

05/25/2006 Referred to House Corporations

Senate Bill No. 2106 SUB A as amended**BY** Ciccone, Lanzi, Badeau, Ruggerio, Felag**ENTITLED**, AN ACT RELATING TO INSURANCE {LC759/2/A}

05/25/2006 Referred to House Corporations

Senate Bill No. 2906 SUB A**BY** Walaska, Sosnowski, Paiva-Weed, Tassoni, Montalbano J**ENTITLED**, AN ACT RELATING TO AFFORDABLE ENERGY (Affordable Energy Act) {LC2710/1/A}

05/25/2006 Referred to House Corporations

Senate Bill No. 2772 SUB A as amended**BY** Doyle, Tassoni, Polisena**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - TAXATION AND TOBACCO - DELIVERY AND SALE OF TOBACCO PRODUCTS (make extensive amendments to the process of the delivery and sale of cigarettes in this state) {LC1877/1/A}

05/25/2006 Referred to House Finance

Senate Bill No. 3046**BY** DaPonte, Damiani**ENTITLED**, AN ACT RELATING TO THE GENERAL ASSEMBLY -- NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (name the future Washington Bridge Linear Park the "George Redman Linear Park") {LC3063/1}

05/25/2006 Referred to House Finance

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

05/25/2006 Referred to House Finance

Senate Bill No. 2730 SUB A**BY** Montalbano J**ENTITLED**, AN ACT RELATING TO EDUCATION - THE RHODE ISLAND PUBLIC TELECOMMUNICATIONS AUTHORITY (transfer of public, education and government studios and equipment from private franchise holders to the Rhode Island public telecommunications authority) {LC2264/1/A}

05/25/2006 Referred to House Finance

Senate Bill No. 2163 SUB A (Attorney General)

BY Polisena

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION {LC913/1/A}

05/25/2006 Referred to House Finance

Senate Bill No. 2267 SUB A

BY Bates, Blais, Breene, Gibbs, Damiani

ENTITLED, AN ACT RELATING TO PROPERTY -

BY POSSESSION AND PRESCRIPTION (increase the time period to acquire title to real property by adverse possession from ten years to twenty years) {LC55/1/A}

05/25/2006 Referred to House Judiciary

Senate Bill No. 2402 as amended (Environmental Management)

BY Breene, Blais

ENTITLED, AN ACT RELATING TO THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (transfer jurisdiction of certain DEM violations from the district court to the jurisdiction of the traffic tribunal) {LC1285/1}

05/25/2006 Referred to House Judiciary

Senate Bill No. 3107

BY Ruggerio

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Jennica Pratt and Jason Richards) {LC3152/1}

05/25/2006 Referred to House Judiciary

Senate Bill No. 3071 as amended

BY Montalbano J, McCaffrey, McBurney

ENTITLED, AN ACT RELATING TO PROPERTY -- MECHANICS' LIENS (revisions to the Mechanics' Lien Law) {LC3109/1}

05/25/2006 Referred to House Judiciary

Senate Bill No. 2760 SUB A

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

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

05/25/2006 Referred to House H.E.W.

Senate Bill No. 2415 SUB A as amended (Lieutenant Governor)

BY Goodwin, Roberts, McCaffrey, Polisena

ENTITLED, AN ACT RELATING TO LICENSING OF HEALTH CARE FACILITIES (notice to health care facilities, nursing, elderly and assisted living facilities regarding persons who commit qualify crimes and register sex offenders) {LC1623/1/A}

05/25/2006 Referred to House H.E.W.

Senate Bill No. 2303 as amended

BY Bates, Walaska, Cote, Caprio F

ENTITLED, AN ACT RELATING TO INSURANCE -- FEDERAL RIOT REINSURANCE REIMBURSEMENT FUND (expand basic property insurance) {LC1199/1}

05/25/2006 Referred to House Corporations

Senate Bill No. 2905 SUB A as amended

BY Walaska, Sosnowski, Paiva-Weed, Tassoni, Montalbano J

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (provide for least-cost procurement for gas and electric supply) {LC2700/1/A}

05/25/2006 Referred to House Corporations

Senate Bill No. 2972

BY Revens

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PUBLIC UTILITIES (selling and obtaining of telephone records without the subscriber's consent a criminal offense) {LC2856/1}

05/25/2006 Referred to House Corporations

Senate Bill No. 3091

BY Polisena

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- MUNICIPAL COURTS {LC3170/1}

05/25/2006 Referred to House Corporations

Senate Bill No. 2702

BY Tassoni, Walaska

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION (issuance of beach vehicle registration permits) {LC1927/1}

05/25/2006 Referred to House Finance

Senate Bill No. 2330 SUB A

BY Levesque C, Perry, Roberts, Gallo, Sosnowski

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES (public health access beneficiary employer report) {LC1137/1/A}

05/25/2006 Referred to House Finance

Senate Bill No. 2347 SUB A

BY Tassoni, Doyle, McBurney

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY (require the lottery director to withhold video lottery terminal winnings for the payment of child support arrearages) {LC1740/1/A}

05/25/2006 Referred to House Finance

Senate Bill No. 2897 (Environmental Management)

BY Gibbs

ENTITLED, AN ACT RELATING TO REFUSE DISPOSAL {LC1579/1}

05/25/2006 Referred to House Environment and Natural Resources

Senate Bill No. 2511 SUB A

BY Gallo, Lanzi, Ciccone, Fogarty P

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - STORM DRAIN MAINTENANCE {LC1468/1/A}

05/25/2006 Referred to House Environment and Natural Resources

Senate Bill No. 2188 as amended

BY Walaska, Ruggerio, Bates, Doyle, Fogarty P

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

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

05/25/2006 Referred to House Judiciary

Senate Bill No. 2784

BY McCaffrey, Sosnowski, Walaska

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS {LC1064/1}

05/25/2006 Referred to House Judiciary

Senate Bill No. 2400

BY Montalbano J, Connors, Tassoni, Ruggerio, Sosnowski

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- SOLEMNIZATION OF MARRIAGES {LC2000/1}

05/25/2006 Referred to House Judiciary

Senate Bill No. 3053

BY Sheehan, Lenihan, McCaffrey, Sosnowski, Ciccone

ENTITLED, AN ACT RELATING TO GENERAL POWERS (would create a Municipal Court in the town of North Kingstown upon acceptance by electors) {LC3073/1}

05/25/2006 Referred to House Judiciary

CALENDAR

From the Calendar are taken:

IN ORDER FOR THURSDAY, MAY 25, 2006:

1 2006-H 7935 SUB A

BY Williamson

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE

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

Representative Williamson moves passage of the resolution, seconded by Representatives Coderre, Faria, Costantino, Fox, Malik, Slater, Carter, Williams, Lally, Lima, Diaz, San Bento and many other members of the House.

Representative Gorham discusses the act.

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

**F L O O R A M E N D M E N T
T O
2006 -- H 7935 SUBSTITUTE A**

**JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS
A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO
PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE
PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT
INDIAN TRIBE**

Mr. Speaker:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, entitled "JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE", as follows:

(1) On page 3, between lines 8 and 9, by inserting the following language:

"No member of the general assembly or general officer shall derive any income or receive any remuneration from any licensee or operator of a casino or gaming facility or from any vendor or supplier of gaming equipment to any such licensee during such members' service in the general assembly or such general officers' service as a general officer, and for a period of five (5) years after such member of the general assemblys last day if a member of the general assembly or in the case of a general officer the general officers last day of service as a general office".

Respectfully submitted,

REPRESENTATIVE GORHAM

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LC02854/11
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Representatives Gorham, Watson, Kilmartin, Trillo, Davey, Almeida, Costantino, Corvese, Picard, Gemma and Long discuss the amendment.

The motion to amend fails on a roll call vote 25 members voting in the affirmative and 44 members voting in the negative as follows:

YEAS - 25: Representatives Amaral, Caprio, Davey, Ehrhardt, Giannini, Gorham, Jacquard, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Picard, Rose, Savage, Scott, Singleton, Story, Trillo, Ucci, Voccola, Wasylyk, Watson, Winfield.

NAYS - 44: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Brien, Carter, Church, Coderre, Corvese, Costantino, Dennigan, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Rice, San Bento, Schadone, Shanley, Slater, Smith, Sullivan, Williams, Williamson.

REQUEST

Representative Crowley requests the journal to reflect that if he had voted on the amendment (LC 02854/11), he would have voted in the negative.

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

FLOOR AMENDMENT TO 2006 -- H 7935 SUBSTITUTE A

JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE

Mr. Speaker:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, entitled "JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE", as follows:

On page 3, following line 21, by inserting the following language:

"IT IS FURTHER RESOLVED, That a JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (INITIATIVE AND REFERENDUM) herein follows:

RESOLVED, That a majority of all members elected to each house of the general assembly voting therefor, the following amendment to the constitution of the state be proposed to the qualified electors of the state in accordance with the provisions of Article XIV of the constitution for their approval and that it take the place of Article VI Sections 1 and 2 which are hereby amended to read as follows:

ARTICLE VI

Section 1. Constitution supreme ~~law of the state~~. -- This Constitution shall be the supreme law of the state, and any law inconsistent therewith shall be void. ~~The general assembly shall pass all laws necessary to carry this Constitution into effect. The legislative power of the~~

state shall be vested in a general assembly, consisting of a senate and a house of representatives, both to be elected by the people, but the people reserve to themselves the power to propose laws and amendments to the constitution and to enact or reject the same at a general election without the approval of the general assembly, and also reserve power at their own option to approve or reject at a general election any act, section or part of any act of the general assembly.

~~Section 2. Power vested in general assembly—Concurrence of houses required to enact laws—Style of laws. Power to enact legislation. -- Enactment and style of laws. -- Power of the general assembly. – Initiative and referendum. --~~ A. The legislative power, under this Constitution, and subject to the reservations set forth in Section 1 hereof, shall be vested in two houses, the one to be called the senate, the other the house of representatives; and both together the general assembly. The concurrence of the two houses shall be necessary to the enactment of laws. The style of their laws shall be, It is enacted by the general assembly as follows:

B. The people reserve the right to themselves the power to propose laws and amendments to the constitution and to adopt or reject the same. Qualified voters shall have the power through petition to enact statutes and to amend the constitution at general elections. This power shall be known as initiative and referendum. No initiative shall be permitted which shall abridge the civil rights or liberties, including those guaranteed by Article I of the Rhode Island Constitution, of any individual or group of individuals and no initiative shall be permitted which would repeal or amend this sentence. The superior court shall have original jurisdiction to hear complaints arising under this section on an expedited basis. Any individual shall have standing to bring an action at any time to enforce this section.

C. This article does not permit the proposal of any constitutional amendment that appropriates state revenue. This article does not permit the proposal of any constitutional amendment that diminishes state revenues by the reduction or limitation of a tax or fee. This article does not permit the proposal of any constitutional amendment that affects the generation or expenditure of state revenues through the ordinary legislative budget process.

D. This article does not permit the proposal of any statute or statutory amendment that makes an appropriation or otherwise requires the expenditure of money, unless such statute or amendment also enacts a commensurate increase in revenues and/or decreases in revenue appropriations, not prohibited by the constitution; provided, however, that this requirement shall not apply to a proposal for the appropriation or expenditure of less than two hundred fifty thousand dollars (\$250,000), which amount shall be adjusted annually commencing in fiscal year 2007/2008 to reflect changes in the cost-of-living as determined by the United States government. This article does not permit the proposal of any statute or any statutory amendment that diminishes state revenue, unless such statute or amendment also enacts a commensurate increase in revenues and/or decreases in revenue appropriations to accommodate the projected reduction in state revenue. Any initiative affecting the state budget must be prospective in nature and may not be effective prior to the fiscal year subsequent to the general election.

E. To be eligible to be placed on a general election ballot a statutory initiative petition shall be signed by at least a number of qualified voters equal to five percent (5%) of the total number of votes cast for the office of governor at the last preceding general election for that office, and a petition to amend the constitution shall be signed by at least a number of qualified voters equal to ten percent (10%) of the total number of votes cast for the office of governor at the last preceding general election for that office. To qualify for certification, signatures from at least twenty (20) cities and/or towns, of which four (4) must be cities, must meet the above percentage requirements.

F. For certified initiative petitions, initiative petitioners shall have two hundred ten (210) days from the date the secretary of state has date and time stamped, assigned a petition reference number, and issued the first initiative petition forms to collect and file with the local canvassing authorities the requisite number of signatures, and such signatures may be filed separately with the authorities as they are collected by the petitioners. The local canvassing authorities shall certify the authenticity of the initiative petition signatures and advise the secretary of state within thirty (30) business days of receipt of each initiative petition form.

G. (1) An initiative shall be approved by a majority of the qualified voters voting thereon. If so approved, it shall become part of the statutory law of the state or part of the constitution as the case may be and shall take effect from and after the official declaration of the vote thereon by proclamation of the state board of elections, or its successor, but in no event later than thirty (30) days after the vote has been certified unless otherwise provided in the initiative petition.

(2) The veto power of the governor shall not extend to an initiative by the voters.

(3) If any provisions of constitutional amendments and/or laws approved by the people at the same election are in conflict with each other, then the provisions which received the largest number of affirmative votes at such election shall govern; and in any other case an initiative approved by the voters shall supersede any conflicting law.

(4) The general assembly shall provide such funds as may be required to implement an approved initiative.

(5) The general assembly shall not, within four (4) years after passage, repeal or alter any such statutory initiative unless by three-fourths (3/4) vote of both houses.

(6) Unless an initiative which has a singular or exclusive impact on any city or town is approved by a majority of those voting in that city or town, said initiative shall not take effect.

H. The provisions of Article XIV of this constitution shall not be construed to deny, limit or disparage the people's right to propose or amend the constitution through initiative and referendum.

I. The general assembly shall enact implementing legislation for this section.

RESOLVED, That the said proposition of amendment shall be submitted to the electors for their approval or rejection at the next statewide general election. The voting places in the several cities and towns shall be kept open during the hours required by law for voting therein; and be it further

RESOLVED, That the secretary of state shall cause said proposition of amendment to be published as a part of this resolution in the newspapers of the state prior to the date of the said meetings of the said electors; and the said proposition shall be inserted in the warrants or notices to be issued previous to said meetings of the electors for the purpose of warning the town, ward, or district meetings, and said proposition shall be read by the town, ward or district clerks to the electors in the town, ward, or district meetings to be held as aforesaid; and be it further

RESOLVED, That the town, ward, or district meetings to be held aforesaid shall be warned, and the list of voters shall be canvassed and made up, and the said town, ward, or district meetings shall be conducted in the same manner as now provided by law for the town, ward, and district meetings for the statewide general election."

Respectfully submitted,

REPRESENTATIVE GORHAM

Representative Gorham discusses the amendment.

Representative Lally requests a ruling from the Chair on whether the amendment is germane to the act. The Chair rules the amendment is not germane.

Majority Leader Fox moves to lay the amendment on the table pursuant to Rule 45, seconded by Representative Kilmartin.

Representative Gorham discusses the motion to table the amendment.

The motion prevails on a roll call vote 47 members voting in the affirmative and 22 members voting in the negative as follows:

YEAS - 47: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Faria, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Malik, McCauley, McNamara, Melo, Menard, Moran, Moura, Naughton, O'Neill, Pacheco, Rice, Rose, San Bento, Schadone, Scott, Shanley, Slater, Sullivan, Voccola, Williams, Williamson.

NAYS - 22: Representatives Amaral, Brien, Caprio, Davey, Ehrhardt, Gorham, Long, Loughlin, McHugh, McManus, Moffitt, Mumford, Picard, Savage, Singleton, Smith, Story, Trillo, Ucci, Wasylyk, Watson, Winfield.

Representatives Ucci and Costantino discuss the act.

Representative Ucci, seconded by Representatives Brien and Ehrhardt offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2006 -- H 7935 SUBSTITUTE A

JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS
A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO
PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE
PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT
INDIAN TRIBE

Mr. Speaker:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, entitled "JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE", as follows:

(1) On page 1, by deleting lines 7 through 18, inclusive, in their entirety.

(2) On page 1, line 7, by inserting the following language:

"WHEREAS, Nearby states such as Connecticut and Massachusetts have approved or may soon approve gaming operations that attract substantial spending by residents of this state,

that divert substantial revenue from existing video lottery facilities in Rhode Island, and that divert substantial tax revenue from this state; and

WHEREAS, Certain municipalities have expressed an interest in hosting a destination resort casino, and the voters should be entitled at statewide and local referenda to determine whether a destination resort casino should be established in this state; and

WHEREAS, The General Assembly acknowledges that the establishment of a destination resort casino would generate substantial tax revenue and other economic benefits for Rhode Island, including the creation of jobs and the stimulation of capital investment; and

WHEREAS, The General Assembly believes that a competitive selection process will determine the most advantageous location for a destination resort casino, identify the most qualified owner and operator thereof, establish the most appropriate tax rate for the gaming revenues therefrom, and best stimulate the investment of capital and creation of jobs by a private developer; and

WHEREAS, The majority of all members elected to each house of the General Assembly is committed to granting to the electors of Rhode Island the right to vote on the establishment of a destination resort casino in Rhode Island, to be privately owned and privately operated by an entity established pursuant to Rhode Island law, selected by a competitive process, and regulated and taxed by the State of Rhode Island, and ensuring that such destination resort casino shall be constitutionally established under the laws of Rhode Island; now, therefore be it"

(3) On page 2, by deleting lines 1 through 13, inclusive, in their entirety.

(4) On page 2, line 24, after the language "will authorize a", by inserting the following language: "single destination".

(5) On page 2, lines 24 and 25, by deleting the language "in the Town of West Warwick" and inserting in place thereof the following language: "to be located in a municipality that approves such destination resort casino".

(6) On page 2, lines 25 and 26, by deleting the language "in association with the Narragansett Indian Tribe," and inserting in place thereof the following language: "selected by a competitive process, and regulated and taxed by the state of Rhode Island".

(7) On page 2, by deleting lines 31 through 34, in their entirety.

(8) On page 3, by deleting lines 1-8, in their entirety.

(9) On page 2, line 31, by inserting the following language:

"Section 23. Destination Resort Casino. Notwithstanding the provisions of Sections 15 and 22 of this Article, the establishment of a single destination resort casino is hereby authorized in a host municipality, provided that a majority of the electors voting in such municipality, in a local referendum, has voted to approve such destination resort casino. The single destination resort casino shall be privately owned and privately operated by an entity established pursuant to Rhode Island law, shall be selected by a competitive process, and shall be subject to regulation and taxation by the State of Rhode Island, with all of such tax proceeds from the casino being dedicated to property-tax relief, as prescribed by statute; and be it further".

Respectfully submitted,

REPRESENTATIVE UCCI

Representatives Ucci, Lima, Trillo, Ehrhardt, Williamson, McNamara, Menard, Gemma, Costantino, Voccola, Long, Kilmartin, Jacquard, McHugh, Williams, Slater, Watson, Gorham, Landroche and Fox discuss the amendment.

Representative Watson rises on several points of order for Representative Williams to speak germane to the amendment. The Honorable Speaker rules for Representative Williams to speak germane to the amendment.

Representatives Williams and Almeida continue to discuss the amendment.

The motion to amend fails on a roll call vote 26 members voting in the affirmative and 46 members voting in the negative as follows:

YEAS - 26: Representatives Amaral, Brien, Caprio, Davey, Ehrhardt, Giannini, Gorham, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Moran, Picard, Savage, Scott, Singleton, Smith, Story, Trillo, Ucci, Voccola, Wasylyk, Winfield.

NAYS - 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Malik, McCauley, McNamara, Melo, Moura, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Rice, Rose, San Bento, Schadone, Shanley, Slater, Sullivan, Watson, Williams, Williamson.

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

**FLOOR AMENDMENT
TO
2006 -- H 7935 SUBSTITUTE A**

JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS
A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO
PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE
PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT
INDIAN TRIBE

Mr. Speaker:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, entitled "JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE", as follows:

- (1) On page 3, line 7, by deleting the word "to".
- (2) On page 3, line 8, by deleting the language "be dedicated to property tax relief" and inserting in place thereof the language "paid directly to property taxpayers who are homeowners domiciled in this state".

Respectfully submitted,
REPRESENTATIVE GORHAM

=====
LC02854/7
=====

Representatives Gorham, Costantino, Davey, Lewiss, Trillo, Lima, Amaral, Malik, Gemma, Moffitt, Ehrhardt, discuss the amendment.

The motion to amend fails on a roll call vote 19 members voting in the affirmative and 44 members voting in the negative as follows:

YEAS - 19: Representatives Amaral, Caprio, Davey, Ehrhardt, Faria, Gorham, Laroche, Long, Loughlin, McManus, Menard, Moffitt, Scott, Singleton, Story, Trillo, Wasyluk, Watson, Winfield.

NAYS - 44: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Malik, McHugh, Melo, Moran, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Slater, Smith, Sullivan, Voccola, Williams, Williamson.

REQUESTS

Representatives Brien and Ucci request the journal to reflect that if they had voted on (LC 02854/7) they would have voted in the affirmative.

Representatives McNamara, Shanley and Carter request the journal to reflect that if they had voted on (LC 02854/7) they would have voted in the negative.

Representative Trillo, seconded by Representatives Watson and Scott offers a written motion to amend.

FLOOR AMENDMENT TO 2006 -- H 7935 SUBSTITUTE A

JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS
A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO
PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE
PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT
INDIAN TRIBE

Mr. Speaker:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, entitled "JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE", as follows:

(1) On page 1, line 13, by deleting the language and punctuation "West Warwick," and inserting in place thereof the language "an approved city or town in".

(2) On page 1, line 17, by deleting the language "West Warwick" and inserting in place thereof the language "an approved city or town in".

(3) On page 2, line 2, by deleting the language "West Warwick" and inserting in place thereof the words "the approved city or town".

(4) On page 2, line 10, by deleting the language and punctuation "West Warwick," and inserting in place thereof the language "the approved city or town in".

(5) On page 2, line 24, by deleting the language "the Town of".

(6) On page 2, line 25, by deleting the language and punctuation "West Warwick," and inserting in place thereof "this state".

(7) On page 2, line 31, through page 3, line 8 by deleting said language and inserting in place thereof the following:

"Section 23. Resort Casino - - Notwithstanding sections 15 and 22 of this Article, the establishment of a resort casino and games located in this state is permitted. The resort casino shall be privately owned and privately operated by the selected business entity established pursuant to Rhode Island law.

The Narragansett Indian Tribe shall receive two percent (2%) of the net gaming revenue and the remaining balance shall be determined through the open bid process. Any bid submitted shall include site and plan specifications in conformance with state and local regulations. Said bid shall also include the percentage of net revenue paid to the state. Said revenue shall be listed in the form of property tax relief.

No Resort Casino shall be allowed unless the majority of the electors of the city or town where said casino is proposed, vote to approve said resort casino."

Respectfully submitted,
REPRESENTATIVE TRILLO

=====
LC02854/10
=====

Representative Trillo discusses the amendment.

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

YEAS - 23: Representatives Amaral, Brien, Davey, Ehrhardt, Giannini, Gorham, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Savage, Scott, Singleton, Story, Trillo, Ucci, Voccola, Wasylyk, Watson, Winfield.

NAYS - 45: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Malik, McCauley, McNamara, Melo, Moran, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Schadone, Shanley, Slater, Sullivan, Williams, Williamson.

REQUESTS

Representatives Caprio and Smith request the journal to reflect that if they had voted on (LC 02854/10), they would have voted in the affirmative.

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

F L O O R A M E N D M E N T
TO
2006 -- H 7935 SUBSTITUTE A

JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS
A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO
PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE
PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT
INDIAN TRIBE

Mr. Speaker:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, entitled "JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE", as follows:

On page 2, line 25, by inserting the following language after the word "owned"

"as determined by an open bid process to any company who has submitted the best overall proposal to benefit the voters of the state of Rhode Island. Such proposal to include site plan specifications, impact statement and percentage of net gambling receipts to be paid to the state of Rhode Island, said proposal must receive approvals of all necessary state and municipal agencies and must receive voter approval of the citizens of West Warwick,".

Respectfully submitted,
REPRESENTATIVE TRILLO

=====
LC02854/4
=====

Representatives Trillo and Gorham discuss the amendment.

The motion to amend fails on a roll call vote 25 members voting in the affirmative and 45 members voting in the negative as follows:

YEAS - 25: Representatives Amaral, Brien, Caprio, Davey, Ehrhardt, Giannini, Gorham, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Picard, Savage, Scott, Singleton, Smith, Story, Trillo, Voccola, Wasyluk, Watson, Winfield.

NAYS - 45: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Malik, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Rice, Rose, San Bento, Schadone, Shanley, Slater, Sullivan, Ucci, Williams, Williamson.

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

F L O O R A M E N D M E N T
TO
2006 -- H 7935 SUBSTITUTE A

JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS
A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO
PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE
PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT
INDIAN TRIBE

Mr. Speaker:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, entitled "JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE", as follows:

On page 2, line 26, by adding the following language after the word "relief."

"Said tax relief shall be distributed on a decreasing scale formula, to be written by the general assembly, with the most compensation going to taxpayers in those communities which are the closest to the facility."

Respectfully submitted,

REPRESENTATIVE TRILLO

=====
LC02854/6
=====

Representatives Trillo, Malik and Williamson discuss the amendment.

The motion to amend fails on a roll call vote 9 members voting in the affirmative and 61 members voting in the negative as follows:

YEAS - 9: Representatives Caprio, Ehrhardt, Moffitt, Singleton, Sullivan, Trillo, Ucci, Watson, Winfield.

NAYS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Brien, Carter, Church, Coderre, Corvese, Costantino, Crowley, Davey, Dennigan, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Laroche, Lewiss, Lima, Long, Loughlin, Malik, McHugh, McManus, McNamara, Melo, Menard, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Scott, Shanley, Slater, Smith, Story, Voccola, Wasylyk, Williams, Williamson.

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

**FLOOR AMENDMENT
TO
2006 -- H 7935 SUBSTITUTE A**

JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS
A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO
PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE
PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT
INDIAN TRIBE

Mr. Speaker:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, entitled "JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE", as follows:

On page 2, lines 20 and 21, after the word "amendment" by deleting the language "shall appear on the ballots as the first referendum question and".

Respectfully submitted,

REPRESENTATIVE DAVEY

=====
LC02854/12
=====

Representatives Davey, Costantino and Gorham discuss the amendment.

The motion to amend fails on a roll call vote 23 members voting in the affirmative and 46 members voting in the negative as follows:

YEAS - 23: Representatives Amaral, Brien, Caprio, Davey, Ehrhardt, Giannini, Gorham, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Mumford, Scott, Shanley, Slater, Story, Trillo, Ucci, Wasylyk, Watson.

NAYS - 46: The Honorable Speaker Murphy and Representatives Almeida, Carter, Church, Coderre, Corvese, Costantino, Crowley, Dennigan, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Ginaitt, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Landroche, Lewiss, Lima, Malik, McCauley, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Smith, Sullivan, Voccola, Williams, Williamson, Winfield.

Representatives Gorham, Watson, San Bento, Savage, Loughlin, Mumford, Shanley, Smith, Ehrhardt, Gemma, Almeida, Landroche, Voccola, Corvese, Church, Amaral, Rice, Moffitt, Jackson, Trillo, Menard. Ginaitt, Ajello, Williams, and Williamson discuss the act.

Raymond C. Church
Representative-District 48
May 25, 2006

REGARDING POSITION ON CASINO ISSUE

Thank you Mr. Speaker:

Throughout my tenure here in the House there has been much discussion on the casino question in Rhode Island.

The proponents for this proposal have presented extensive and persuasive arguments. And the opponents of this proposal have likewise presented extensive and persuasive arguments. But both camps share at least one area of common ground. That is they make their presentations in their own self-interest.

I believe the matter of self-interest is a valid approach for all those involved in the casino matter. And those with the greatest self-interest here are the voters and citizens of our state. The most direct manner, in my judgment, for the voters of our state to express their self-interest is to allow them to vote on this question. Therefore I favor the resolution before us.

I have a bias regarding economic development and job creation that favors actions such as the Jobs Growth Act of 2005, the Biotech Jobs Growth Act of 2006, the structural changes we made to our personal income tax system, our film and historic preservation tax credits, and other such programs. I am not in favor of our state becoming more reliant on gaming as a revenue source.

Therefore, in November I personally plan to vote to reject the casino resolution.

Thank you Mr. Speaker

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 44 members voting in the affirmative and 28 members voting in the negative as follows:

YEAS - 44: The Honorable Speaker Murphy and Representatives Almeida, Carter, Church, Coderre, Corvese, Costantino, Diaz, Faria, Flaherty, Fox, Gallison, Gemma, Giannini, Ginaitt, Handy, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, McCauley, McNamara, Melo, Moran, Moura, Naughton, O'Neill, Pacheco, Palumbo, Picard, Rice, Rose, San Bento, Savage, Schadone, Shanley, Slater, Smith, Wasylyk, Williams, Williamson.

NAYS - 28: Representatives Ajello, Amaral, Brien, Caprio, Crowley, Davey, Dennigan, Ehrhardt, Gorham, Jackson, Landroche, Laroche, Long, Loughlin, McHugh, McManus, Menard, Moffitt, Mumford, Scott, Singleton, Story, Sullivan, Trillo, Ucci, Voccola, Watson, Winfield.

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 certain Senate bills being held on the desk.

ANNOUNCEMENTS

Representative Gorham discusses the Boy Scouts walk through the state and presents a sign from D.O.T that will appear around the state of Rhode Island.

Representative Landroche wishes his daughter, Leighton, a Happy 12th Birthday.

Majority Leader Fox announces all senate bills will be held on the desk with the exception of (06S 3025), (06S 3020), (06S 3024), (06S 3027), (06S 3026), (06S 3021), (06S 3023) and (06S 2993) to be transmitted to the Governor.

GUESTS

Representative Dennigan welcomes to the House Chamber as guests the Rhode Island Health Association with Patti Risica-Advocacy Committee Chairperson and Amy Adolfo-Student Board Member.

Representative Almeida welcome to the House as a guest the NAACP President, Cliff Montiero. Representative Williams welcomes to the Chamber Erma R. Taylor.

CONDOLENCES

The Honorable Speaker Murphy extends condolences on behalf of the entire House of Representatives to Representative Todd Brien on the loss of his mother.

ADJOURNMENT

At 9:16 o'clock P.M. on motion of the Representative Todd Brien and the entire House of Representatives, and as a further mark of respect to the memory of his mother, Irene Brien 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 JR.

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

APPENDIX

TRANSMITTED TO GOVERNOR

Senate Bill No. 3025 as amended

BY Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE IMPROVEMENT AND REPLACEMENT OF TRAFFIC CONTROL DEVICES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008 {LC2961/1}

Senate Bill No. 3020

BY Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008 {LC2963/1}

Senate Bill No. 3024

BY Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008 {LC2959/1}

Senate Bill No. 3027

BY Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND RECONSTRUCTION OF STREETS AND SIDEWALKS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008 {LC2958/1}

Senate Bill No. 3026

BY Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND EQUIPPING OF AN ANIMAL SHELTER IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$2,200,000 BONDS AND NOTES THEREFOR, TO FUND

THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008 {LC2964/1}

Senate Bill No. 3021

BY Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008 {LC2960/1}

Senate Bill No. 3023

BY Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$700,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008 {LC2965/1}

Senate Bill No. 2993

BY Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT RELATING TO TAXATION -- PAWTUCKET (increase the limit on the property tax rates on commercial and industrial property in the city of Pawtucket) {LC2885/1}

APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, MAY 30, 2006:

1 2006-H 7529 SUB A**BY Pacheco****ENTITLED,** AN ACT RELATING TO ELECTIONS - CAMPAIGN
EXPENDITURES

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

2 2006-H 8101**BY Voccola****ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY --
PET WARRANTIES -- DOGS

Committee on Health, Education & Welfare recommends passage.

3 2006-H 8073**BY Corvese****ENTITLED,** AN ACT RELATING TO INFORMED CONSENT

Committee on Health, Education & Welfare recommends passage.

4 2006-H 7732**BY Carter****ENTITLED,** AN ACT RELATING TO NAMING THE NEW FRENCHTOWN
ROAD BRIDGE

Committee on Finance recommends passage.

5 2006-H 8108**BY Mumford****ENTITLED,** AN ACT PROVIDING FOR THE CONSTRUCTION OF ADDITIONS
AND RENOVATIONS TO THE SCITUATE MIDDLE/HIGH SCHOOL
COMPLEX AND AUTHORIZING FINANCING THEREOF,
INCLUDING THE ISSUE OF NOT MORE THAN \$5,000,000 IN
BONDS THEREFOR

Committee on Finance recommends passage.

6 2006-H 7948**BY Lally**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO FINANCE RENOVATIONS, REMODELING, ADDITIONS, IMPROVEMENTS AND/OR RELATED EQUIPMENT FOR SCHOOLS AND TO ISSUE NOT MORE THAN \$21,500,000 BONDS AND NOTES THEREFOR

Committee on Finance recommends passage.

7 2006-H 8117**BY Pacheco**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Committee on Judiciary recommends passage.

8 2006-H 8074**BY Ehrhardt**

ENTITLED, AN ACT RELATING TO GENERAL POWERS

Committee on Judiciary recommends passage.

9 2006-H 7744 SUB A**BY Malik**

ENTITLED, AN ACT RELATING TO VETERANS' AFFAIRS

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

10 2006-H 7440 as amended**BY Coderre E**

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Ordered on the Calendar

11 2006-H 6889 SUB B**BY Coderre E**

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

Ordered on the Calendar

12 2006-H 7157 as amended**BY Coderre E**

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- MUNICIPAL EMPLOYEES BENEFITS

Ordered on the Calendar

13 2006-S 2604 SUB A as amended**BY Blais****ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- TRAUMATIC
BRAIN INJURIES

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

14 2006-S 2278 SUB A**BY Caprio F****ENTITLED,** AN ACT RELATING TO FIDUCIARIES -- POWERS OF
FIDUCIARIES

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

15 2006-S 2331 SUB A**BY Levesque C****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
STATE PURCHASES

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

16 2006-S 2496**BY Blais****ENTITLED,** AN ACT RELATING TO EDUCATION -- ADULT EDUCATION
COMMISSION

Committee on Separation of Powers recommends passage in concurrence.

17 2006-S 2593 SUB B**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
EAST BAY ECONOMIC INITIATIVE

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

IN ORDER FOR WEDNESDAY, MAY 31, 2006:**1 2006-H 7815 SUB A****BY McCauley****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS --
LENDERS AND LOAN BROKERS

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

2 2006-H 7395 SUB A**BY Schadone****ENTITLED,** AN ACT RELATING TO BUSINESS AND PROFESSIONS --
CONFIDENTIALITY OF HEALTH CARE COMMUNICATIONS
AND INFORMATION

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

3 2006-H 7106**BY Moran****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH
WARRANTS

Committee on Judiciary recommends passage.

4 2006-H 7020**BY Giannini****ENTITLED,** AN ACT RELATING TO HEALTH INSURANCE COVERAGE --
ORTHOTIC AND PROSTHETIC SERVICES

Committee on Corporations recommends passage.

5 2006-H 8115**BY Naughton****ENTITLED,** HOUSE RESOLUTION CREATING A SPECIAL HOUSE
COMMISSION TO STUDY AND ESTABLISH AN OLMSTEAD
DECISION TASK FORCE IN THE STATE OF RHODE ISLAND

Committee on Health, Education & Welfare recommends passage.

6 2006-H 7386 SUB A**BY Diaz****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- SAFE
PATIENT HANDLING LEGISLATION

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

7 2006-H 7233 SUB A

BY Naughton

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LONG-TERM CARE

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

8 2006-H 8104

BY Malik

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

Committee on Corporations recommends passage.

9 2006-H 8062

BY Watson

ENTITLED, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO IMPLEMENT A TAX INCREASE DEFERRAL PROGRAM FOR SENIOR RESIDENT HOMEOWNERS

Committee on Corporations recommends passage.

10 2006-H 8017

BY Pacheco

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION

Committee on Corporations recommends passage.

11 2006-H 7951

BY Rice

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- AUTHORIZING THE TOWN OF MIDDLETOWN TO CONSTRUCT AND MAINTAIN A STORMWATER CONTROL SYSTEM

Committee on Corporations recommends passage.

12 2006-H 8020 SUB A

BY Church

ENTITLED, AN ACT IN AMENDMENT OF CHAPTER 218 OF THE PUBLIC LAWS OF 1993 ENTITLED "AN ACT RELATING TO THE TOWN OF NORTH SMITHFIELD TO CREATE THE NORTH SMITHFIELD

WATER AUTHORITY AND TO PROVIDE FOR ITS POWERS AND DUTIES"

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

13 2006-S 2992

BY Sosnowski

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

Committee on Environment and Natural Resources recommends passage in concurrence.

14 2006-S 2991 SUB A as amended

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION

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

15 2006-S 2510 SUB A

BY Blais

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- INSPECTIONS OF DAMS AND RESERVOIRS

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

16 2006-S 2048 SUB A as amended

BY Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

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

17 2006-S 2499 SUB A as amended

BY Sosnowski

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY

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

18 2006-S 2615 SUB A as amended**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO LONG-TERM HEALTH CARE

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

19 2006-S 2732 SUB B**BY Bates****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- COUNCILS AND GOVERNING BODIES

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

IN ORDER FOR THURSDAY, JUNE 1, 2006:**1 2006-H 7577 SUB A****BY Corvese****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS

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

2 2006-H 7344 SUB A**BY Long****ENTITLED,** AN ACT RELATING TO THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

3 2006-H 7842 SUB A**BY Ginaitt****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

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

4 2006-S 2085 SUB A**BY Gallo****ENTITLED,** AN ACT RELATING TO EDUCATION -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS

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

IN ORDER FOR TUESDAY, JUNE 6, 2006:

1 2006-H 7455 SUB A as amended

BY Kilmartin

**ENTITLED, AN ACT RELATING TO PUBLIC OFFICES AND EMPLOYEES --
PUBLIC ACCOUNTABILITY AND REFORM**

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

Francis P. McCabe
Clerk of the House

Thursday, May 25, 2006