

## 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 second day of January in the year of Our Lord two thousand and one.**

Volume 128, No. 60

Thursday, June 21, 2001

Sixtieth Day

of January in the year of Our Lord two thousand and one. The House of Representatives meets at the State House in Providence, Thursday, June 21, 2001, and is called to order at 1:16 o'clock P.M., by the Honorable John B. Harwood, Speaker.

The roll is called and a quorum is declared present with 97 members present and 3 members absent as follows:

**PRESENT - 97:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Iwuc, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**ABSENT - 3:** Representatives Anderson, S., Burlingame, Carter.

### INVOCATION

The Honorable Speaker presents Representative Sherlock, 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 20, 2001, is approved as printed.

### ANNOUNCEMENTS

Representative Corvese congratulates the North Providence High School Girls Fast Pitch Softball team for winding the Class A State Championship for the 7th time since 1986. Representative Corvese congratulates all members along with

their Coach Paul Rizzo.

Also:

Representative Schadone congratulates the newly married Mr. and Mrs. Thomas Winfield.

Also: On behalf of the Speaker, Majority Leader Martineau recognizes the Chairman of Finance, Deputy Chair, Sub-Committee Chairs and all members of the Finance Committee, the entire staff and Fiscal Advisor Michael O'Keefe, and extends a heartfelt thanks.

Also:

Representative Pires thanks the Speaker and the Majority Leader, Finance Committee, Chairs, staff and members.

## GUESTS

Representative George welcomes to the House Chambers as guests David Wild, Deputy Chief of the Cranston Fire Department and Ann Assumpico, Rhode Island State Trooper, Wickford, who recently won medals in the 2001 World Police and Fire Games held in Indianapolis, Indiana.

## COMMUNICATION FROM THE SENATE

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

(01-S 1023) An Act relating to criminal procedure public defender.

Representative Martineau requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Martineau, seconded by Representative Pires, on a roll call vote, 85 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS 86:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coelho, Corvese, Costantino, Crowley, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Kennedy, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

(01-S 962) (Substitute "A" as amended) An Act relating to criminal offenses - children.

Read and referred to the Committee on Judiciary.

(01-S 978 as amended) An Act relating to public utilities and carriers taxicabs and limited public motor vehicles.

Read and referred to the Committee on Corporations.

(01-S 987) An Act relating to the town of Burrillville zoning.

Read and referred to the Committee on Corporations.

(01-S 990) Joint Resolution making an appropriation to pay certain claims.

Read and ordered to be placed on the Calendar.

(01-S 255) (Substitute "A") An Act relating to health and safety - mosquito abatement.

Read and ordered to be placed on the Calendar.

(01-S 604) An Act relating to waters and navigation Rhode Island Clean Water Finance Agency.

Read and ordered to be placed on the Calendar.

(01-S 808) (Substitute "A") An Act relating to state affairs and government environmental incentive act.

Read and ordered to be placed on the Calendar.

(01-S 814) (Substitute "A") An Act relating to waters and navigation.

Read and ordered to be placed on the Calendar.

## **REPORTS OF COMMITTEES TRANSFER OF BILLS**

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

(01-S 278) An Act relating to uniform relocation payments.

Received and referred to the Committee on Finance.

(01-S 441) (Substitute cc An Act relating to interpreters in health care facilities.

Received and referred to the Committee on Health, Education and Welfare.

## **COMMITTEE ON CORPORATIONS**

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

(01-S 829) (Substitute "B") An Act relating to taxation.

Received and ordered to be placed on the Calendar.

## **JOINT COMMITTEE ON ENVIRONMENT AND ENERGY**

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

(01-H 6506) (Substitute "A") An Act relating to waters and navigation - ballast water.

Received and ordered to be placed on the Calendar.

### **JOINT COMMITTEE ON NAMING STATE CONSTRUCTIONS**

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Representative Lally, for the Joint Committee on Naming State Constructions, reports back the following measures, with recommendation of passage:

(01-H 5092) An Act relating to the naming of new buildings, bridges, edifices and other state construction.

Received and ordered to be placed on the Calendar.

(01-H 5183) An Act relating to the General Assembly - Permanent Joint Committee on Naming All New Buildings, Bridges, Edifices, and other state constructions.

Received and ordered to be placed on the Calendar.

(01-H 6501) An Act relating to the Joint Committee on Naming State Constructions.

Received and ordered to be placed on the Calendar.

### **NEW BUSINESS**

Representatives Crowley and Shavers introduce (01-H 6536) An Act relating to property -Rhode Island Real Estate Time-Share Act.

Read and referred to the Committee on Corporations.

Representatives Giannini, Fox, Long and San Bento introduce (01-H 6537) House Resolution creating a special House commission to study the regulation of the taxi cab industry.

Representative Giannini requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Giannini, seconded by the entire House of Representatives, and by unanimous consent, on a voice vote.

Representatives Amaral, Costantino, Savage, Ajello, Cambio and several other members of the House introduce (01-H 6538) House Resolution creating a special House commission to study the feasibility and advisability of extending substance abuse counselor funding to all middle schools and junior high schools which do not receive state funding.

Representative Amaral requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Amaral, seconded by Representative Long and the entire House of Representatives, and by unanimous consent, on a voice vote.

Representatives Barr, W.H. Murphy and Rabideau introduce (01-H 6539) House Resolution creating a special House commission to review efforts in connection with detection, surveillance, control, treatment, management, and emerging technologies associated with mosquito borne diseases.

By unanimous consent, Representative Barr requests to place the bill on the Calendar for Tuesday, June 26, 2001.

There is no objection.

Read and ordered to be placed on the Calendar.

Representatives Barr, W.H. Murphy and Rabideau introduce (01-H 6540) House Resolution respectfully requesting the Department of Environmental Management to purchase new and innovative mosquito control devices.

By unanimous consent, Representative Barr requests to place the bill on the Calendar for Tuesday, June 26, 2001.

There is no objection.

Read and ordered to be placed on the Calendar.

### **NOTICE OF BILL/RESOLUTION INTRODUCTION**

Representative Kennedy gives notice that on the next legislative day he will introduce a measure concerning establishing regional school districts abide by the 5.5% increase for budget purposes.

This notice is given in compliance with House Rule 42.

BRIAN P. KENNEDY  
Representative, District 16

Received and ordered to be placed on file.

### **CALENDAR**

From the Calendar as a Special Order of Business is taken:

1. (01-H 6100) (Substitute cc An Act making appropriations for the support of the state for the Fiscal Year ending June 30, 2002.

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

Representative Pires moves passage of the act, seconded by Representatives Fox, Giannini, San Bento, Rose, Malik and Costantino.

Representative Pires discusses the act.

### **ARTICLE 2**

RELATING TO  
REFUNDING BOND AUTHORITY

Representative Pires moves passage of the article, seconded by Representative Fox.

The Article prevails, on a roll call vote, 74 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 74.** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Benson, Bierman, Brien, Caprio, Carroll, Cerra, Cicilline, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Lally, Lanzi, Levesque, Lewiss, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Sullivan, Tejada, Thompson, Vieira, Wasylyk, Watson, Winfield.

**NAYS -0.** Representative Moura requests the journal to reflect that if he had voted on Article 2, he would have voted in the affirmative.

There is no objection.

ARTICLE 3

RELATING TO SINKING FUND

Representative Fox moves passage of the article, seconded by Representative Pires. The Article prevails, on a roll call vote, 79 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS 79:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Benson, Bierman, Brien, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Sullivan, Tejada, Thompson, Vieira, Wasylyk, Watson, Winfield.

**NAYS -0.**

ARTICLE 4

RELATING TO A JOINT LEGISLATIVE COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING A  
DEPARTMENT OF VETERANS AFFAIRS AS A SEPARATE DEPT. OF STATE GOVERNMENT

Representative Giannini moves passage of the article, seconded by Representatives Gallison, Coelho, Benson, Shavers, Brien, San Bento, Costantino, Watson, George, M. Anderson, Rose, Long, W.H. Murphy, Reilly and Bierman.

By unanimous consent, Representative Watson, seconded by Representative Quick, Pires and Fleury, offers the

following written motion to amend:

## FLOOR AMENDMENT

### TO

#### (01-H 6100) (Substitute "A")

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

- (1) In Article 4, on page 1, on line 6, by deleting the word and figure "six (6)" and inserting in place thereof the word and figure "nine (9)".
- (2) In Article 4, on page 1, on line 10, by deleting the period following the words "Majority Leader" and inserting three (3) of whom shall be appointed by the Governor."

Respectfully submitted,

ROBERT A. WATSON  
Representative, District 43

The motion to amend is read and prevails on a roll call vote, 78 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 78:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Benson, Bierman, Brien, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Sullivan, Tejada, Thompson, Vieira, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

The Article prevails, as amended, on a roll call vote, 79 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 79:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Benson, Bierman, Brien, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Sullivan, Tejada, Thompson, Vieira, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

ARTICLE 6  
RELATING TO STATE AID -  
TOWNS AND CITIES

Representative Giannini moves passage of the article, seconded by Representatives Palumbo, Reilly, Coderre and Moura.

Representative Moura discusses the article.

The Article prevails, on a roll call vote, 80 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS 80:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Benson, Bierman, Brien, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylk, Watson, Williams, Winfield.

**NAYS -0.**

ARTICLE 7  
RELATING TO TAXATION

Representative Pires moves passage of the article, seconded by Representative Fox.

By unanimous consent, Representative Pires, seconded by Representative Fox, offers the following written motion to amend:

**FLOOR AMENDMENT  
TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:



(1) In Article 7, page 7, lines 26 and 27, by restoring the stricken language appearing on said lines.

(2) In Article 7, page 7, lines 27 and 28, by deleting the language "July 1 of any year up to and including July 1, 2004."

(3) In Article 7, page 7, lines 28 through 30, inclusive, by deleting all of the language on said lines beginning with the word "provided", and ending with the language "July 1, 2001", and substituting the following language:

"provided, however, that an eligible company that is a telecommunication company may determine its base employment on either July 1, 2001 or July 1, 2002."

Respectfully submitted,

ANTONIO J. PIRES  
Representative, District 79

Representatives Levesque, Pires and Wasylyk discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 80 members voting in the affirmative and 1 member voting in the negative as follows:

**YEAS - 80:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anguilla, Benson, Bierman, Brien, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Watson, Winfield.

**NAYS - 1:** Representative Anderson, M.

Representatives Cicilline, Pires, Abdullah-Odiase, Slater, W.H. Murphy, Watson, Fleury and Ginaitt discuss the article as amended.

By unanimous consent, Representative Ginaitt, seconded by Representatives Scott, Bierman and Cambio, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

#### **(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

**(1)** In Article 7, page 8, line 10 by deleting the words "fifty (50)" and inserting in place thereof the words "fifty-two and one-half (52.5)".

Respectfully submitted,

PETER T. GINAITT  
Representative, District 33

Representatives Pires, Abdullah-Odiase, Wasylyk, Ginaitt and Amaral discuss the amendment.

The motion to amend is read and fails of passage, on a roll call vote, 20 members voting in the affirmative and 66 members voting in the negative as follows:

**YEAS - 20:** Representatives Abdullah-Odiase, Ajello, Almeida, Anderson, M., Bierman, Cambio, Carroll, Cicilline, Ginaitt, Hetherington, Levesque, Lewiss, Lima, Long, Moura, Rabideau, Scott, Simonian, Trillo, Wasylyk.

**NAYS - 66:** The Honorable Speaker Harwood and Representatives Aiken, Amaral, Anguilla, Barr, Benson, Brien, Callahan, Caprio, Cerra, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Gorham, Guthrie, Hogan, Kilmartin, Lally, Lanzi, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Thompson, Vieira, Watson, Winfield.

Representatives Levesque, Moura, Smith and McNamara discuss the article as amended.

Representative Levesque requests to vote on page 2, lines 18-25 separately.

The Honorable Speaker rules that it is divisible.

Representative W.H. Murphy requests to vote on page 3, lines 24-27 separately.

The Honorable Speaker rules that it is divisible.

Representative Watson requests to vote on page 8, lines 5-10, and page 9, lines 2-10 separately.

The Honorable Speaker rules that it is divisible.

By unanimous consent, Representative Moura, seconded by Representatives Abdullah-Odiase and McNamara, offers a written motion to amend.

Representative Moura withdraws his amendment.

Representatives Smith, Moura and McNamara discuss the article.

Page 2, lines 18-25 prevails, on a roll call vote, 74 members voting in the affirmative and 12 members voting in the negative as follows:

**YEAS - 74:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Almeida, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Cerra, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Ginaitt, Gorham, Guthrie, Hogan, Kilmartin, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Sherlock, Simonian, Slater, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Watson, Williams, Winfield.

**NAYS - 12:** Representatives Ajello, Amaral, Carroll, Cicilline, Giannini, Hetherington, Jacquard, Levesque, Montanaro, Pisaturo, Scott, Wasylyk.

Page 3, lines 24-27 prevails, on a roll call vote, 74 members voting in the affirmative and 10 members voting in the negative as follows:

**YEAS - 74:** The Honorable Speaker Harwood and Representatives Aiken, Ajello, Almeida, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Munschy, Naughton, Palumbo, Picard, Pires, Pisaturo, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Sherlock, Simonian, Slater, Story, Sullivan, Tejada, Thompson, Trillo, Watson, Williams, Winfield.

**NAYS - 10:** Representatives Abdullah-Odiase, Gorham, Lima, Mumford, Murphy, W.H., Quick, Rabideau, Scott, Smith, Wasylyk.

Page 8, lines 5-10 prevails, on a roll call vote, 75 members voting in the affirmative and 7 members voting in the negative as follows:

**YEAS - 75:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Pires, Pisaturo, Quick, Rabideau, Rose, San Bento, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Story, Sullivan, Thompson, Trillo, Wasylyk, Williams, Winfield.

**NAYS - 7:** Representatives Amaral, Maher, Picard, Reilly, Simonian, Vieira, Watson.

Page 9, lines 2-10 prevails, on a roll call vote, 76 members voting in the affirmative and 8 members voting in the negative as follows:

**YEAS - 76:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Pires, Pisaturo, Quick, Rabideau, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Story, Sullivan, Tejada, Thompson, Trillo, Wasylyk, Winfield.

**NAYS 8:** Representatives Amaral, Gorham, Montanaro, Picard, Reilly, Simonian, Vieira, Watson.

The Article prevails, on a roll call vote, 83 members voting in the affirmative and 4 members voting in the negative as follows:

**YEAS - 83:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Williams, Winfield.

**NAYS 4:** Representatives Amaral, Anderson, M., Smith, Watson.

ARTICLE 8

RELATING TO HOSPITAL LICENSING FEE

Representative Sherlock moves passage of the article, seconded by Representative Pires.

By unanimous consent, Representative Pires, seconded by Representatives Benson and Coelho, offers the following written motion to amend:

**FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute cc A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

By deleting article 8 in its entirety and inserting in place thereof the following:

"ARTICLE 8

RELATING TO HOSPITAL LICENSING FEES

SECTION 1. Section 23-17-38.1 of the General Laws in Chapter 23-17 entitled "Licensing of Health Care Facilities" is hereby amended to read as follows:

23-17-38.1. HOSPITALS -- LICENSING FEE. - ~~(1) There is imposed a hospital licensing fee at the rate of two and sixty-five hundredths percent (2.65%) upon the gross patient services revenue of every hospital for the hospital's first fiscal year ending on or after January 1, 1995. This licensing fee shall be administered and collected by the tax administrator, division of taxation within the department of administration, and all the administration, collection, and other provisions of chapters 50 and 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax administrator on or before February 1, 2001, and payments shall be made by electronic transfer of monies to the general treasurer and deposited to the general fund in accordance with section 44-50-11. Every hospital shall, on or before January 2, 2001, make a return to the tax administrator containing the correct computation of gross patient services revenue, the gross licensing fee due upon such amount, the net licensing fee due which shall be an amount equal to the gross licensing fee less previous license fee payments made pursuant to this section during the period October 1, 1999 through January 31, 2001. All returns shall be signed by the hospital's authorized representative, subject to the pains and penalties of perjury.~~

~~(2)~~ (a) There is imposed a hospital licensing fee at the rate of four **and twenty-five hundredths** percent ~~(4.0%)~~ **(4.25%)** upon the net patient services revenue of every hospital for the hospital's first fiscal year ending on or after January 1, 1999. This licensing fee shall be administered and collected by the tax administrator, division of taxation within the department of administration, and all the administration, collection and other provisions of chapter 50 and 51 of title 44 shall apply. Every hospital shall pay the licensing fee to the tax administrator on or before ~~April 3,~~ **October 31,** 2001, and payments shall be made by electronic transfer of monies to the general treasurer and deposited to the general fund in accordance with section 44-50-11. Every hospital shall, on or before ~~March 1,~~ **October 1,** 2001, make a return to the tax administrator containing the correct computation of net patient services revenue for the hospital fiscal year ending

September 30, 1999, and the licensing fee due upon such amount. All returns shall be signed by the hospital's authorized representative, subject to the pains and penalties of perjury.

(b) For purposes of this section the following words and phrases shall have the following meanings:

(i) "Hospital" means a person or governmental unit duly licensed in accordance with this chapter to establish, maintain, and operate a hospital, except a hospital whose primary service and primary bed inventory are psychiatric.

(ii) "Gross patient services revenue" means the gross revenue related to patient care services.

(iii) "Net patient services revenue" means the charges related to patient care services less (1) charges attributable to charity care, (2) bad debt expenses, and (3) contractual allowances.

(c) The tax administrator shall make and promulgate such rules, regulations, and procedures not inconsistent with state law and fiscal procedures as he or she deems necessary for the proper administration of this section and to carry out the provisions, policy and purposes thereof.

SECTION 2. This article shall take effect July 1, 2001 and shall apply to hospitals, as defined in Section 1, which are duly licensed on July 1, 2001. The licensing fee imposed by Section 1 shall be in addition to the inspection fee imposed by Section 23-17-38 and to any licensing fees previously imposed and collected in accordance with Section 23-17-38.1."

Respectfully submitted,

ANTONIO J. PIRES  
Representative, District 79

Representative Levesque discusses the amendment.

The motion to amend is read and prevails on a roll call vote, 85 members voting in the affirmative and 2 members voting in the negative as follows:

**YEAS 85:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Williams, Winfield.

**NAYS - 2:** Representatives Anderson, M., Watson.

The Article prevails, as amended, on a roll call vote, 83 members voting in the affirmative and 3 members voting in the negative as follows:

**YEAS 83:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Williams, Winfield.

**NAYS - 3:** Representatives Anderson, M., Gorham, Watson.

## ARTICLE 9

### RELATING TO CHILD CARE - STATE SUBSIDIES

Representative Sherlock moves passage of the article, seconded by Representatives Fox and Slater.

Representative Abdullah-Odiase discusses the article.

The Article prevails, on a roll call vote, 79 members voting in the affirmative and 1 member voting in the negative' as follows:

**YEAS - 79:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Moran, Moura, Mumford, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Williams.

**NAYS - 1:** Representative Montanaro.

## ARTICLE 10

### RELATING TO CHILD CARE ELIGIBILITY

Representative Sherlock moves passage of the article, seconded by Representative Fox.

The Article prevails, on a roll call vote, 80 members voting in the affirmative and 1 member voting in the negative as follows:

**YEAS - 80:** The Honorable Speaker Harwood and Representatives Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Williams, Winfield.

**NAYS - 1:** Representatives Abdullah-Odiase.

## ARTICLE 11

### RELATING TO ENVIRONMENTAL MANAGEMENT

Representative Crowley moves passage of the article, seconded by Representative Fox.

The Article prevails, on a roll call vote, 81 members voting in the affirmative and 2 members voting in the negative as follows:

**YEAS - 81:** The Honorable Speaker Harwood and Representatives Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Williams, Winfield.

**NAYS - 2:** Representatives Abdullah-Odiase, Gorham.

## ARTICLE 12

### RELATING TO ENVIRONMENTAL MANAGEMENT

Representative Costantino moves passage of the article, seconded by Representatives Fox, Cambio, Sherlock, Rose, Slater and Williams.

Representatives Williams, Costantino and Levesque discuss the article.

The Article prevails, on a roll call vote, 83 members voting in the affirmative and 1 member voting in the negative as follows:

**YEAS - 83:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Watson, Williams, Winfield.

**NAYS - 1:** Representative Anderson, M.

## ARTICLE 13

### RELATING TO MEDICAL ASSISTANCE

Representative Costantino moves passage of the article, seconded by Representatives Rabideau, Fox, Giannini and Gorham.

By unanimous consent, Representative Costantino, seconded by Representatives Rabideau, Fox, Giannini, Gorham, Naughton and George, offers the following written motion to amend:

## FLOOR AMENDMENT

TO

(01-H 6100) (Substitute "A")

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

(1) Article 13, page 1, line 3, by inserting the following language:

"WHEREAS, The General Assembly finds that direct care workers are an integral part of the health and human service system; and.

WHEREAS, The General Assembly recognizes the need to supplement the compensation of direct care workers; and be it further.

RESOLVED, That the General Assembly enacts this article with the expressed intent that the monies appropriated pursuant to this article be dedicated to increase wages for direct care workers."

(2) Article 13, page 1, line 16, by inserting after the word "homemakers," the words "personal care attendants,". (3) Article 13, page 1, line 19, by inserting after the word "residential" the words "and non-residential".

(4) Article 13, page 1, line 21, by inserting after the word "affairs" the words "or the department of human services".

(5) Article 13, page 7, line 6, by deleting the word "through" and inserting in place thereof the word "after".

(6) Article 13, page 7, line 6, by inserting after "June 30, 2002" the following language:

**"and until the facility's rate is recalculated after its next base period, to the extent It will have actually been expended by the nursing facility to increase wages and/or staffing; pay payroll taxes and workers' compensation on such payroll and enhance, expand or maintain new and existing fringe benefits prior to July 1, 2002."**

(7) Article 13, page 7, line 8, by deleting the words "each participating nursing".

(8) Article 13, page 7, lines 9 through 11 by deleting all the language in its entirety.

(9) Article 13, page 7, line 12, by deleting the words and number "which the six (6) month period is to be completed."

(10) Article 13, page 7, lines 22 through 25, by deleting all the language in its entirety, and inserting in place thereof the following language:

**"the excess, if any of: (1) the product of Medicaid rate in the labor related cost center and the total bed days provided in the facility in each six (8) month period over; (2) the facility's actual expenditures in the labor related cost center for each six (6) month period, The difference between the retrospective adjustment as so calculated and three dollars and seventy-one cents (\$3.71) will remain in the facility's rate after June 30, 2002, until the facility's rate is recalculated after its next base period."**

Respectfully submitted,



**STEVEN M. COSTANTINO**  
Representative, District 14

The motion to amend is read and prevails on a roll call vote, 80 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS 80:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Sherlock, Simonian, Slater, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

By unanimous consent, Representative Costantino, seconded by Representatives Ginaitt, Naughton, Giannini, Fox, Abdullah-Odiase, George, Cicilline and Dennigan, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

### **(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

In Article 13, page 1, line 14, by adding the cc following words after the word and colon are: "assisted living waiver programs,".

Respectfully submitted,

**STEVEN M. COSTANTINO**  
Representative, District 14

The motion to amend is read and prevails on a roll call vote, 85 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 85:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munsch, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

Representatives Scott, Abdullah-Odiase and Amaral discuss the article as amended.

The Article prevails, as amended, on a roll call vote, 84 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 84:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Cerra, Cicilline, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasyluk, Watson, Williams, Winfield.

**NAYS -0.**

#### ARTICLE 14

##### RELATING TO LICENSING OF HEALTH CARE PROFESSIONALS

Representative Costantino moves passage of the article, seconded by Representatives Fox, Sherlock and Martineau.

Representatives Watson, Costantino and Pires discuss the article.

The Article prevails, on a roll call vote, 63 members voting in the affirmative and 22 members voting in the negative as follows:

**YEAS - 63:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anguilla, Barr, Benson, Brien, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Hetherington, Hogan, Jacquard, Kennedy, Lally, Lanzi, Lewiss, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Naughton, Pires, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Story, Sullivan, Tejada, Thompson, Vieira, Voccola, Williams, Winfield.

**NAYS - 22:** Representatives Amaral, Anderson, M., Bierman, Callahan, DeSimone, Fleury, Gorham, Kilmartin, Lima, Long, Montanaro, Murphy, W.H., Picard, Rabideau, Reilly, Savage, Scott, Simonian, Smith, Trillo, Wasyluk, Watson.

#### ARTICLE 15

##### RELATING TO FOOD PROTECTION

Representative Costantino moves passage of the article, seconded by Representative Fox.

Representatives Watson and McNamara discuss the article.

Representative Rabideau rises on a point of order for Representative McNamara to speak germane to the article.

The Honorable Speaker rules for Representative McNamara to speak germane to the article.

Representative McNamara continues discussion on the Article.

The Article prevails, on a roll call vote, 67 members voting in the affirmative and 19 members voting in the negative as follows:

**YEAS - 67:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anguilla, Barr, Benson, Brien, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Hetherington, Hogan, Jacquard, Kennedy, Lanzi, Lewiss, Lima, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Naughton, Pires, Pisaturo, Rabideau, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Williams, Winfield.

**NAYS - 19:** Representatives Amaral, Anderson, M., Bierman, Callahan, DeSimone, Fleury, Gorham, Kilmartin, Long, Montanaro, Murphy, W.H., Palumbo, Picard, Reilly, Scott, Simonian, Wasylyk, Watson.

16

RELATING TO MOTOR VEHICLES -  
MOTOR FUEL TAX

Representative Fox moves passage of the article, seconded by Representatives Pires and Cicilline.

The Article prevails, on a roll call vote, 84 members voting in the affirmative and 3 members voting in the negative as follows:

**YEAS - 84:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Winfield.

**NAYS - 3:** Representatives Almeida, DeSimone, Slater.

ARTICLE 17

RELATING TO A  
JOINT LEGISLATIVE COMMISSION TO  
STUDY THE NURSING HOME PRINCIPLES  
OF REIMBURSEMENT

Representative Costantino moves passage of the article, seconded by Representatives Ginaitt, Pires, Fox, Naughton, Giannini, Benson, Coelho, Levesque, Abdullah-Odiase, Rabideau, Rose and Savage.

Representative Pires discusses the article.

By unanimous consent, Representative Pires, seconded by Representatives Costantino and Amaral, offers the following written motion to amend:

## FLOOR AMENDMENT

### TO

#### (01-H 6100) (Substitute "A")

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

**(1)** In Article 17, the Title of Article 17, by deleting the language "Nursing Home Principles of Reimbursement" and inserting in place thereof the language "Structural Issues Associated with the State of Rhode Island's Long Term Care System".

**(2)** In Article 17, page 1, by deleting the language on lines 9 and 10 and by adding the following language in place thereof: "The purpose of the commission shall be to undertake analyses and make recommendations for legislative and/or administrative proposals or actions to address the structural issues associated with the State of Rhode Island's long term care system. These issues shall include, but not be limited to, chronic care and disease management of acute and long term care services, reimbursement reform through the nursing home principles of reimbursement and other long term care provider reimbursement systems, and the regulation and reimbursement for assisted living services. The commission shall also develop the outline of a waiver application to the U.S. Department of health and human services to coordinate services for those dually eligible for Medicare and Medicaid in order to improve health status, quality of care, and efficient use of state and federal expenditures."

Respectfully submitted,

ANTONIO J. PIRES  
Representative, District 79

The motion to amend is read and prevails, on a roll call vote, 83 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 83:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Fleury, Fox, Gallison, Garvey, George, Giannini, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

The Article prevails, as amended, on a roll call vote, 82 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 82:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre,

Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Fleury, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munsch, Murphy, W.H., Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Watson, Williams, Winfield.

**NAYS -0.**

**ARTICLE 18**

**RELATING TO  
STATE CONTRIBUTIONS TO RETIREMENT**

Representative Fox moves passage of the article, seconded by Representative Pires.

By unanimous consent, Representative Fox, seconded by Representative Pires, offers the following written motion to amend:

**FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

**1.** In article 18, on page 2, by deleting the figure "2000" and inserting in place thereof the figure "1999".

Respectfully submitted,

**GORDON FOX**  
Representative, District 5

The motion to amend is read and prevails, on a roll call vote, 81 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 81:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munsch, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scoff, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Williams, Winfield.

**NAYS -0.**

The Article prevails, as amended, on a roll call vote, 79 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 79:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Fleury, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Schadone, Scott, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

## ARTICLE 19

### RELATING TO LIMITATIONS ON STATE EXPENDITURES

Representative Pires moves passage of the article, seconded by Representative Fox.

Representatives Levesque and Pires discuss the article.

The Article prevails, on a roll call vote, 83 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 83:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Faria, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

## ARTICLE 20

### RELATING TO STATE POLICE

Representative Fox moves passage of the article, seconded by Representatives Pires, Amaral and Brien.

The Article prevails, on a roll call vote, 83 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 83:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik,

McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

**ARTICLE 21**

**RELATING TO  
RESOURCE RECOVERY CORPORATION**

Representative Giannini moves passage of the article, seconded by Representatives Fox, Lowe and Reilly.

The Article prevails, on a roll call vote, 77 members voting in the affirmative and 4 members voting in the negative as follows:

**YEAS - 77:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pisaturo, Rabideau, Reilly, Rose, San Bento, Schadone, Scott, Shavers, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Williams, Winfield.

**NAYS - 4:** Representatives Bierman, Gorham, Mumford, Watson.

**ARTICLE 23**

**RELATING TO PROCEEDINGS  
IN FAMILY COURT**

Representative Costantino moves passage of the article, seconded by Representative Fox.

By unanimous consent, Representative Costantino, seconded by Representatives Fox and Sherlock, offers the following written motion to amend:

**FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

(1) In Article, 23, page 4, line 2, by deleting the word cc until

Respectfully submitted,

STEVEN M. COSTANTINO  
Representative, District 14

Representatives Levesque and Costantino discuss the amendment.

The motion to amend is read and prevails, on a roll call vote, 82 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 82:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palumbo, Picard, Pisaturo, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Winfield.

**NAYS -0.**

Representatives Abdullah-Odiase, Costantino, Lima, Scott and Levesque discuss the article as amended.

The Article prevails, as amended, on a roll call vote, 86 members voting in the affirmative and 1 member voting in the negative as follows:

**YEAS - 86:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hogan, Jacquard, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS - 1:** Representative Anderson, M.

## ARTICLE 24

### RELATING TO COMPENSATION OF BOARD MEMBERS

Representative Giannini moves passage of the article, seconded by Representatives Fox and Mumford.

The Article prevails, on a roll call vote, 92 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 92:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hogan, Jacquard, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss,



Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS -0.

## ARTICLE 25

### RELATING TO HOSPITAL UNCOMPENSATED CARE

Representative Pires moves passage of the article, seconded by Representatives Fox, Abdullah-Odiase and Giannini.

By unanimous consent, Representative Pires, seconded by Representatives Fox, Abdullah-Odiase and Giannini, offers the following written motion to amend:

### FLOOR AMENDMENT

### TO

#### (01-H 6100) (Substitute "A")

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

(1) Article 25, page 1, by deleting all of the language from line 5 on page 1 through line 18 on page 3, inclusive.

(2) Article 25, page 1, by adding on line 5 all of the following language:

"40-8.3-2. DEFINITION. -- As used in this chapter:

(1) "Base year" means for the purpose of calculating **\*\*a** ((an annual!! disproportionate share payment for any fiscal year ending ((on or before September 30, 2000, the period from October 1, 1994 through September 30, 1995 and for the purpose of calculating an annual disproportionate share payment for any fiscal year ending!! after September 30, 2000, the period from October 1, 1998 through September 30, 1999.

(2) "Medical assistance inpatient utilization rate for a hospital" means a fraction (expressed as a percentage) the numerator of which is the hospital's number of inpatient days during the base year attributable to patients who were eligible for medical assistance during the base year and the denominator of which is the total number of the hospital's inpatientrcnt (4.90%)!!.

40-8.3-3. IMPLEMENTATION. -- (a) ((For the fiscal year commencing on October 1, 1999, and ending September 30, 2000, each participating hospital shall be paid by the department of human services on or before October 28, 1999, an annual disproportionate share payment equal to the lesser of (1) the hospital's uncompensated care costs or (2) a percentage equal to a minimum of two and six-tenths percent (2.6%) of the dollar amount of all chargeable services in

the hospital's base year adjusted by the uncompensated care index.

(b) For the fiscal year commencing on October 1, 1999 and ending September 30, 2000, each participating hospital shall be paid by the department of human services on or before September 29, 2000, a supplemental disproportionate share payment equal to (1) the lesser of (i) the hospital's uncompensated care costs adjusted by the uncompensated care index or (ii) a percentage equal to a minimum of four and fifteen-hundredths percent (4.15%) of the dollar amount of all chargeable services in the hospital's base year, less (2) any disproportionate share payments made to each participating hospital pursuant to subsection (a) during the period October 1, 1999 through September 28, 2000; provided, however that the supplemental disproportionate share payments are expressly conditioned upon approval on or before September 29, 2000 by the Secretary of the U.S. Department of Health and Human Services, or his or her authorized representative, of all Medicaid state plan amendments necessarcent (4.90%)!!.

40-8.3-3. IMPLEMENTATION. -- (a) ((For the fiscal year commencing on October 1, 1999, and ending September 30, 2000, each participating hospital shall be paid by the department of human services on or before October 28, 1999, an annual disproportionate share payment equal to the lesser of (1) the hospital's uncompensated care costs or (2) a percentage equal to a minimum of two and six-tenths percent (2.6%) of the dollar amount of all chargeable services in the hospital's base year adjusted by the uncompensated care index.

(b) For the fiscal year commencing on October 1, 1999 and ending September 30, 2000, each participating hospital shall be paid by the department of human services on or before September 29, 2000, a supplemental disproportionate share payment equal to (1) the lesser of (i) the hospital's uncompensated care costs adjusted by the uncompensated care index or (ii) a percentage equal to a minimum of four and fifteen-hundredths percent (4.15%) of the dollar amount of all chargeable services in the hospital's base year, less (2) any disproportionate share payments made to each participating hospital pursuant to subsection (a) during the period October 1, 1999 through September 28, 2000; provided, however that the supplemental disproportionate share payments are expressly conditioned upon approval on or before September 29, 2000 by the Secretary of the U.S. Department of Health and Human Services, or his or her authorized representative, of all Medicaid state plan amendments necessary to secure for the state the benefit of federal financial participation in federal fiscal year 2000 for the supplemental disproportionate share payments.

(c) !!For the fiscal year commencing on October 1, 2000 and ending September 30, 2001, each participating hospital shall be paid by the department of human services on or before April 2, 2001, an annual disproportionate share payment equal to the lesser of (1) the hospital's uncompensated care costs adjusted by the uncompensated care index or (2) a percentage equal to a minimum of five and seventy-five hundredths percent (5.75%) of the dollar amount of the difference between (i) all chargeable services in the hospital's base year and (ii) the sum of charity care charges, bad debt expenses, and contractual allowances in the hospital's base year; provided, however, that the disproportionate share payments are expressly conditioned upon approval on or before April 2, 2001 by the Secretary of the U.S. Department of Health and Human Services, or his or her authorized representative, of all Medicaid state plan amendments necessary to secure for the state the benefit of federal financial participation in federal fiscal year 2001 for the disproportionate share payments.

(d) \*(b) For the fiscal year commencing on October 1, 2001 and ending September 30, 2002, each participating hospital shall be paid by the department of human services on or before October 30, 2001, a disproportionate share payment equal to the lesser of (1) the hospital's uncompensated care costs adjusted by the uncompensated care index; or (2) a percentage equal to six and five hundredths percent (6.05%) of the dollar amount of the difference between (i) all chargeable services in the hospital's base year and (ii) the sum of charity care charges, bad debt expenses, and contractual allowances in the hospital's base year; provided, however, that the disproportionate share payments are expressly conditioned upon approval on or before October 30, 2001 by the Secretary of the U.S. Department of Health and Human Services, or his or her authorized representative, of all Medicaid state plan amendments necessary to secure for the state the benefit of federal financial participation in federal fiscal year 2002 for the disproportionate share payments.

SECTION 2. This article shall take effect July 1, 2001."

Respectfully submitted,

ANTONIO J. Pires  
Representative, District 79

The motion to amend is read and prevails, on a roll call vote, 92 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 92:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hogan, Jacquard, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS -0.**

The Article prevails, as amended, on a roll call vote, 89 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 89:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hogan, Jacquard, Kennedy, Kilmartin, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS -0.**

## ARTICLE 26

### RELATING TO STATE AFFAIRS AND GOVERNMENT - PHARMACEUTICAL ASSISTANCE TO THE ELDERLY

Representative Costantino moves passage of the article, seconded by Representatives Fox, Giannini, Pires, Coelho, W.J. Murphy, Wasylyk, Lima, Cicilline, Malik, Abdullah-Odiase, Munschy, Anguilla, Tejada, George, Shavers, Menard, Reilly, Sullivan, Corvese, Moran, Coderre, Garvey, Rose, DeSimone, Lanzi, Montanaro, Trillo, W.H. Murphy, Fleury, Savage, M. Anderson, Mumford, Dennigan, Picard, Martineau, Cerra, Williams and Amaral.

By unanimous consent, Representative Costantino, seconded by Representatives Fox, Giannini, Pires, Coelho, W.J. Murphy, Wasylyk, Lima, Cicilline, Malik, Abdullah(Odiase, Munschy, Anguilla, Tejada, George, Shavers, Menard, Reilly, Sullivan, Corvese, Moran, Coderre, Garvey, Rose, DeSimone, Lanzi, Montanaro, Trillo, W.H. Murphy, Fleury, Savage, M. Anderson, Mumford, Dennigan, Picard, Martineau, Cerra, Williams and Amaral, offers the following written motion to amend:

## FLOOR AMENDMENT

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

1. In Article 26, on page 2, line 20, by adding the following language after the word "costs": "for eligible drugs as defined in section 42-66.2-3(5)".
2. In Article 26, on page 2, line 20, by deleting the section number "42-66.2-3" and inserting in place thereof the section number "42-66.2-3(1)".
3. In Article 26, on page 2, line 23, by adding the following language after the period"(.),,: "The initial one thousand five hundred dollars (\$1,500) paid by the consumer shall not be reimbursed by the state."

Respectfully submitted,

STEVEN M. COSTANTINO  
Representative, District 14

The motion to amend is read and prevails, on a roll call vote, 91 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 91:** The Honorable Speaker Harwood and Representatives Abdullah(Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Caprio, Caroll, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS -0.** The Article prevails, as amended, on a roll call vote, 90 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 90:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Sherlock, Simonian, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS -0.**

ARTICLE 27

RELATING TO STATE EMPLOYEES

Representative Giannini moves passage of the article, seconded by Representatives Pires, Gallison, Fox and Coelho.

The Article prevails, on a roll call vote, 93 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 93:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

**NAYS -0.**

ARTICLE 28

RELATING TO  
DEVELOPMENTAL DISABILITIES

Representative Sherlock moves passage of the article, seconded by Representatives George, Naughton, Crowley, Giannini, Costantino and Fox.

The Article prevails, on a roll call vote, 89 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 89:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, SChadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasyluk, Williams, Williamson, Winfield.

**NAYS -0.**

ARTICLE 29

RELATING TO  
STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ADMINISTRATION

Representative Fox moves passage of the article, seconded by Representative Pires and many other Representatives.

Representatives Abdullah-Odiase, Fox, Scott, Lima, Levesque, Gorham and Pires discuss the article.

The Article prevails, on a roll call vote, 85 members voting in the affirmative and 4 members voting in the negative as follows:

**YEAS - 86:** The Honorable Speaker Harwood and Representatives Aiken, Ajello, Almeida, Amaral, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hogan, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Simonian, Slater, Smith, Story, Sullivan, Tejada, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS -4:** Representatives Abdullah(Odiase, Anderson, M., Kennedy, Levesque.

## ARTICLE 22

### RELATING TO EDUCATION AID

Representative Crowley moves passage of the article, seconded by Representative Fox.

By unanimous consent, Representative Crowley, seconded by Representatives Giannini and Fox, offers the following written motion to amend:

### **FLOOR AMENDMENT**

### **TO**

### **(01-H 6100) .(Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

- (1) Article 22, page 2, line 8, by inserting the section number and comma "16-7.1-2," after the word "Sections";
- (2) Article 22, page 2, by inserting the following language between lines 10 and 11:

"16-7.1-2. ACCOUNTABILITY FOR STUDENT PERFORMANCE (a) The board of regents shall adopt and publish statewide standards of performance and performance benchmarks in core subject areas to include writing and mathematics (grades four (4), eight (8), and ten (10)). These standards and performance benchmarks shall be ratified by the board and implemented by December 31, 1997. By December 31, 1998, performance standards and performance benchmarks for reading in two (2) grades shall be added.

(b) Districts and schools need to be held accountable for student performance results. Therefore, every school district receiving state education aid under title 16 of the general laws shall develop a district strategic plan. The district

strategic plan shall: (1) be based on high academic standards for student performance consistent with the statewide standards and benchmarks; (2) be the product of a shared community wide process which defines a vision of what students should know and be able to do; (3) address the needs of each school in the district; (4) encourage the development of school-based improvement planning and implementation; (5) include a process for mentoring of new teachers; (6) be designed to improve student achievement with emphasis on closing the performance gaps among groups of students such as the performance gaps correlated with poverty, gender, language background and disability; (7) include establishment of student intervention teams to address the instructional needs of diverse learners, include high standards of student behavior designed to create an orderly educational environment with due regard for the rights of students, and an asset protection plan; and (8) be consistent with Rhode Island's comprehensive education strategy. In order to assure the most efficient use of resources implementing strategic plans, districts and schools are encouraged to work together as consortia and as part of the regional collaboratives.

(c) The strategic plan shall include strategies to improve the performance of students in mathematics, reading, and writing. These strategies shall be based on the adequate yearly progress expected for students and schools. Annual performance targets for determining whether schools and districts have made adequate yearly progress will be set by the commissioner of education. The general assembly expects these district strategies to increase the number of fourth grade students performing at or above the proficient standard in mathematics, reading and writing in each district and school. In fiscal 1998-1999 and beyond, the increase shall be established annually in accordance with section 16-7.1-4.

(d) Each strategic plan must indicate the manner in which self-studies will be completed at the school level in accordance with guidelines established by the commissioner. Funds shall be appropriated to the department of elementary and secondary education to assist districts with on-site reviews. Schools to be visited shall be determined by the commissioner.

(e) Each strategic plan must indicate the method in which school administrators and staff shall achieve and maintain an orderly educational environment in accordance with due process and with due regard for the rights of students.

(f) Each strategic plan shall include the development of inter-agency agreements for the coordination of services among state and local agencies responsible for service to children and families. These agreements shall address the identification and provision of services to preschool children with disabilities and children and youth with behavioral health care needs.

(g) All district strategic plans and annual updates shall be submitted to the commissioner of education no later than May 1, of each year."

Respectfully submitted,

PAUL W. CROWLEY  
Representative, District 100

Representatives Crowley and Abdullah-Odiase discuss the amendment.

The motion to amend is read and prevails, on a roll call vote, 85 members voting in the affirmative and 1 member voting in the negative as follows:

**YEAS - 85:** The Honorable Speaker Harwood and Representatives Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, DeSimone, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Williams, Williamson, Winfield.

**NAYS - 1:** Representative Abdullah-Odiase.

By unanimous consent, Representative Watson, seconded by Representatives Fleury, Callahan, Scott, Trillo and Carroll, offers the following written motion to amend:

## FLOOR AMENDMENT

TO

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

**(1)** Article 22, page 2, line 31, by deleting the underscored number "3.5" and reinserting the number "5.0".

Respectfully submitted,

ROBERT A. WATSON  
Representative, District 43

Representatives Watson, Carroll, Montanaro, Smith, Anguilla, Trillo, Williamson, Crowley, Palumbo, Kennedy, Cicilline, Scott and McNamara discuss the amendment.

Representative Watson rises on a point of order for Representative McNamara to speak germane to the amendment.

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

Representative McNamara continues discussion.

Representatives Savage, Levesque, Gorham, Amaral, Barr, Watson and Pires discuss the amendment.

The motion to amend is read and fails of passage, on a roll call vote, 38 members voting in the affirmative and 56 members voting in the negative as follows:

**YEAS - 38:** Representatives Amaral, Anderson, M., Barr, Benson, Bierman, Callahan, Caprio, Carroll, DeSimone, Fleury, Garvey, George, Gorham, Hogan, Kennedy, Knickle, Lally, Levesque, Lewiss, Long, Lowe, Malik, McNamara, Menard, Montanaro, Mumford, Murphy, W.H., Pisaturo, Rabideau, Reilly, Savage, Scott, Shanley, Smith, Story, Trillo, Wasylyk, Watson.

**NAYS - 56:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anguilla, Brien, Cambio, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Flaherty, Fox, Gallison, Giannini, Ginaitt, Henseler, Hetherington, Jacquard, Kilmartin, Lanzi, Lima, Maher, Martineau, McCauley, Moran, Moura, Munschy, Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Rose, San Bento, Schadone, Shavers, Sherlock, Simonian, Slater, Sullivan, Tejada, Thompson, Vieira, Voccola, Williams, Williamson, Winfield.

By unanimous consent, Representative Anguilla, seconded by Representatives Scott, Gallison and Coelho, offers the following written motion to amend:



## FLOOR AMENDMENT

### TO

#### (01-H 6100) (Substitute "A")

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

(1) In Article 1, on page 15, line 19, by deleting the figure "575,846,092" and inserting in place thereof the figure "576,648,474".

(2) In Article 1, on page 24, line 16, by deleting the figure "2,650,768,180" and inserting in place thereof the figure "2,651,570,562".

(3) In Article 1, on page 24, line 20, by deleting the figure "5,184,847,189" and inserting in place thereof the figure "5,185,649,571".

(4) In Article 7, on page 8, line 10, by deleting the word and figure "fifty (50)" and inserting in place thereof the word and figure "fifty and one half (50.5)".

(5) In Article 7, on page 8, line 31, by deleting the word and figure "fifty (50)" and inserting in place thereof the word and figure "fifty and one half (50.5)".

(6) In Article 22, on page 2, line 31, by deleting the figure "3.5" and inserting in place thereof the figure "4.0".

Respectfully submitted,

FAUSTO C. ANGUILLA  
Representative, District 90

Representatives Watson, Anguilla and Pires discuss the amendment. Minority Leader Watson requests to vote on item 6 separately.

The Honorable Speaker rules that it is divisible. Item 6 of the amendment is read and fails of passage, on a roll call vote, 35 members voting in the affirmative and 50 members voting in the negative as follows:

**YEAS 35:** Representatives Amaral, Anguilla, Barr, Bierman, Callahan, Carroll, Gallison, Garvey, Gorham, Hogan, Kennedy, Kilmartin, Knickle, Lally, Levesque, Long, Lowe, Maher, Montanaro, Murphy, W.H., Murphy, W.J., Naughton, Pisaturo, Rabideau, Reilly, Savage, Scott, Shanley, Smith, Story, Tejada, Trillo, Wasyluk, Watson, Winfield.

**NAYS - 50:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Benson, Cambio, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, George, Giannini, Hetherington, Jacquard, Lanzi, Lewiss, Lima, Malik, Martineau, McCauley, Menard, Moran, Moura, Mumford, Munschy, Palumbo, Picard, Pires, Rose, San Bento, Schadone, Shavers, Sherlock, Simonian, Slater, Sullivan, Thompson, Vieira, Voccola, Williams. The remainder of the amendment fails of passage, on a roll call vote, 33 members voting in the affirmative and 56 members voting in the negative as follows:

**YEAS - 33:** Representatives Anderson, M., Anguilla, Barr, Benson, Bierman, Cambio, Caprio, Coelho, DeSimone, Gallison, Garvey, George, Hogan, Kennedy, Kilmartin, Knickle, Lally, Levesque, Lowe, Maher, Malik, Menard, Naughton, Palumbo, Pisaturo, Rabideau, Reilly, Scott, Shanley, Smith, Trillo, Wasylyk, Winfield.

**NAYS - 56:** Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Brien, Callahan, Carroll, Cerra, Cicilline, Coderre, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Fox, Giannini, Ginaitt, Gorham, Hetherington, Jacquard, Lanzi, Lewiss, Lima, Long, Martineau, McCauley, McNamara, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.J., Picard, Pires, Rose, San Bento, Savage, Schadone, Shavers, Sherlock, Simonian, Slater, Story, Tejada, Thompson, Vieira, Voccola, Watson, Williams, Williamson.

By unanimous consent, Representative Smith, seconded by Representatives DeSimone and Pisaturo, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

#### **(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

**(1)** In Article 1, page 7, line 6, by deleting the number "24,886,849" and inserting in place thereof the number "22,886,849".

**(2)** In Article 1, page 15, line 19, by striking the number "575,846,092" and substituting thereof the number "572,833,875".

**(3)** In Article 1, page 15, line 19, by inserting the following:

"Progressive support and intervention 5,012,217".

**(4)** In Article 1, page 16, line 16, by striking the number "86,520,707", and inserting in place thereof the number "828,520,707".

**(5)** In Article 22, page 3, line 4, by deleting the number "7.0" and inserting in place thereof the number 7.5

Respectfully submitted,

STEVEN F. SMITH  
Representative, District 12

Representative Levesque discusses the amendment.

The motion to amend is read and fails of passage, on a roll call vote, 19 members voting in the affirmative and 70 members voting in the negative as follows:

**YEAS 19:** Representatives Ajello, Anguilla, Bierman, Cicilline, DeSimone, George, Levesque, Lima, Montanaro, Pisaturo, Rabideau, Savage, Scott, Simonian, Slater, Smith, Tejada, Wasylyk, Watson.

**NAYS - 70:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Almeida, Anderson, M., Barr, Benson, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, Giannini, Ginaitt, Gorham, Henseler, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Long, Lowe, Maher, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Murphy, W.H., Naughton, Palangio, Palumbo, Picard, Pires, Reilly, Rose, San Bento, Schadone, Shanley, Shavers, Sherlock, Story, Sullivan, Thompson, Trillo, Vieira, Voccola, Williams, Williamson, Winfield. The Article prevails, as amended, on a roll call vote, 80 members voting in the affirmative and 1 member voting in the negative as follows:

**YEAS - 80:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Barr, Benson, Bierman, Brien, Callahan, Caprio, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Sherlock, Simonian, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasyluk, Williams, Winfield.

**NAYS - 1:** Representative Scott.

## NEW ARTICLES

By unanimous consent, Representative Pisaturo, seconded by Representative Smith, offers the following written motion to amend:

### FLOOR AMENDMENT

### TO

### (01-H 6100) (Substitute "A")

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," by adding thereto the following new Article:

### "ARTICLE

**SECTION 1.** Title 46 of the General Laws entitled "Towns and Cities" is hereby amended by adding thereto the following chapter:

### CHAPTER 68

### COMMERCIAL INCENTIVE ZONE AT THE FORMER NARRAGANSETT BREWERY SITE

**46-681. AUTHORITY TO ESTABLISH ZONES.** The city of Cranston may establish by ordinance a commercial incentive zone at the former Narragansett Brewery site to help meet the neighborhood's critical redevelopment needs. The city shall receive the lesser of one half(1/2) of the sales tax proceeds which result from sales by new businesses within the zone or one million dollars (\$1,000,000) annually, for one ten (10) year period beginning on the date that a certificate of occupancy is delivered to any retail sales business locating at the brewery site. For the second ten (10) year period, the city shall annually receive the lesser of one half (1/2) the sales tax proceeds which result from all new businesses within the zone or seven hundred fifty thousand dollars (\$750,000). For the purposes of this section, the term "Narragansett Brewery site" means plat number 7, lots 1, 00, 01, 02, 03, 04, 06, 08, 100, 106, 108, 111, 112, 113, 1 14, 116, 11e, 117, 711, 1100,2203,2438,2430,2440,2441, 2442, 2443, 2463, 2464, 2466, 3084, 3224, 3040, 3873, 3074, 3876, 3731, and 3734 of the property tax maps of the city of Cranston as of July 1, 1080.

**46-68-2. USE OF SALES TAX PROCEEDS.** The ordinance enacted by the city of Cranston shall provide for the use of sales tax proceeds received by the city to implement a tax increment financing program for any roadway, infrastructure or site improvements necessary to develop the brewery property and adjacent commercial districts.

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

Respectfully submitted,

MICHAEL S. PISATURO  
Representative, District 21

The motion to amend is read and fails of passage, on a roll call vote, 13 members voting in the affirmative and 75 members voting in the negative as follows:

**YEAS 13:** Representatives Bierman, DeSimone, Lanzi, Levesque, Lima, Montanaro, Palumbo, Pisaturo, Simonian, Smith, Voccola, Wasyluk, Watson.

**NAYS - 75:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Brien, Callahan, Cambio, Caprio, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lewiss, Long, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Picard, Pires, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Williams, Williamson, Winfield.

By unanimous consent, Representative Levesque, seconded by Representative Pisaturo, offers the following written motion to amend:

## **FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," by adding thereto the following

new Article:

**"ARTICLE**

**JOINT COMMITTEE  
ON LEGISLATIVE SERVICES**

**SECTION 1. Chapter 22-11 of the General Laws entitled "Joint Committee on Legislative Services" is hereby amended by adding thereto the following section:**

**22-11-3.8. AUDITS. - (a) The books and accounts of the legislative department shall be audited annually by an independent auditor selected by the auditor general. In addition, in every third (3rd) fiscal year, the auditor general shall cause to be conducted by an independent auditor a performance audit of the legislative department. The first performance audit conducted hereunder shall relate to the fiscal year ending June 30,2001.**

**(b) No later than August 1 of each year, the auditor general shall establish specifications for said audits, in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in government auditing standards, issued by the comptroller general of the United States. The specifications shall be considered public documents, and filed with the secretary of state and available on the general assembly website. No later than September 1 of each year, the auditor general shall cause bids to be solicited for each audit. The auditor general shall establish a date no later than November 1 of each year, as the deadline for submission of bids, shall within two (2) business days of said deadline conduct a public review of all bids, and shall within seven (7) days select the lowest qualified bid submitted.**

**(c) Absent proof of substantial irregularity in the conduct of the audit, the budget officer shall pay the independent auditor the amount bid, upon certification that the audit is complete. The budget officer shall charge the same against the accounts of the joint committee on legislative services.**

**(d) Each independent audit, along with all attachments, howsoever described, shall be a public record. A copy of the audit, along with all attachments, shall be delivered to each member of the general assembly, filed with the secretary of state, and available on the general assembly website.**

SECTION 2. This article shall take effect upon passage.

Respectfully submitted,

CHARLES J. LEVESQUE  
Representative, District 93

Representatives Martineau, Montanaro and Levesque discuss the amendment.

The motion to amend is read and fails of passage, on a roll call vote, 24 members voting in the affirmative and 69 members voting in the negative as follows:

**YEAS - 24:** Representatives Ajello, Amaral, Anderson, M., Anguilla, Benson, Cicilline, Dennigan, DeSimone, Gorham, Lanzi, Levesque, Lima, Long, Montanaro, Murphy, W.H., Picard, Pisaturo, Savage, Scott, Shavers, Simonian, Smith, Story, Wasylk.

**NAYS - 69:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Almeida, Barr, Bierman, Brien, Cambio, Caprio, Carroll, Cerra, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy,

Kilmartin, Knickle, Lally, Lewiss, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munsch, Murphy, W.J., Naughton, Palangio, Palumbo, Pires, Quick, Rabideau, Reilly, Rose, San Bento, Schadone, Shanley, Sherlock, Slater, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Watson, Williamson, Winfield.

By unanimous consent, Representative Pisaturo, seconded by Representative Smith, offers a written motion to amend.

Representative Menard requests a ruling from the Chair on whether the amendment is germane to the budget.

The Honorable Speaker rules it is not germane to the budget.

Representative Pisaturo challenges the ruling of the Chair The ruling of the Chair is upheld, on a roll call vote, 81 members voting in the affirmative and 12 members voting in the negative as follows:

**YEAS - 81:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Brien, Cambio, Caprio, Caroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Long, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munsch, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Shanley, Shavers, Sherlock, Slater, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Watson, Williams, Williamson, Winfield.

**NAYS - 12:** Representatives Aiken, Bierman, DeSimone, Gorham, Levesque, Lima, Montanaro, Pisaturo, Scott, Simonian, Smith, Wasylyk.

By unanimous consent, Representative Smith, seconded by Representatives Pisaturo and DeSimone, offers the following written motion to amend:

## **FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," by adding thereto the following new Article:

"ARTICLE

VIDEO LOTTERY TERMINAL

SECTION 1. Section 42-61.2-7 of the General Laws in Chapter 42-61.2 entitled "Video Lottery Terminal" is hereby amended to read as follows:

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

(1) For deposit in the general fund and to the state lottery commission fund for administrative purposes: No less than ~~fifty one percent (51%)~~ **fifty-two percent (52%)**;

(2) To the licensed video lottery retailer: ~~thirty one percent (31%)~~ **thirty percent (30%)**;

(3) To the owners of dog kennels who are under contract with a licensee: six percent (6%) of net terminal income derived from video lottery games located at the facility. The six percent (6%) not allocated to the owner of dog kennels reverts back to the general revenue fund and to the state lottery commission for administrative purposes;

(4) To the technology provider: eleven percent (11%) of the net terminal income of the provider's terminals less all reasonable charges and fees to the communications provider associated with the supplying, maintenance, and operations of the communications system. The lottery commission shall determine the fees to the communications system provider which shall be no more than two and one-half percent (2.5%) of the net terminal income;

(5) To the city or town in which the licensed video retailer is licensed: one percent (1%); and.

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

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

(b) Provided, however, that for the fiscal year commencing July 1, 1993 and subsequent fiscal years, the sum of five million dollars (\$5,000,000) to the extent possible shall be contributed to the distressed communities relief program, pursuant to section 45- 13-12, to be distributed according to the formula and the contributions shall be as follows:

(1) One million one hundred fifty-two thousand six hundred eighty-three dollars (1,152,683) of the net terminal income due retailers under subdivision (a)(2) deposited as general revenues as follows: Lincoln Greyhound Park seven hundred sixty-seven thousand, six hundred eighty-seven dollars (\$767,687) and Newport Jai Alai Fronton three hundred eighty-four thousand nine hundred ninety-six dollars (\$384,996).

(2) Two hundred eighteen thousand five hundred seventy-nine dollars (\$218,579) of the net terminal income due kennel owners under subdivision (a)(3) deposited as general revenues. (3) Six hundred and twenty-eight thousand seven hundred and thirty-seven dollars (\$628,737) of the net terminal income due the technology providers under subsection (a)(4) deposited as general revenues.

(iv) Three million dollars (\$3,000,000) from the state general revenue fund.

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

(1) In Article 1, page 15, line 19, by striking the number "575,846,092" and substituting the number "572,833,875."

(2) In Article 1, page 15, after line 19, by inserting the following:

"Progressive support and intervention 5,402,217"

(3) In Article 1, page 16, line 16, by striking the number "826,520,707" and inserting in place thereof the number "828,910,717"

(4) In Article 22, page 3, line 4, by deleting the number "7.0" and inserting in place thereof the number "7.5".

Respectfully submitted,

STEVEN F. SMITH

Representative, District 12

## NOW PRESIDING

At 5:57 o'clock P.M. the Honorable Speaker yields the rostrum to the Honorable Deputy Speaker Winfield.

## CALENDAR

Representatives Fox, Smith, Lima, Barr and Abdullah-Odiase discuss the amendment.

The motion to amend is read and fails of passage, on a roll call vote, 7 members voting in the affirmative and 86 members voting in the negative as follows:

**YEAS - 7:** Representatives DeSimone, Levesque, Lima, Pisaturo, Simonian, Smith, Wasylyk.

**NAYS - 86:** Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Story, Sullivan, Thompson, Trillo, Vieira, Voccola, Watson, Williams, Williamson, Winfield.

By unanimous consent, Representative Ajello, seconded by Representatives Pisaturo and Rabideau, offers the following written motion to amend:

## FLOOR AMENDMENT

## TO

### (01-H 6100) (Substitute "A")

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," by adding thereto the following new article:

"ARTICLE \_\_\_\_\_

SECTION 1. Section 17-7-5 of the General Laws in Chapter 17-7 entitled "State Board of Elections" is hereby amended to read as follows:

**17-7-5. Powers and duties -- Quorum --** (a) The state board has those functions, powers, and duties that are prescribed by this title or otherwise pursuant to law. In the exercise of these functions, powers, and duties, but without limitation, the board shall:



- (1) Exercise general supervision of the administration of the election law by local boards;
- (2) Furnish all binders, forms, cabinets, and other supplies required for the operation of the system of permanent registration of voters throughout the state, as provided by this title;
- (3) Require the correction of voting lists by any local board, whenever the state board has information or cause to believe that any error exists in the lists and shall immediately notify the secretary of state of any corrections;
- (4) Have responsibility for supervising the vendor to the extent that services under the jurisdiction of the state board are performed by the vendor as prescribed by section 17-19-3.
- (5) Prepare, package, and deliver election supplies to the various cities and towns for each voting district except for supplies listed in this title for delivery by the office of the secretary of state;
- (6) (i) Appoint, qualify, and assign all state inspectors of elections. The state board of elections shall formulate programs of instruction and shall determine the method and manner of instruction which shall be provided to the local boards and to the vendor providing training pursuant to any agreement between the state and the vendor for the training of election officials. The program of instruction shall include familiarization with the election laws and duties of various election officials, together with the exercise of sample situations which may be encountered in the process of voting, geographical boundaries of the voting district to which the official may be assigned, offices and questions which may be on the ballot, and any other information that the board of elections may deem appropriate. The availability of these programs of instruction for local boards shall be pursuant to the procedures, rules, and regulations adopted by the board of elections;
- (ii) The board of elections shall also formulate and provide an informational pamphlet containing detailed instructions regarding the duties of elections officials and the operation of polling places. All informational pamphlets shall be distributed to the local boards who shall, in turn, see to their distribution to all election officials prior to any election;
- (7) Canvass and tabulate all votes cast at each state election; and count, canvass, and tabulate the votes cast by mail-in vote as provided in this title;
- (8) Select dates for off year and special election primaries, except the dates for those primaries for local elections that are required to be fixed by the local board pursuant to chapter 15 of this title;
- (9) Furnish each elected candidate for all state or national offices a certificate of election;
- (10) Furnish the secretary of state with a certified statement of the number of votes cast in each voting district for all state and national candidates, the votes cast for and against all state questions which appeared on the ballot, and a certificate of election for each national candidate who is elected in this state, and furnish the governor with a certified list of the general officers elected at each general election;
- (11) Hold hearings relating to recounts or other protests of the results or conduct of an election;
- (12) Maintain any books and records of the votes cast, and publish any statements and reports that it may deem to be in the public interest;
- (13) Arrange and make provisions for the registration of voters pursuant to the National Voter Registration Act (NVRA) of 1993, 42 U.S.C. section 1973gg et seq. The state board shall formulate programs to assist those persons or organizations desiring to register voters and shall provide, pursuant to procedures, rules, and regulations it shall adopt, voter registrations services which may include: training sessions, registration materials, manuals and other services for the purpose of registering to vote eligible Rhode Island citizens; and
- (14) Annually conduct a voter registration drive at each institution of higher education at the level of junior college or above in the state.

(b) The state board also has all of the powers and duties formerly conferred or imposed by existing law upon the division of elections and the election board, and whenever in any other general law, public law, act, or resolution of the general assembly, or any document, record, or proceeding authorized by the general assembly, the phrase "division of elections" or "election board" or any other word or words used in reference to or descriptive of the division, board, or any member or employee of them, or to their respective activities or appointees, or any of them, the word, phrase, or reference shall, unless the context otherwise requires, be deemed to refer to and describe the state board, its members, appointees, and activities, as the context may require.

(c) The state board has power to make the rules, regulations, and directives that it deems necessary to carry out the objects and purposes of this title not inconsistent with law.

(d) The state board also has jurisdiction over all election matters on appeal from any local board and over any other matters pertinent and necessary to the proper supervision of the election laws.

(e) Four (4) members of the state board constitutes a quorum.

**(f) For each two (2) year election cycle, the board of elections shall develop and continuously update a publicly accessible campaign database. The database shall include at least the following information:**

**(1) for all candidates required to report under section 17-25-11, the contribution and expenditure information contained in campaign finance reports filed under this chapter;**

**(2) for all candidates receiving public financing grants, the amount of each grant awarded; or**

**(3) for all Rhode Island candidates for federal office, the contribution and expenditure information filed with the federal elections commission. The information in the database shall be made available to the public through a Rhode Island state home page on-line service for public access on any electronic network, and through printed reports from the board of elections in response to a public request within seven (7) days of the date of request.**

SECTION 2. Chapter 17-25 of the General Laws entitled "Rhode Island Campaign Contributions and Expenditures Reporting" is hereby amended by adding thereto the following sections:

**17-25-7.5 . Electronic reporting declaration of policy. -- The state of Rhode island is committed to the promoting and facilitating of public access to the reports of campaign contributions received and expenditures made by candidates for public office. Therefore sections 17-25-7.5 and 17-25-7.6 are designed to electronically provide this information to the public.**

**17-25-7.6. Electronic reporting. -- (a) The board of elections shall accept campaign financed reports electronically in accordance with the following schedule:**

**(1) Candidates for statewide office and for the general assembly by the year 2002; and**

**(2) Candidates for municipal office and all others by the year 2004.**

**(b) All candidates subject to the provisions of this chapter and who raise and/or expend more than five thousand dollars (\$5,000) must file reports electronically with the board of elections by the year 2002, provided, however, that until 2006, any candidate who provides a sworn affidavit to the board of elections that his or her campaign is not using a computer for any purpose may, upon a majority vote of the board, be granted permission to file required reports in paper form rather than electronically.**

**(c) All electronic campaign finance reports received by the board of elections shall be immediately disseminated for public access on any electronic network.**

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

Respectfully submitted,

EDITH AJELLO  
Representative, District 3

Representative Martineau discusses the amendment.

The motion to amend is read and fails, on a roll call vote, 15 members voting in the affirmative and 75 members voting in the negative as follows:

**YEAS - 75;** Representatives Ajello, Benson, Cicilline, Dennigan, DeSimone, Gorham, Knickle, Levesque, Lima, Montanaro, Murphy, W.J., Pisaturo, Rabideau, Smith, Wasylyk.

**NAYS - 75;** Representatives Abdullah-Odiase, Aiken, Almeida, Amaral, Anderson, M., Anderson, S., Anguilla, Bierman, Brien, Callahan, Caprio, Carroll, Cerra, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Henseler, Hetherington, Hogan, Kennedy, Kilmartin, Lally, Lanzi, Lewiss, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Munschy, Murphy, W.H., Naughton, Palangio, Palumbo, Picard, Pires, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Simonian, Slater, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Watson, Williamson, Winfield.

ARTICLE 5  
RELATING TO  
REVISED APPROPRIATIONS

Representative Pires, seconded by Representatives Fox, Giannini and Benson, moves passage of the article.

By unanimous consent, Representative Pires, seconded by Representatives Fox, Giannini and Benson, offers the following written motion to amend:

**FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

**(1)** In Article 5, on page 1, at line 30, by deleting the word "Grants" and inserting in place thereof the words "New Construction Grant"; and by deleting the figures "365,000" and inserting in place thereof the figures "250,000", in both columns where those figures appear.

**(2)** In articleS, on page 2, at line 3, by deleting the word "Grants" and inserting in place thereof the words "New Construction Grant".

**(3)** In Article 5, on page 2, at line 6, by deleting the figures "72,068,610" and inserting in place thereof the figures "53,884,417"; by deleting the figures "2,190,753" and inserting in place thereof the figures "(371,609)"; and by deleting the figures "74,259,363" and inserting in place thereof the figures "53,512,808".

Respectfully submitted,

ANTONIO J. PIRES  
Representative, District 79

The motion to amend is read and prevails, on a roll call vote, 86 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS** - 86; Representatives Abdullah-Odiase, Aiken, Almeida, Amaral, Anderson, M., Anguilla, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS** - 0.

Representative Carroll discusses the article as amended.

By unanimous consent, Representative Pires, seconded by Representative Fox, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

#### **(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

- (1)** Article 5 on page 1, line 29 by deleting the number "71,703,610" and inserting in place thereof the number "71,818,610".
- (2)** Article 5 on page 1, line 29 by deleting the number "73,894,363" and inserting in place thereof the number "74,009,363".
- (3)** Article 5 on page 1, line 30 by deleting the word "Grant" and inserting the words "New Construction Grant" after the word Hill
- (4)** Article 5 on page 1, line 30 by deleting the number "365,000" and inserting in place thereof the number "250,000" in both columns.

(5) Article 5 on page 2, line 3 by deleting the word "Grants" and inserting the words "New Construction Grant".

(6) Article 5 on page 2, line 6 by deleting the number "72,068,610" and inserting in place thereof the number "53,884,417".

(7) Article 5 on page 2, line 6 by deleting the number "2,190,753" and inserting in place thereof the number "371,609".

(8) Article 5 on page 2, line 6 by deleting the number "74,259,363" and inserting in place thereof the number "53,512,808".

Respectfully submitted,

ANTONIO J. PIRES  
Representative, District 79

The motion to amend is read and prevails, on a roll call vote, 80 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 80;** Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Benson, Brien, Callahan, Cambio, Caprio, Cicilline, Coderre, Coelho, Corvese, Costantino, Dennigan, DeSimone, Faria, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Reilly, Rose, San Bento, Schadone, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Thompson, Trillo, Vieira, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

**NAYS -0.**

By unanimous consent, Representative Smith, seconded by Representatives Pisaturo and DeSimone, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

#### **(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

1. In Article 1, page 15, line 19, by deleting the number "575,846,092" and inserting in place thereof the number "574,549,248".

2. In Article 1, page 15, after line 19, by inserting the following:

"Progressive support and interventions 5,216,844".

3. In Article 1, page 16, line 16, by deleting the number "826,520,707" and inserting in place thereof the number "830,440,707".

4. In Article 5, page 4, after line 13, by inserting the following:

"Legislature Legislative Office Building 4,000,000 (4,000,000) 0".

5. In Article 22, page 3, line 4, by deleting the number "7.0" and inserting in place thereof the number "8.0".

Respectfully submitted,

STEVEN F. SMITH  
Representative, District 12

Representatives Levesque, Martineau, Cicilline, Montanaro and Smith discuss the amendment.

The motion to amend is read and fails of passage, on a roll call vote, 10 members voting in the affirmative and 76 members voting in the negative as follows:

**YEAS** - 10; Representatives Ajello, Bierman, DeSimone, Levesque, Montanaro, Pisaturo, Rabideau, Smith, Wasylyk, Watson.

**NAYS** - 76; Representatives Abdullah-Odiase, Aiken, Almeida, Anderson, M., Anguilla, Barr, Benson, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Corvese, Costantino, Dennigan, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palangio, Palumbo, Picard, Pires, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Story, Sullivan, Thompson, Vieira, Voccola, Williamson, Winfield.

The article prevails, as amended, on a roll call vote, 88 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS** - 88; Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Anderson, M., Anguilla, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williamson, Winfield.

**NAYS** -0.

## **NOW PRESIDING**

At 6:30 o'clock P.M. the Honorable Deputy Speaker yields the rostrum to the Honorable Speaker.

## **CALENDAR**

### **ARTICLE 1**

MAKING APPROPRIATIONS FOR  
THE SUPPORT OF THE STATE  
FOR THE FISCAL YEAR ENDING  
JUNE 30, 2002

Representative Pires moves passage of the article, seconded by Representative Fox.

By unanimous consent, Representative Pires, seconded by Representatives Fox, Faria, W.J. Murphy, Dennigan, Malik and Giannini offers the following written motion to amend:

**FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2002," as follows:

In Article 1, on page 34, at the end of line 4, add the following language: "provided, however, Section 11 of this Article shall' take effect on June 30, 2001."

Respectfully submitted,

ANTONIO J. PIRES  
Representative, District 79

The motion to amend is read and prevails, on a roll call vote, 90 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 90;** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Savage, Schadone, Scott, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasyluk, Watson, Williamson.

**NAYS -0.**

By unanimous consent, Representative Pires, seconded by Representative Fox, offers the following written motion to amend:

**FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

SECTION 1. Subject to the conditions, limitations and restrictions hereinafter contained in this act, the following general revenue amounts are hereby appropriated out of any money in the treasury not otherwise appropriated to be expended during the fiscal year ending June 30, 2002. The amounts identified for federal funds and restricted receipts shall be made available pursuant to section 35-4-22 and Chapter 41 of Title 42 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her orders upon the general treasurer for the payment of such sums or such portions thereof as may be required from time to time upon receipt by him or her of properly authenticated vouchers.

**Administration**

<i>Central Management</i>	
General Revenues	1,835,080
Federal Funds	204,894
Total - Central Management	2,039,974
<i>Accounts and Control</i>	
General Revenue	
General Revenues	4,746,970
RI e-Government Fund - RI-SAIL	2,000,000
Total - Accounts and Control	6,746,970
<i>Budgeting General Revenues</i>	2,106,537
<i>Municipal Affairs</i>	
General Revenues	1,236,447
Federal Funds	7,500,108
Total - Municipal Affairs	8,736,555
<i>Purchasing General Revenues</i>	2,101,214
<i>Auditing General Revenues</i>	1,509,967
<i>Human Resources General Revenues</i>	6,480,675



<i>Personnel Appeal Board</i> General Revenues	131,263
<i>Taxation</i>	
Other Funds	
Motor Fuel Tax Evasion Program	90,000
Temporary Disability Insurance	642,440
General Revenues	14,814,080
Federal Funds	1,306,280
Restricted Receipts	334,963
Total - Taxation	17,187,763
<i>Registry of Motor Vehicles</i>	
Other Funds Motor Vehicle Emission Inspections - CMAQ	11,204
General Revenue	
General Revenues	13,793,639
RI e-Government Fund - Digital License System	150,000
RI e-Government Fund - OLIS Support - RMV System	350,000
Restricted Receipts	15,848
Total - Registry of Motor Vehicles	14,320,691
<i>Child Support Enforcement</i>	
General Revenue	
General Revenues	3,193,389
Federal Funds	7,267,802
Total - Child Support Enforcement	10,461,191
<i>Central Services</i>	
Other Funds	
Lighting Conservation - Other Funds	661,278
General Revenue	
General Revenues	11,911,939

Energy Office Grants	381,016
Federal Funds	18,543,661
Restricted Receipts	1,049,861
Total - Central Services	32,547,755
<i>Office of Library and Information Services</i>	
Other Funds	
Federal Highway - PL Systems Planning	851,184
Federal Highway - T2 Systems Planning	117,550
Air Quality Modeling	20,283
General Revenues	2,606,304
Federal Funds	1,357,458
Restricted Receipts	10,830
Total - Office of Library and Information Services	4,963,609
<i>General</i>	
Other Funds	
RICAP - A-Building Stabilization - Pastore Center	100,000
RICAP - State House Skylights and Roof	1,733,000
RICAP - State House Terrace/South Stairs	2,903,000
RICAP - Chapin Health Laboratory	300,000
RICAP - Cranston Street Armory	1,000,000
RICAP - Cannon Building	150,000
RICAP - Old State House	35,000
RICAP - State Office Building	200,000
RICAP - State Information Operations Center	200,000
RICAP - Old Colony House	200,000
RICAP - Court Buildings - HVAC	362,000
RICAP - Asset Inventory	50,000
RICAP - Washington County Government Center	395,000

RICAP - State House Renovations - Phase II	592,664
RICAP - Board of Elections Building	50,000
RICAP - Environmental Compliance	900,000
RICAP - Fox Point Hurricane Barrier	50,000
General Revenue	
General Revenues	11,419,295
Race and Police Community Relations Commission	300,000
Economic Development Corporation	7,826,807
Centers of Excellence	3,000,000
Housing Resources Commission	8,652,098
Motor Vehicle Excise Tax Payment	97,202,898
Property Valuation	1,073,300
General Revenue Sharing Program	43,621,430
Payment in Lieu of Tax Exempt Properties	18,151,500
Distressed Communities Relief Program	7,400,000
Resource Sharing and State Library Aid	6,318,527
Library Construction Aid	2,280,669
Federal Funds	700,000
Restricted Receipts	566,000
Total - General	217,733,188
<i>Debt Service Payments</i>	
Other Funds	
DEM - Narragansett Bay Commission	5,066,552
DEM Clean Water Finance Agency	3,834,496
DEM Wastewater Treatment	6,098,952
RIPTA Debt Service	771,729
Transportation Debt Service	42,085,172
RIRBA - DLT - Temporary Disability Insurance	60,222

COPS - DLT Building - Other	360,202
COPS - Center General - Furniture - TDI	2,080
COPS - Pastore Center Telecommunications - TDI	19,799
Debt - URI Education and General	963,451
Debt - URI Housing Loan Funds	1,845,923
Debt - URI Dining Services	265,179
Debt - URI Health Services	125,409
Debt - W. Alton Jones Services	111,050
Debt - URI Memorial Union	97,648
Debt - URI Sponsored Research (Indirect Cost)	101,347
Debt - RIC Education and General	296,614
Debt - RIC Housing	568,390
Debt - RIC Student Center and Dining	177,951
Debt - RIC Student Union	254,765
Debt - CCRI Bookstore	177,092
General Revenue Debt Service Payments	115,958,757
Federal Funds	1,632,114
Restricted Receipts	5,961,760
Total - Debt Service Payments	186,836,654
<i>Division of Sheriffs</i>	12,246,353
Grand Total - Administration	526,150,359
<b>Business Regulation</b>	
<i>Central Management</i> General Revenues	1,433,701
<i>Banking Regulation</i> General Revenues	1,469,676
<i>Securities Regulation</i> General Revenues	664,764
<i>Commercial Licensing and Regulation</i> General Revenues	916,007
Restricted Receipts	100,000

Total - Commercial Licensing and Regulation	1,016,007
<i>Racing and Athletics</i> General Revenues	684,934
<b>Insurance Regulation</b>	
General Revenue	
General Revenues	3,503,038
Restricted Receipts	357,465
Total - Insurance Regulation	3,860,503
<i>Board of Accountancy</i> General Revenues	189,452
Grand Total - Business Regulation	9,319,037
<b>Labor and Training</b>	
<i>Central Management</i>	
General Revenues	279,999
Restricted Receipts Director of Workers' Compensation	471,284
Total - Central Management	751,283
<i>Workforce Development Services</i>	
Federal Funds	20,405,853
Restricted Receipts	
ES - Reemployment Program	1,127,297
Human Resource Investment Council	9,113,176

Notwithstanding the provisions of chapter 42-28 of the general laws and notwithstanding any general or public law to the contrary, the Human Resource Investment Council shall fund Rhode Island Manufacturing Extension Services (RIMES) in the amount of \$446,000 in fiscal year 2002.

Job Development Fund DET Admin.	267,115
Total - Workforce Development Services	30,913,441
<i>Workforce Regulation and Safety</i> General Revenues	3,687,515
<i>Income Support</i>	
Other Funds	

Temporary Disability Insurance Fund	142,160,533
Employment Security Fund	151,500,000
General Revenues	2,654,310
Federal Funds	18,227,232
Restricted Receipts	1,989,520
Total - Income Support	316,531,595
<i>Injured Workers Services</i> Restricted Receipts	9,306,763
<i>Labor Relations Board</i> General Revenues	339,269
Grand Total - Labor and Training	361,529,866
<b>Legislature</b>	
General Revenues	24,886,849
Restricted Receipts	757,329
Grand Total - Legislature	25,644,178
<b>Lieutenant Governor</b> General Revenues	764,928
<b>State</b>	
<i>Administration</i> General Revenues	1,165,919
<i>Corporations</i>	
General Revenue	
General Revenues	1,426,980
RI e-Government Fund - UCC Automated System	250,000
Total - Corporations	1,676,980
<i>State Archives</i>	
General Revenues	281,015
Federal Funds	18,631
Restricted Receipts	193,337
Total - State Archives	492,983
<i>Elections</i> General Revenues	467,857
<i>State Library</i> General Revenues	703,827

<i>Office of Public Information</i> General Revenues	480,928
Grand Total - State	4,988,494
<b>General Treasurer</b>	
<i>Treasury</i>	
Other Funds Temporary Disability Insurance Fund	196,252
General Revenues	2,584,159
Federal Funds	265,140
Restricted Receipts	16,000
Total - Treasury	3,061,551
<i>State Retirement System</i>	
Other Funds	
Administrative Expenses - State Retirement System	11,148,136
Retirement - Treasury Investment Operations	542,026
Total - State Retirement System	11,690,162
<i>Unclaimed Property</i> Restricted Receipts	9,382,527
<i>RI Refunding Bond Authority</i> General Revenues	67,827
<i>Crime Victim Compensation Program</i>	
General Revenues	2,420,467
Federal Funds	1,497,137
Restricted Receipts	1,727,619
Total - Crime Victim Compensation Program	5,645,223
Grand Total - General Treasurer	29,847,290
<b>Boards for Design Professionals</b> General Revenues	350,275
<b>Board of Elections</b>	
General Revenue	
General Revenues	2,120,057
RI e-Government Fund - Electronic Campaign Finance System	330,000
Grand Total - Board of Elections	2,450,057

<b>Rhode Island Ethics Commissions</b> General Revenues	847,427
<b>Office of Governor</b> General Revenues	5,681,777
<b>Public Utilities Commission</b>	
General Revenues	731,240
Federal Funds	61,538
Restricted Receipts	4,663,397
Grand Total - Public Utilities Commission	5,456,175
<b>Rhode Island Commission on Women</b> General Revenues	139,140
<b>Children, Youth, and Families</b>	
<i>Central Management</i>	
General Revenues	7,828,990
Federal Funds	5,117,207
Total - Central Management	12,946,197
<i>Children's Behavioral Health Services</i>	
Other Funds	
RICAP - Groden Center - Mt. Hope	79,660
RICAP - Spurwink/RI	199,000
General Revenues	21,620,441
Federal Funds	19,732,041
Total - Children's Behavioral Health Services	41,631,142
<i>Juvenile Correctional Services</i>	
RICAP - Rhode Island Training School Bathroom Renovation	100,000
General Revenues	24,423,744
Federal Funds	2,855,694
Restricted Receipts	8,000
Total - Juvenile Correctional Services	27,387,438



<i>Child Welfare</i>	
General Revenue	
General Revenues	78,956,984
Children's Trust Fund	55,500
Federal Funds	55,627,562
Restricted Receipts	1,387,191
Total - Child Welfare	136,027,237
<i>Higher Education Incentive Grants General Revenues</i>	150,000

Notwithstanding the provisions of section 35-3-15 of the general laws in chapter 35-3 entitled "State Budget," all unexpended, encumbered and unencumbered general revenues balances of the appropriation for the higher education opportunity incentive grants in the Department of Children, Youth and Families at the end of fiscal year 2002 shall be reappropriated in the ensuing fiscal year and made immediately available for the same purposes as the former applications.

Grand Total - Children, Youth, and Families	218,142,014
<b>Elderly Affairs</b>	
Other Funds	
Intermodal Surface Transportation Fund	4,700,000
General Revenue	
General Revenues	13,477,616
RIPAE	10,280,993
Safety and Care of the Elderly	1,000
Federal Funds	8,659,750
Grand Total - Elderly Affairs	37,119,359
<b>Health</b>	
<i>Central Management</i>	
Other Funds Trauma Registry	228,109
General Revenue	
General Revenues	2,609,284

RI e-Government Fund - Automated Vital Records System	300,000
Federal Funds	3,061,631
Restricted Receipts	1,729,242
Total - Central Management	7,928,266
<i>State Medical Examiner General Revenues</i>	1,678,857
<i>Family Health</i>	
General Revenues	8,465,477
Poison Control Center	250,000
Federal Funds	27,385,678
Restricted Receipts	3,459,596
Total - Family Health	39,560,751
<i>Health Services Regulation</i>	
General Revenue	
General Revenues	4,375,908
Hospital Care Consultant Report	292,312
Federal Funds	1,963,101
Restricted Receipts	464,833
Total - Health Services Regulation	7,096,154
<i>Environmental Health</i>	
General Revenues	4,157,352
Federal Funds	2,216,902
Restricted Receipts	670,447
Total - Environmental Health	7,044,701
<i>Health Laboratories</i>	
General Revenues	5,638,424
Federal Funds	794,635
Total - Health Laboratories	6,433,059
<i>Disease Prevention and Control</i>	

General Revenues	5,220,109
Smoking Cessation	

Provide that no expenditures made prior to a plan being presented to,	
and approve by, the chairs of the Finance Committees	1,000,000
Federal Funds	11,656,697
Restricted Receipts	79,783
Total - Disease Prevention and Control	17,956,589
Grand Total - Health	87,698,377
<b>Human Services</b>	
<i>Central Management</i>	
General Revenues	7,089,388

Federal Funds	3,673,194
Restricted Receipts	1,786,967
Total - Central Management	12,549,549
<i>Individual and Family Support</i>	
Other Funds	
RICAP Veterans Home Roof	60,000
RICAP Forand Building Exterior Doors and Windows	135,000
RICAP Forand Building Soffitts Replacement	85,000
RICAP Forand Building Exterior Window Panels	349,375
General Revenues	20,699,761
Federal Funds	50,994,985
Restricted Receipts	73,680
Total - Individual and Family Support	72,397,801
<i>Veterans' Affairs</i>	
General Revenues	13,405,994
Federal Funds	5,604,801

Restricted Receipts	1,085,986
Total - Veterans' Affairs	20,096,781
<i>Health Care Quality, Financing and Purchasing</i>	
General Revenues	22,250,099
Federal Funds	30,378,277
Restricted Receipts	330,000
Total - Health Care Quality, Financing & Purchasing	52,958,376
<i>Medical Benefits</i>	
General Revenue	
Hospitals	87,084,274
Nursing Facilities	121,332,000
Managed Care	114,428,738
Other	86,731,949
Special Education	9,493,730
Federal Funds	
Hospitals	95,166,543
Nursing Facilities	135,743,050
Managed Care	132,790,263
Other	98,136,077
Special Education	11,006,270
Restricted Receipts	15,000
Total - Medical Benefits	891,927,894
<i>Supplemental Security Income Program</i> General Revenues	28,267,437
<i>Family Independence Program</i>	
General Revenue	
Child Care	53,609,428
TANF/Family Independence Program	17,999,851

Federal Funds	82,403,049
Total - Family Independence Program	154,012,328
<i>State Funded Programs</i>	
General Revenue	
General Public Assistance	2,074,263
Food Stamp Replacement for Legal Immigrants	1,619,226
Citizenship Participation Program	100,000
Weatherization One-Time Payment	1,579,000
Federal Funds	59,026,224
Total - State Funded Programs	64,398,713
Grand Total - Human Services	1,296,608,879
<b>Mental Health, Retardation, and Hospitals</b>	
<i>Central Management</i> General Revenues	1,703,146
<i>Hospital and Community System Support</i>	
Other Funds	
RICAP - Utilities Upgrade	400,000
RICAP - Medical Center Rehabilitation	664,932
RICAP - Utility Systems - Water Tanks and Pipes	350,000
RICAP - Environmental Mandates	550,000
General Revenues	19,945,762
Total - Hospital and Community System Support	21,910,694
<i>Services for the Developmentally Disabled</i>	
General Revenues	98,548,866
Federal Funds	111,725,085
Total - Services for the Developmentally Disabled	210,273,951
<i>Integrated Mental Health Services</i>	
General Revenues	30,347,627
Federal Funds	28,172,341

Total - Integrated Mental Health Services	58,519,968
<i>Hospital and Community Rehabilitation Services</i>	
Other Funds	
RICAP - Zambarano Buildings and Utilities	404,942
General Revenues	50,523,558
Federal Funds	52,382,371
Total - Hospital and Community Rehabilitation Services	103,310,871
<i>Substance Abuse</i>	
RICAP - Asset Protection-Other Funds	100,000
General Revenue	
General Revenues	14,829,699
Providence Community Action	213,000
Federal Funds	9,942,976
Restricted Receipts	55,000
Total - Substance Abuse	25,140,675
Grand Total - Mental Health, Retardation, and Hospitals	420,859,305
<b>Office of the Child Advocate</b>	
General Revenues	523,165
Federal Funds	342,703
Grand Total - Child Advocate	865,868
<b>Commission on the Deaf and Hard of Hearing</b> General Revenues	257,890
<b>RI Developmental Disabilities Council</b> Federal Funds	408,984
<b>Governor's Commission on Disabilities</b>	
General Revenues	305,032
Federal Funds	28,181
Restricted Receipts	1,400
Grand Total - Governor's Commission on Disabilities	334,613
<b>Commission for Human Rights</b>	

General Revenues	782,565
Federal Funds	426,177
Grand Total - Commission for Human Rights	1,208,742
<b>Mental Health Advocate</b> General Revenues	294,878
<b>Elementary and Secondary Education</b>	
<i>State Aid</i>	
General Revenue State Support Local School Operations	575,846,092
<i>School Housing Aid</i> General Revenues	30,775,774
<i>Teacher's Retirement</i> General Revenues	37,243,558
<i>RI School for the Deaf</i>	
Other Funds - RICAP - School for the Deaf - Physical Education Fac.	268,250
General Revenues	5,681,452
Federal Funds	946,979
Total - RI School for the Deaf	6,896,681
<i>Central Falls School District</i> General Revenues	33,265,963
<i>Davies Career and Technical School</i>	
Other Funds - RICAP - Davies Roof Repair	450,000
General Revenues	10,611,621
Federal Funds	797,359
Restricted Receipts	25,000
Total - Davies Career and Technical School	11,883,980
<i>Metropolitan Career and Technical School</i> General Revenues	2,155,000
<i>Program Operations</i>	
Other Funds	
RICAP - East Providence Vocational HVAC	140,980
RICAP - Hanley - HVAC	125,000
RICAP - State-owned Schools - Fire Alarm Systems	100,000

RICAP - Hazardous Materials Storage/Dust	218,453
General Revenues	15,388,274
Federal Funds	111,816,758
Restricted Receipts	664,194
Total - Program Operations	128,453,659
Grand Total - Elementary and Secondary Education	826,520,707
<b>Board of Governors</b>	
General Revenues	174,893,876
Federal Funds	2,040,118
Other Funds	
University and College Funds	336,272,035
RICAP - Asset Protection/Roofs	4,336,922
RICAP - Chafee Hall PCB Abatement	2,500,000
RICAP - Athletic Complex	8,500,000
RICAP - Knight Megastructure	380,000
RICAP - Ballentine Hall	853,078
RICAP - Alger Hall	1,164,558
RICAP - DCYF Facilities	1,119,853
RICAP - Green Hall	1,200,000
RICAP - Plains Road Property	10,000
Grand Total - Board of Governors	533,270,440
<b>RI State Council on the Arts</b>	
General Revenue	
Operating Support	358,671
Grants	1,925,000
Federal Funds	553,795
Restricted Receipts	250,000
Grand Total - RI State Council on the Arts	3,087,466



<b>RI Atomic Energy Commission</b>	
Other Funds	
URI Sponsored Research	130,064
RICAP - Paint Interior Reactor Building Walls	50,000
RICAP - Roof Replacement - North Bunker	21,400
General Revenues	649,456
Federal Funds	753,000
Grand Total - RI Atomic Energy Commission	1,603,920
<b>RI Higher Education Assistance Authority</b>	
General Revenue	
Needs Based Grants and Work Opportunities	6,397,372

Notwithstanding the provisions of section 35-3-15 of the general laws in chapter 35-3 entitled "State Budget," all unexpended, encumbered and unencumbered balances of revenue appropriations for "Needs Based Grants and Work Opportunities - RIGL 16-56-6 and 16-56-8" contained in section 1 of this article within the Higher Education Assistance Authority, whether regular or special appropriations, at the end of fiscal years 2001 and 2002 shall be reappropriated in the ensuing fiscal year and made immediately available for the same purposes as the former applications.

Authority Operations and Other Grants	1,039,005
Federal Funds	6,848,965
Other Funds Tuition Savings Program - Administration	229,406
Grand Total - Higher Education Assistance Authority	14,514,748
<b>RI Historical Preservation and Heritage Commission</b>	
General Revenues	751,369
Federal Funds	540,500
Restricted Receipts	331,690
Grand Total - RI Historical Pres. and Heritage Comm.	1,623,559
<b>RI Public Telecommunications Authority</b>	
Other Funds	

Corporation for Public Broadcasting	571,755
RICAP - Federally Mandated Digital TV Conversion	936,568
General Revenues	1,358,004
Federal Funds	350,000
Grand Total - Public Telecommunications Authority	3,216,327
<b>Attorney General</b>	
<i>Criminal</i>	
General Revenues	9,255,236
Federal Funds	1,191,290
Restricted Receipts	178,692
Total - Criminal	10,625,218
<i>Civil</i>	
General Revenues	3,484,235
Federal Funds	74,616
Restricted Receipts	408,802
Total - Civil	3,967,653
<i>Bureau of Criminal Identification</i> General Revenues	605,696
<i>General</i>	
General Revenues	1,470,433
Grand Total - Attorney General	16,669,000
<b>Corrections</b>	
<i>Central Management</i> General Revenues	9,509,765
<i>Parole Board</i>	
General Revenues	852,501
Federal Funds	8,000
Total - Parole Board	860,501
<i>Institutional Corrections</i>	
Other Funds	

RICAP - Fire Code Safety Improvements	1,000,000
RICAP - Security Camera Installation	417,000
RICAP - Window Replacement - Women's	350,000
RICAP - General Renovations - Maximum	450,000
RICAP - Roof/Masonry Renovations - Women's	105,000
RICAP - High Security Firealarm HVAC	172,000
RICAP - Aquidneck & Prudence Cellblock Roofs	220,000
RICAP - Perimeter/Security Upgrades	1,765,000
General Revenues	110,826,798
Federal Funds	6,337,462
Restricted Receipts	3,877,475
Total - Institutional Corrections	125,520,735
<i>Community Corrections</i>	
General Revenues	10,298,473
Federal Funds	338,952
Total - Community Corrections	10,637,425
Grand Total - Corrections	146,528,426
<b>Judiciary</b>	
<i>Supreme Court</i>	
Other Funds	
RICAP - Garrahy Judicial Complex Renovation	1,976,106
RICAP - Fogarty Judicial Annex	95,000
General Revenue	
General Revenues	17,665,503
Defense of Indigents	1,550,000
Federal Funds	150,000
Restricted Receipts	762,689
Total - Supreme Court	22,199,298

<i>Superior Court</i> General Revenues	14,673,241
<i>Family Court</i>	
General Revenues	10,817,657
Federal Funds	1,678,810
Restricted Receipts	233,931
Total - Family Court	12,730,398
<i>District Court</i>	
General Revenues	6,865,889
Federal Funds	250,000
Restricted Receipts	70,288
Total - District Court	7,186,177
<i>Traffic Tribunal</i> General Revenues	5,494,788
<i>Workers' Compensation Court</i> Restricted Receipts	4,792,852
<i>Justice Link Program</i> General Revenues	1,582,340

Notwithstanding the provisions of section 35-3-15 of the general laws in chapter 35-3 entitled "State Budget" all unexpended, encumbered and unencumbered general revenue and federal fund appropriations for the Justice Link program in the Judicial Department at the end of fiscal year 2002 shall be reappropriated in the ensuing fiscal year and made immediately available for the same purposes as the former applications.

Grand Total - Judiciary	68,659,094
<b>Military Staff</b>	
<i>National Guard</i>	
Other Funds	
Rails to Trails	291,636
RICAP - Bristol Armory Rehabilitation	200,000
RICAP - Benefit St. Arsenal Rehabilitation	71,000
RICAP - Schofield Armory Rehabilitation	110,000
RICAP - US Property and Finance Office - HVAC	50,000

RICAP - Warren Armory	100,000
RICAP - Vehicle Exhaust Vent System	50,000
General Revenue	
General Revenues	1,734,212
RI e-Government Fund - Distributed Technology Training	100,000
Federal Funds	6,298,630
Total - National Guard	9,005,478
<i>Emergency Management</i>	
General Revenues	398,887
Federal Funds	2,944,891
Restricted Receipts	111,432
Total - Emergency Management	3,455,210
Grand Total - Military Staff	12,460,688
<b>E-911 Emergency Telephone System</b>	
General Revenue	
General Revenues	3,135,519
RI e-Government Fund - GIS Database Development	500,000
Grand Total - E-911 Emergency Telephone System	3,635,519
<b>Fire Safety Code Board of Appeal and Review</b> General Revenues	210,116
<b>State Fire Marshal</b>	
General Revenues	1,309,125
Federal Funds	55,140
Grand Total - State Fire Marshal	1,364,265
<b>Commission on Judicial Tenure and Discipline</b> General Revenues	99,523
<b>Rhode Island Justice Commission</b>	
General Revenues	177,710
Federal Funds	4,790,102
Grand Total - Rhode Island Justice Commission	4,967,812

<b>Municipal Police Training Academy</b>	
General Revenues	322,148
Federal Funds	50,000
Grand Total - Municipal Police Training Academy	372,148
<b>State Police</b>	
RICAP - Barracks and Training Headquarters	100,000
RICAP - Headquarters Repair/Renovation	325,000
RICAP - Parking Area Improvements	70,910
Traffic Enforcement - Municipal Training	120,739
Lottery Commission Assistance	105,057
Road Construction Reimbursement	2,320,428
General Revenues	37,110,992
Federal Funds	700,059
Restricted Receipts	217,797
Grand Total - State Police	41,070,982
<b>Office of Public Defender</b>	
General Revenues	5,585,208
Federal Funds	313,406
Grand Total - Office of Public Defender	5,898,614
<b>Environmental Management</b>	
<i>Policy and Administration</i>	
Other Funds	
DOT Recreational Projects	25,637
Blackstone Bikepath Design	1,297,791
RICAP - Dam Repair	700,000
General Revenues	7,540,431
Federal Funds	1,997,745
Restricted Receipts	6,707,640

Total - Policy and Administration	18,269,244
<i>Natural Resources</i>	
Other Funds	
RICAP- Westerly Boat Ramp	87,000
RICAP - Fort Adams Rehabilitation	350,000
RICAP - Recreational Facilities Improvement	515,820
RICAP - Fish and Wildlife Office/Laboratory	731,000
RICAP - Wickford Marine Facility	50,000
RICAP - Galilee Piers	908,854
RICAP - Newport Piers	1,800,000
RICAP - Boyd's Marsh Habitat Restoration	70,000
General Revenues	14,495,408
Federal Funds	12,828,616
Restricted Receipts	3,010,835
Total - Natural Resources	34,847,533
<i>Environmental Protection</i>	
Other Funds Aquafund	55,358
General Revenues	9,149,675
Federal Funds	7,306,634
Restricted Receipts	2,025,591
Total - Environmental Protection	18,537,258
Grand Total - Environmental Management	71,654,035
<b>Coastal Resources Management Council</b>	
Other Funds	
RICAP - South Coast Restoration Project	145,000
RICAP - Allins Cove	172,000
General Revenues	1,437,745

Federal Funds	1,055,630
Grand Total - Coastal Resources Management Council	2,810,375
<b>State Water Resources Board</b>	
Other Funds	
RICAP - Big River Management Area	80,000
RICAP - Groundwater Protection/Acquisition	43,733
RICAP - Water Allocation Plan	400,000
RICAP - Supplemental Water Supplies Development	300,000
General Revenues	1,021,631
Grand Total - State Water Resources Board	1,845,364
<b>Transportation</b>	
<i>Central Management</i> Other Funds Gasoline Tax	3,103,029
Federal Funds	4,309,942
Total - Central Management	7,412,971
<i>Management and Budget</i>	
Other Funds Gasoline Tax	1,955,027
<i>Infrastructure Maintenance</i>	
Other Funds Infrastructure - Maintenance - Gasoline Tax	36,155,559
<i>Infrastructure - Engineering</i>	
Other Funds	
Gasoline Tax	41,654,484
RICAP - RIPTA Land and Buildings	360,000
Land Sale Revenue	8,000,000
State Infrastructure Bank	1,000,000
Federal Funds	227,972,848
Restricted Receipts	61,285,260
Total - Infrastructure - Engineering	340,272,592
Grand Total - Transportation	385,796,149



<b>Statewide Totals</b>	
General Revenues Total	2,650,768,180
Federal Funds Total	1,531,710,544
Restricted Receipts Total	143,513,384
Other Funds Total	858,855,081
Statewide Grand Total	5,184,847,189

SECTION 2. Each line appearing in section 1 of this Article shall constitute an appropriation.

SECTION 3. Upon the transfer of any function of a department or agency to another department or agency, the governor is hereby authorized by means of executive order to transfer or reallocate, in whole or in part, the appropriations and the full-time equivalent limits affected thereby.

SECTION 4. From the appropriation for contingency shall be paid such sums as may be required at the discretion of the Governor and the Director of Administration to fund expenditures for which appropriations may not exist. Such contingency funds may also be used for expenditures in the several departments and agencies where appropriations are insufficient, or where such requirements are due to unforeseen conditions or are non-recurring items of an unusual nature. Said appropriations may also be used for the payment of bills incurred due to emergencies or to any offense against public peace and property, in accordance with the provisions of Titles 11 and 45 of the General Laws of 1956, as amended. All expenditures and transfers from this account shall be approved by the Director of Administration and the Governor.

SECTION 5. The reimbursement of any state department or agency for the cost of work or services performed for any other department or agency is hereby authorized, subject to regulations promulgated by the Director of Administration.

SECTION 6. The General Assembly may provide a written "statement of legislative intent" signed by the chairperson of the House Finance Committee and by the chairperson of the Senate Finance Committee to show the intended purpose of the appropriations contained in section 1 of this article. The statement of legislative intent shall be kept on file in the House Finance Committee and in the Senate Finance Committee.

At least twenty (20) days prior to the issuance of a grant or the release of funds, which grant or funds are listed on the legislative letter of intent, all department, agency and corporation directors, shall notify in writing the chairperson of the House Finance Committee and the chairperson of the Senate Finance Committee of the approximate date when the funds are to be released or granted.

SECTION 7. Appropriation of Temporary Disability Insurance Funds -- There is hereby appropriated pursuant to sections 28-39-5 and 28-39-8 of the Rhode Island General Laws all funds required to be disbursed for the benefit payments from the Temporary Disability Insurance Fund and Temporary Disability Insurance Reserve Fund for the fiscal year ending June 30, 2002.

SECTION 8. Appropriation of Employment Security Funds -- There is hereby appropriated pursuant to section 28-42-19 of the Rhode Island General Laws all funds required to be disbursed for benefit payments from the Employment Security Fund for the fiscal year ending June 30, 2002.

SECTION 9. Appropriation of University and College Funds -- There is hereby appropriated pursuant to section 16-59-9 of the Rhode Island General Laws relating to the appropriation of funds by the General Assembly for Higher Education, and section 16-59-18 of the General Laws relating to receipts from sources other than appropriations, any funds received by the Board of Governors for Higher Education for the fiscal year ending June 30, 2002 payable out of the University and College Funds.

SECTION 10. Notwithstanding any provisions of Chapter 19 in Title 23 of the Rhode Island General Laws, the Resource Recovery Corporation shall transfer to the State Controller the sum of three million dollars (\$3,000,000) on June 30, 2002.

SECTION 11. **Extension of previous authorizations.** -- The general assembly, pursuant to the provisions of section 35-8-25 of the general laws, hereby extends to the termination dates contained herein, the authority to issue the following general obligation bond authorizations in the amounts stated. The original authorizations enacted by public law and approved by the people, remain unissued as of February 1, 2001 and are as follows:

		Unissued	
		Amount to be	
<u>Purpose</u>	<u>Statutory Reference</u>	<u>Extended</u>	<u>Termination Date</u>
Clean Water Act Environmental			
Trust Fund	Ch. 289 - P.L. of 1986	3,839,627	June 30, 2007
Mental Health, Retardation, and Hospitals	Ch. 552 - P.L. of 1989	1,235,000	June 30, 2007
Narragansett Bay Commission	Ch. 434 - P.L. 1990	3,810,000	June 30, 2003
Elementary & Secondary Ed.	Ch. 70 - P.L. of 1994	8,115,000	June 30, 2004

The general assembly hereby extends for an additional year the authorization granted to the Rhode Island Industrial Recreational Building Authority provided by Chapter 91 of the Public Laws of 1958, and Chapter 537, Section 3, of the Public Laws of 1987.

SECTION 12. Departments and agencies listed below may not exceed the number of full-time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do not include seasonal or intermittent positions whose scheduled period of employment does not exceed twenty-six consecutive weeks or whose scheduled hours do not exceed nine hundred and twenty-five (925) hours, excluding overtime, in a one-year period. Nor do they include individuals engaged in training, the completion of which is a prerequisite of employment. Nor do they include positions established under the Board of Governors for Higher Education which are funded by third party funding through the following accounts: University of Rhode Island Sponsored Contract Research; Rhode Island College Sponsored Research-Federal; Community College of Rhode Island Sponsored Research-Federal; and Community College of Rhode Island Sponsored Research-Private.

Provided, however, that the Governor, Speaker of the House of Representatives, and the Majority Leader of the Senate may authorize an adjustment to any limitation. Prior to the authorization, the State Budget Officer shall make a detailed

written recommendation to the Governor, the Speaker of the House, and the Senate Majority Leader. A copy of the recommendation and authorization to adjust shall be transmitted to the chairman of the House Finance Committee, Senate Finance Committee, the House Fiscal Advisor and the Senate Fiscal Advisor.

### FTE POSITION AUTHORIZATION

<u>Departments and Agencies</u>	<u>Full-Time Equivalent</u>
Administration	1350.0
Business Regulation	111.0
Labor and Training	558.0
Legislature	280.0
Lieutenant Governor General	10.0
Secretary of State	59.2
General Treasurer	87.5
Boards for Design Professionals	4.0
Board of Elections	22.3
Rhode Island Ethics Commission	10.0
Office of the Governor	50.0
Public Utilities Commission	44.0
Rhode Island Commission on Women	2.0
Children, Youth, and Families	875.9
Elderly Affairs	60.6
Health	477.1
Human Services	1,139.9
Mental Health, Retardation, and Hospitals	2,138.0
Office of the Child Advocate	13.0
Commission on the Deaf and Hard of Hearing	3.0
RI Developmental Disabilities Council	3.0
Governor's Commission on Disabilities	4.6
Commission for Human Rights	17.0
Office of the Mental Health Advocate	4.3

Elementary and Secondary Education	345.2
Higher Education - Board of Governors	3582.9
Rhode Island Council on the Arts	6.0
RI Atomic Energy Commission	8.6
Higher Education Assistance Authority	46.6
Historical Preservation and Heritage Commission	17.6
Public Telecommunications Authority	22.0
Attorney General	229.0
Corrections	1550.6
Judicial	707.0
Military Staff	94.0
E-911 Emergency Telephone System	48.6
Fire Safety Code Bd. of Appeal and Review	3.0
RI State Fire Marshal	21.5
Commission on Judicial Tenure and Discipline	1.0
Rhode Island Justice Commission	9.0
Municipal Police Training Academy	4.0
State Police	267.0
Office of the Public Defender	79.5
Environmental Management	585.5
Coastal Resources Management Council	30.0
Water Resources Board	9.0
Transportation	864.3
<b>Total</b>	<b><u>15,856.3</u></b>

SECTION 13. The amounts reflected in this Article include the appropriation of Rhode Island Capital Plan funds for fiscal year 2002 and supersede appropriations provided for FY 2002 within Section 13 of Article 1 of Chapter 55 of the P.L. of 2000.

The following amounts are hereby appropriated out of any money in the State's Rhode Island Capital Plan Fund not otherwise appropriated to be expended during the fiscal years ending June 30, 2003, June 30, 2004, June 30, 2005, and

June 30, 2006. These amounts supersede appropriations provided within Section 13 of Article 1 of Chapter 55 of the P.L. of 2000. For the purposes and functions hereinafter mentioned, the State Controller is hereby authorized and directed to draw his or her orders upon the General Treasurer for the payment of such sums and such portions thereof as may be required by him or her upon receipt of properly authenticated vouchers.

<u>Project</u>	<u>FY 2003</u>	<u>FY 2004</u>	<u>FY 2005</u>	<u>FY 2006</u>
State House Renovations				
Phase II	1,200,000	360,000	-	-
State House Renovations				
Phase III		1,230,000	4,100,000	3,395,000
State House Terrace				
Walls/South Stairs	571,600	-	-	-
Cannon Building	225,000	277,000	-	-
Chapin Health				
Laboratory	262,736	170,000	-	-
Cranston Street Armory	1,000,000	1,000,000	1,000,000	426,242 -
Legislative Office				
Building	4,000,000	7,000,000	-	-
Veterans Home Roof	140,000			
Chariho Well	60,000	-	-	
URI Athletic Complex	1,500,000	-	-	-
Alger Hall Renovations	1,825,442	-	-	-
URI Residence Halls				
Modernization/Renovations	-	2,645,967	7,096,164	8,115,051
RIC DCYF Facilities and Master				
Plans Improvements	1,735,873	1,659,173	-	-
Green Hall	1,000,000			
Channel 36 Digital				
Conversion	3,391,231	-	-	-

DOC Window Replacement				
Womens	280,000	-	-	-
Gloria McDonald - Sallyport/				
Committing Area	300,000	511,000	-	-
Security Camera				
Improvements	362,000	472,000	-	-
Licht Judicial Complex	200,000	2,500,000	4,500,000	257,500
Murray Judicial Complex	165,000	165,000		
Bristol Armory	305,000			
Benefit Street Armory	192,610	192,610		
Schofield Armory	115,000	115,000		
Warren Armory	200,000	175,000		
Galilee Piers	1,000,000	1,000,000	1,000,000	1,000,000
Dam Repair	2,575,000	850,000	850,000	850,000
Boyd's Marsh Habitat				
Restoration	180,000	150,000	100,000	-
South Coast Restoration				
Project	968,267	932,267	932,267	-
Providence River				
Channel Dredging	5,400,000	3,600,000	-	-
RIPTA				
Land and Buildings	1,715,000	845,000	-	-

SECTION 14. Reappropriation of Funding for Rhode Island Capital Plan Fund Projects. - Any unencumbered or unexpended funds from FY 2001 Rhode Island Capital Plan Fund project appropriations shall be reappropriated to FY 2002 and made available for the same purpose.

SECTION 15. Section 37-2-7 of the General Laws in chapter 37-2 entitled "State Purchases" is hereby amended to read as follows:

**37-2-7. Definitions.** - The words defined in this section shall have the meanings set forth below whenever they appear in this chapter, unless the context in which they are used clearly requires a different meaning or a different definition is

prescribed for a particular section, group of sections or provision.

- (1) "Business" shall mean any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other legal entity through which business is conducted.
- (2) "Change order" shall mean a written order signed by the purchasing agent or contractor directing or allowing the contractor to make changes which the changes clause of the contract authorizes the purchasing agent or contractor to order without the consent of the contractor or purchasing agent.
- (3) "Chief purchasing officer for a state agency" means the director of administration, who shall be responsible for all purchases by the state and for a public agency. "Chief purchasing officer" means the executive director or the chief operational officer of the agency.
- (4) "Construction" shall mean the process of building, altering, repairing, improving, or demolishing any public structures or building, or other public improvements of any kind to any public real property. It does not include the routine maintenance or repair of existing structures, buildings, or real property performed by salaried employees of the state of Rhode Island in the usual course of their jobs.
- (5) "Contract" shall mean all types of agreements, including grants and orders, for the purchase or disposal of supplies, services, construction, or any other item. It shall include awards; contracts of a fixed-price cost, cost-plus-a-fixed-fee, or incentive type; contracts providing for the issuance of job or task orders; leases; letter contracts; purchase orders; and construction management contracts. It also includes supplemental agreements with respect to any of the foregoing. "Contract" does not include labor contracts with employees of state agencies.
- (6) "Contract amendment" shall mean any written alteration in the specifications, delivery point, rate of delivery, contract period, price, quantity, or other contract provisions of any existing contract, whether accomplished by unilateral action in accordance with a contract provision, or by mutual action of the parties to the contract. It shall include bilateral actions, such as supplemental agreements, and unilateral actions, such as change orders, administrative changes, notices of termination, and notices of the exercise of a contract option.
- (7) "Contractor" shall mean any person having a contract with a governmental body.
- (8) "Data" shall mean recorded information, regardless of form or characteristic.
- (9) "Designee" shall mean a duly authorized representative of a person holding a superior position.
- (10) "Employee" shall mean an individual drawing a salary from a state governmental entity.
- (11) "State governmental entity" shall mean any entity created as a legislative body or a public or state agency by the general assembly or constitution of this state, except for municipal, regional or county governmental entities.
- (12) "May" shall mean permissive.
- (13) "Negotiation" shall mean contracting by either the method set forth in section 37-2-19, 37-2-20, or 37-2-21.
- (14) "Person" shall mean any business, individual, organization, or group of individuals.
- (15) "Procurement" shall mean the purchasing, buying, renting, leasing, or otherwise obtaining of any supplies, services, or construction. It also includes all functions that pertain to the obtaining of any supply, service, or construction item, including a description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.
- (16) "Public agency" shall mean the Rhode Island industrial recreational building authority, the Rhode Island economic development corporation, the Rhode Island industrial facilities corporation, the Rhode Island refunding bond authority, the Rhode Island housing and mortgage finance corporation, the Rhode Island resource recovery corporation, the Rhode

Island public transit authority, the Rhode Island student loan authority, the Howard development corporation, the water resources board corporate, the Rhode Island health and education building corporation, the Rhode Island higher education assistance authority, the Rhode Island turnpike and bridge authority, the Blackstone Valley district commission, the Narragansett Bay water quality management district commission, the Rhode Island telecommunications authority, the convention center authority, the Channel 36 foundation, the Rhode Island lottery commission their successors and assigns, ~~and any other body corporate and politic which has been or will be created or established within this state excepting cities and towns.~~ ~~The and the board of governors for higher education for all purchases which are funded by restricted, sponsored, or auxiliary monies is included in the definition of "public agency" only through July 1, 2001.~~

(17) "Purchase request" or "purchase requisition" shall mean that document whereby a using agency requests that a contract be entered into to obtain goods and/or services for a specified need, and may include, but is not limited to, the technical description of the requested item, delivery requirements, transportation mode request, criteria for evaluation of proposals, and/or preparation of suggested sources of supply, and information supplied for the making of any written determination and finding required by section 37-2-6.

(18) "Purchasing agency" shall mean any state governmental entity which is authorized by this chapter, its implementing regulations, or by way of delegation from the chief purchasing officer to contract on its own behalf rather than through the central contracting authority of the chief purchasing officer.

(19) "Purchasing agent" shall mean any person authorized by a governmental entity in accordance with procedures prescribed by regulations, to enter into and administer contracts and make written determinations and findings with respect to contracts. The term shall also include an authorized representative acting within the limits of authority. "Purchasing agent" shall also mean the person appointed in accordance with section 37-2-1.

(20) "Services" shall mean the rendering, by a contractor, of its time and effort rather than the furnishing of a specific end product, other than reports which are merely incidental to the required performance of services. "Services" does not include labor contracts with employees of state agencies.

(21) "Shall" shall mean imperative.

(22) "State" shall mean the state of Rhode Island and any of its departments or agencies and public agencies.

(23) "Supplemental agreement" shall mean any contract modification which is accomplished by the mutual action of the parties.

(24) "Supplies" shall mean all property, including, but not limited to, leases of real property, printing, and insurance, except land or permanent interest in land.

(25) "Using agency" shall mean any state governmental entity which utilizes any supplies, services or construction purchased under this chapter.

(26) As used in section 37-2-59, "architect" or "engineer" services shall mean those professional services within the scope of practice of architecture, professional engineering, or registered land surveying, pertaining to construction, as defined by the laws of this state. "Consultant" means any person with whom the state and/or a public agency has a contract which contract provides for the person to give direction or information as regards a particular area of knowledge in which the person is a specialist and/or has expertise.

(27) For purposes of sections 37-2-62 - 37-2-70, "directors" shall mean those members of a public agency appointed pursuant to a statute, who comprise the governing authority of the board, commission, authority, and/or corporation.

1. "State agency" shall mean any department, commission, council, board, bureau, committee, institution, or other governmental entity of the executive or judicial branch of this state not otherwise established as a body corporate and politic, and includes, without limitation, the board of governors for higher education except for purchases which are funded by restricted sponsored or auxiliary moneys ~~for the period through~~



~~July 1, 2001, as provided for in subdivision (16) of this section,~~ and the board of regents for elementary and secondary education.

(29) "Governmental entity" shall mean any department, commission, council, board, bureau, committee, institution, legislative body, agency, or government corporation of the executive, legislative or judicial branches of state, federal and/or local governments.

SECTION 16. This article shall take effect on July 1, 2001.

Respectfully submitted,

ANTONIO J. PIRES  
Representative, District 79

The motion to amend is read and prevails, on a roll call vote, 89 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS** - 89; The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, Savage, Schadone, Scott, Shavers, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson.

**NAYS** -0.

By unanimous consent, Representative Smith, seconded by Representative Pisaturo, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

**(1)** Article 1, page 15, line 19, by deleting the number "575,846,092" and inserting in place thereof the number "569,445,372".

**(2)** Article 1, page 15, by inserting the following language between lines 19 and 20:

"Charter Schools 5,003,549

Alternative Schools for Chronically Disruptive and Truant Students 1,397,171".

Respectfully submitted,

STEVEN F. SMITH  
Representative, District 12

The motion to amend is read and fails of passage, on a roll call vote, 13 members voting in the affirmative and 71 members voting in the negative as follows:

**YEAS** - 13; Representatives Bierman, Carroll, DeSimone, George, Levesque, Lima, Montanaro, Murphy, W.H., Picard, Pisaturo, Smith, Wasylyk, Watson.

**NAYS** - 71; The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Barr, Benson, Brien, Callahan, Cambio, Caprio, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, Faria, Fleury, Fox, Gallison, Giannini, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Naughton, Palangio, Palumbo, Pires, Rabideau, Reilly, Rose, Savage, Schadone, Scott, Shavers, Sherlock, Slater, Story, Sullivan, Thompson, Trillo, Vieira, Voccola, Williams, Williamson, Winfield.

By unanimous consent, Representative Amaral, seconded by Representatives Scott and Long, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

#### **(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

- (1)** In Article 1, page 14, line 23, by deleting the figure "14,829,699" and inserting the figure "15,625,899" in place thereof.
- (2)** In Article 1, page 14, line 27, by deleting the figure "25,140,675" and inserting the figure "25,936,875" in place thereof.
- (3)** In Article 1, page 14, line 28, by deleting the figure "420,859,305" and inserting the figure "421,655,505" in place thereof.
- (4)** In Article 1, page 19, line 13, by deleting the figure "110,926,798" and inserting the figure "110,130,598" in place thereof.
- (5)** In Article 1, page 19, line 16, by deleting the figure "125,620,735" and inserting the figure "124,824,535" in place thereof.
- (6)** In Article 1, page 19, line 21, by deleting the figure "146,628,426" and inserting the figure "145,832,226" in place thereof.

Respectfully submitted,

JOSEPH N. AMARAL  
Representative, District 92

Representative Scott discusses the amendment.

The motion to amend is read and fails of passage on a roll call vote, 23 members voting in the affirmative and 67 members voting in the negative as follows:

**YEAS** - 23; Representatives Ajello, Amaral, Bierman, Carroll, Cerra, DeSimone, Fleury, Gorham, Levesque, Long, Maher, Montanaro, Mumford, Murphy, W.H., Pisaturo, Rabideau, Savage, Scott, Smith, Story, Trillo, Wasyluk, Watson.

**NAYS** - 67; The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Almeida, Anderson, M., Anguilla, Barr, Benson, Brien, Cambio, Caprio, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Faria, Flaherty, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Lima, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Munschy, Murphy, W.J., Naughton, Palumbo, Picard, Pires, Reilly, Rose, San Bento, Schadone, Shavers, Sherlock, Slater, Sullivan, Tejada, Thompson, Vieira, Voccola, Williams, Williamson, Winfield.

By unanimous consent, Representative Moura, seconded by Representatives Coogan, Smith, Pires and Hogan, offers the following written motion to amend:

## **FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

In Article 1, Section 1, page 6, by deleting all language on lines 17 thru 20.

Respectfully submitted,

PAUL E. MOURA  
Representative, District 2

Representative Pires discusses the amendment.

The motion to amend is read and prevails on a roll call vote, 88 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS** - 88; The Honorable Speaker Harwood and Representatives Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt,

Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Malik, Martineau, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palumbo, Picard, Pires, Pisaturo, Rabideau, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS -0.**

By unanimous consent, Representative Watson, seconded by Representative Callahan, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

#### **(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

**(1)** In Article 1, page 7, line 6 by deleting the number "24,886,849" and inserting in place thereof the number "22,341,201".

**(2)** In Article 15, page 15, line 19 by deleting the number "575,846,092" and inserting in place thereof the number "578,391,740".

Respectfully submitted,

ROBERT A. WATSON  
Representative, District 43

The motion to amend is read and fails of passage, on a roll call vote, 24 members voting in the affirmative and 58 members voting in the negative as follows:

**YEAS - 24;** Representatives Amaral, Anderson, M., Anguilla, Bierman, Callahan, DeSimone, Fleury, Gorham, Levesque, Long, Lowe, Montanaro, Mumford, Murphy, W.H., Pisaturo, Rabideau, Reilly, Savage, Scott, Smith, Story, Trillo, Wasylyk, Watson.

**NAYS - 58;** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Almeida, Barr, Benson, Brien, Cambio, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Faria, Flaherty, Fox, Gallison, Garvey, George, Giannini, Henseler, Hetherington, Hogan, Jacquard, Kilmartin, Knickle, Lally, Lanzi, Maher, Malik, Martineau, McCauley, McNamara, Menard, Moran, Moura, Munschy, Murphy, W.J., Naughton, Palumbo, Picard, Pires, Rose, San Bento, Schadone, Shanley, Shavers, Slater, Sullivan, Tejada, Thompson, Vieira, Voccola, Williams, Williamson, Winfield.

By unanimous consent, Representatives Henseler, Barr and Carter, seconded by Representatives George, Naughton, Martineau, Palumbo, Ajello, Giannini, Ginaitt, Cicilline, Lally, Shanley, W.H. Murphy, Scott and Garvey, offers the following written motion to amend:

## FLOOR AMENDMENT

TO

### (01-H 6100) (Substitute "A")

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

(1) In Article 1, on page 8, between lines 24 and 25 by inserting the following language:

"(i) The general assembly recognizes, finds and declares that it is the policy of the state of Rhode Island that the waters, harbors and ports of the State of Rhode Island are important resources, and further than any development of port facilities is to be done in a manner that is both economically feasible and environmentally acceptable.

(ii) To the extent possible, any funds appropriated by the General Assembly, in support of fiscal year 2002, for the purpose of conducting an environmental impact study, (EIS) regarding Quonset Point shall first be utilized to conduct the necessary economic feasibility study as part of the overall EIS. Such feasibility study shall include, but not be limited to, engineering and marketing considerations.

(iii) The Governor shall, as a part of the overall EIS project, consult on a regular basis with the leadership of the House of Representatives and the Senate, or their respective designees as to all respects of said project."

Respectfully submitted,

SUZANNE M. HENSELER  
Representative, District 44 MELVOID J. BENSON  
Representative, District 45 KENNETH CARTER  
Representative, District 44

The motion to amend is read and prevails on a roll call vote, 92 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS** - 92; The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS** -0.

By unanimous consent, Representative Costantino, seconded by Representative Fox, offers the following written motion to amend:

## FLOOR AMENDMENT

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

**(1)** In Article 1, page 11, after line 29 by inserting the following language:

**"The Department of Human Services shall establish and maintain contracting standards and enhanced rates for oral health services provided under Medicaid for the purpose of providing financial incentives for demonstrated expansion in capacity and participation in the Rhode Island Medical Assistance Program."**

Respectfully submitted,

STEVEN M. COSTANTINO  
Representative, District 14

The motion to amend is read and prevails on a roll call vote, 92 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS - 92;** Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS -0.**

By unanimous consent, Representative Levesque, seconded by Representative Pisaturo, offers the following written motion to amend:

**FLOOR AMENDMENT**

**TO**

**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING

APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

Article 1, page 18, line 29, by deleting the number "9,509,765" and inserting in place thereof the number "9,409,765".

Article 1, page 18, between lines 29 and 30, by adding thereto the following language:

"Inmate phone program 100,000"

"To the extent possible with the above appropriation, and not withstanding any other law or regulation to the contrary, the department of corrections shall create an inmate phone program for indigent families with members incarcerated by establishing reduced fee and free phone contacts for those who qualify. Priority shall be given to those inmates who have children under the age of ten (10) years old.

Respectfully submitted,

CHARLES J. LEVESQUE  
Representative, District 93

Representative Williams discusses the amendment.

The motion to amend is read and fails of passage on a roll call vote, 18 members voting in the affirmative and 73 members voting in the negative as follows:

**YEAS** 18; Representatives Abdullah-Odiase, Ajello, Almeida, Anguilla, Cerra, Coogan, Hetherington, Levesque, Maher, Moran, Palumbo, Picard, Rabideau, Slater, Tejada, Trillo, Wasylyk, Williams.

**NAYS** - 73; The Honorable Speaker Harwood and Representatives Aiken, Anderson, M., Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cicilline, Coderre, Coelho, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moura, Mumford, Munschy, Murphy, W.J., Naughton, Palangio, Pires, Quick, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Story, Sullivan, Thompson, Vieira, Voccola, Watson, Williamson, Winfield.

By unanimous consent, Representative Levesque, seconded by Representative Lally, offers the following written motion to amend:

## **FLOOR AMENDMENT**

### **TO**

#### **(01(H 6100) (Substitute "A"))**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

**(1)** Article 1, page 7, line 6, by deleting the number "24,886,849" and inserting in place thereof the number "20,886,849".

**(2)** Article 1, page 7, between lines 6 and 7, by adding the following:

"Legislative Office Building 4,000,000."

**(3)** Article 1, page 7, between lines 8 and 9, by adding the following language: "Notwithstanding the provisions of section 35-3-15 of the general laws in chapter 35-3 entitled "State Budget", all unexpended, encumbered and unencumbered general revenues balances of the appropriation for the legislature at the end of fiscal year 2001 shall be reappropriated in the ensuing fiscal year to the Legislative Office Building Account, and made immediately available for that purpose."

Respectfully submitted,

CHARLES J. LEVESQUE  
Representative, District 93

The motion to amend is read and fails of passage on a roll call vote, 6 members voting in the affirmative and 79 members voting in the negative as follows:

**YEAS** - 6; Representatives Ajello, Levesque, Montanaro, Pisaturo, Smith, Wasylyk.

**NAYS** - 79; The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Faria, Flaherty, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, .McCauley, McNamara, Menard, Moran, Moura, Mumford, Munschy, Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Reilly, Rose, San Bento, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Story, Sullivan, Tejada, Thompson, Vieira, Voccola, Watson, Williamson, Winfield.

The Article prevails, as amended, on a roll call vote, 93 members voting in the affirmative and 1 member voting in the negative as follows:

**YEAS** - 93; The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasylyk, Watson, Williams, Williamson, Winfield.

**NAYS** - 1; Representative Shavers.

#### NEW ARTICLE

By unanimous consent, Representative Kennedy, seconded by Representatives Scott, Garvey and Lewiss, offers the following written motion to amend:

#### FLOOR AMENDMENT

**TO**



**(01-H 6100) (Substitute "A")**

Mr. Speaker:

I hereby move to amend (01-H 6100) (Substitute "A") entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2002", as follows:

"ARTICLE ---

RELATING TO EDUCATION  
ESTABLISHMENT OF REGIONAL  
SCHOOL DISTRICTS

Section 1. Chapter 16-3 of the General Laws entitled "Establishment of Regional School Districts" is hereby amended by adding thereto the following new Article:

**16-3-2. MINIMUM BUDGET INCREASE. - Notwithstanding any other provision of the general laws, public laws, or any other law to the contrary, no regional school district shall increase its budget by a percentage higher than any budget increase allowable to the respective cities or towns within which the regional schools are located.**

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

Respectfully submitted,

BRIAN P. KENNEDY  
Representative, District 16

The motion to amend is read and fails of passage on a roll call vote, 27 members voting in the affirmative and 62 members voting in the negative as follows:

**YEAS** - 27; Representatives Amaral, Anderson, M., Anguilla, Barr, Benson, Bierman, Callahan, Carroll, Coderre, Faria, Fleury, Garvey, George, Gorham, Kennedy, Knickle, Lally, Lewiss, Long, Murphy, W.H., Quick, Rabideau, Scott, Shanley, Story, Trillo, Watson.

**NAYS** - 62; The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Brien, Cambio, Caprio, Cerra, Cicilline, Coelho, Coogan, Corvese, Costantino, Crowley, DeSimone, Flaherty, Fox, Gallison, Giannini, Ginaitt, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kilmartin, Lanzi, Lima, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.J., Palangio, Palumbo, Picard, Pires, Reilly, Rose, Schadone, Shavers, Sherlock, Slater, Smith, Sullivan, Tejada, Thompson, Vieira, Voccola, Wasylyk, Williams, Williamson, Winfield.

Chairman Pires recognizes the general staff, Mike Kilmartin and Legislative Data, John O'Connor and his staff Legislative Council, Larry Walsh and his crew at Capitol TV, John O'Toole and his staff at Legislative Press and all the pages and doormen.

Representative Smith extends thanks to Legislative Council, Michael Kilmartin and his staff, Sharon Reynolds and John Mansolillo.

Representative Jacquard congratulates Representative Pires on his 9th Budget as Chairman of Finance.

## ARTICLE 30

### EFFECTIVE DATE

Representative Pires, seconded by Representatives Fox, Giannini, Moura and Malik, moves passage of the Article.

The Article prevails, on a roll call vote, 92 members voting in the affirmative and 0 members voting in the negative as follows:

**YEAS 92:** The Honorable Speaker Harwood and Representatives Abdullah-Odiase, Aiken, Ajello, Almeida, Amaral, Anderson, M., Anguilla, Barr, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, Dennigan, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

**NAYS -0.**

The Budget prevails, as amended, on a roll call vote, 92 members voting in the affirmative and 1 member voting in the negative as follows:

**YEAS - 92;** The Honorable Speaker Harwood and Representatives Abdullah(Odiase, Aiken, Almeida, Amaral, Anguilla, Barr, Benson, Bierman, Brien, Callahan, Cambio, Caprio, Carroll, Cerra, Cicilline, Coderre, Coelho, Coogan, Corvese, Costantino, Crowley, DeSimone, Faria, Flaherty, Fleury, Fox, Gallison, Garvey, George, Giannini, Ginaitt, Gorham, Guthrie, Henseler, Hetherington, Hogan, Jacquard, Kennedy, Kilmartin, Knickle, Lally, Lanzi, Levesque, Lewiss, Lima, Long, Lowe, Maher, Malik, Martineau, McCauley, McNamara, Menard, Montanaro, Moran, Moura, Mumford, Munschy, Murphy, W.H., Murphy, W.J., Naughton, Palangio, Palumbo, Picard, Pires, Pisaturo, Quick, Rabideau, Reilly, Rose, San Bento, Savage, Schadone, Scott, Shanley, Shavers, Sherlock, Slater, Smith, Story, Sullivan, Tejada, Thompson, Trillo, Vieira, Voccola, Wasyluk, Watson, Williams, Williamson, Winfield.

**NAYS - 1:** Representative Anderson, M.

On suggestion of Majority Leader Martineau, and by unanimous consent, the Calendar for today is continued to Friday, June 22, 2001.

## TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor, and to the Honorable Senate forthwith.

## ANNOUNCEMENT

Majority Leader Martineau announces session will reconvene tomorrow at 4:00 o'clock P.M.

## ADJOURNMENT

At 7:22 o'clock P.M. on motion of Representatives Mumford and Gorham, and as a further mark of respect to the memory of Dora E. Sousa, seconded by Representatives Martineau and Watson, the House adjourns, on a unanimous rising vote.

LINDA McELROY  
Recording Clerk

### Appendix

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## INVOCATION

REPRESENTATIVE PAUL V. SHERLOCK

Almighty God, we ask that you help us as we try to make Rhode Island a better place. Amen.

## TRANSMITTED TO THE GOVERNOR

(01-S 1023) An Act relating to criminal procedure - public defender.

### Appendix

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## CALENDAR

In order for Friday, June 22, 2001:

1. (01-H 5440) An Act relating to motor vehicles - parking facilities and privileges.

Committee on Health, Education and Welfare recommends passage.

2. (99-S376 as amended) An Act relating to criminal offenses- children.

Committee on Judiciary recommends passage as amended.

3. (99-S702 as amended) An Act relating to criminal procedure- victims' rights.

Committee on Judiciary recommends passage as amended.

4. (99-S813) (Substitute "A") An Act relating to computer crime - cyberstalking.

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

5. (99-S577) An Act relating to courts and civil procedure- procedure generally.

Committee on Judiciary recommends passage in concurrence.

**6.** (99-S247) (Substitute "A") An Act relating to courts and civil procedure - wrongful death.

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

**7.** (99-S256) An Act relating to health and safety.

Committee on Judiciary recommends passage in concurrence.

**8.** (01-H5080) (Substitute "A" as amended) An Act relating to motor and other vehicles - licenses for motorcycles.

Joint Committee on Highway Safety recommends indefinite postponement of the original bill and passage of Substitute "A" as amended.

**9.** (01-H6042) (Substitute "A") An Act relating to businesses and professions the healing art of acupuncture.

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

**10.** (01-H6496) (Substitute "A") Joint Resolution making an appropriation to pay certain claims.

Joint Committee on Accounts and Claims recommends indefinite postponement of the original bill and passage of Substitute "A".

**11.** (01-S 700) Joint Resolution extending the reporting date of the special legislative commission to study an enhanced role for probation and parole.

Committee on Judiciary recommends passage in concurrence.

**12.** (99-S251) An Act relating to the courts.

Committee on Judiciary recommends passage in concurrence.

**13.** (01-S 832) (Substitute cc An Act relating to insurance coverage for mental illness.

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

**14.** (01-H6489) House Resolution creating a special House commission to study commercial drivers' licenses.

Committee on Special Legislation recommends passage.

**15.** (99-S537) (Substitute "A") Joint Resolution creating a special legislative commission to study commuter rail service.

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

**16.** (99-S539) An Act relating to commission on the deaf and hard of hearing.

Committee on Special Legislation recommends passage in concurrence.

**17.** (01-H6329) An Act relating to the Greenville Water District.

Committee on Corporations recommends passage.

**18.** (01-H6510) An Act relating to the Chariho Regional School District.

Committee on Corporations recommends passage.

**19.** (01-H6259) (Substitute "A") An Act relating to motor and other vehicles - mobile and manufactured homes.

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

**20.** (01-H6529) An Act establishing a reapportionment commission.

Ordered on the Calendar.

**21.** (01-H6533) Joint Resolution approving the financing of a new training school for youth at the Pastore Center in Cranston.

Ordered on the Calendar.

**22.** (01-H 6534) Joint Resolution approving the financing of a new facility to house the Kent County Courthouse (the "Leighton Judicial Complex").

Ordered on the Calendar.

## **Appendix**

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## **CALENDAR**

In order for Tuesday, June 26, 2001:

**1.** (01-H 6223 as amended) An Act relating to businesses and professions.

Committee on Labor recommends passage as amended.

**2.** (01-H 6539) House Resolution creating a special House commission to review efforts in connection with detection, surveillance, control, treatment, management, and emerging technologies associated with mosquito borne diseases.

Ordered on the Calendar.

**3.** (01-H 6540) House Resolution respectfully requesting the Department of Environmental Management to purchase new and innovative mosquito control devices.

Ordered on the Calendar.

## **Appendix**

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## CALENDAR

In order for Wednesday, June 27, 2001:

**1.** (01-S 1011) An Act authorizing the town of Narragansett to finance its share of the cost associated with implementing the clean up and remediation of the Rose Hill Regional Landfill and to issue not more than \$2,000,000 bonds and notes therefor.

Ordered on the Calendar.

**2.** (01-H 5572) (Substitute cc An Act relating to public assistance- food stamp program.

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

**3.** (01-H6404) An Act relating to water and navigation.

Committee on Finance recommends passage.

**4.** (01-H 5892) (Substitute cc An Act relating to human services- medical assistance.

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

**5.** (01-H 5703) (Substitute cc An Act relating to the National Guard.

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

**6.** (01-H 5345) (Substitute cc An Act relating to health insurance- copayments.

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

**7.** (01-H 5445) (Substitute "A") House Resolution relating to teachers' and public officers' and employees' retirement and municipal employees.

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

**8.** (01-S 214) (Substitute "A") Senate Resolution relating to teachers' and public officers' and employees' retirement and municipal employees.

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

**9.** (01-H5574) House Resolution creating a special legislative House commission to study security issues at the State House.

Committee on Finance recommends passage.

**10.** (01-H 5522) An Act relating to state affairs and government - Department of Attorney General.

Committee on Finance recommends passage.

**11.** (01-S 675) An Act relating to the National Guard.

Committee on Finance recommends passage in concurrence.

**12.** (01-S 207 as amended) An Act relating to education - teachers' retirement.

Committee on Finance recommends passage as amended in concurrence.

**13.** (01-H 5934) An Act relating to property tax relief.

Committee on Finance recommends passage.

**14.** (01-H6262) (Substitute "A") An Act relating to water and navigation - the Rhode Island River Council.

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

**15.** (99-S936) (Substitute "A") An Act to incorporate the North Scituate Water District.

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

**16.** (01-H6054) (Substitute "A") An Act relating to housing and open space.

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

**17.** (01-H5180) (Substitute "A") An Act relating to sales and use taxes - enforcement and collection.

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

**18.** (01-H6339) (Substitute "A") An Act relating to higher education assistance authority.

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

**19.** (01-H 5935) (Substitute "A") An Act relating to health and safety - Department of Health.

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

**20.** (01-H6342) (Substitute "A") An Act relating to public finance.

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

**21.** (01-H5958) (Substitute cc A,,) An Act relating to towns and cities - industrial facilities corporation.

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

**22.** (99-S241) An Act relating to military affairs and defense- organization and command of military forces.

Committee on Labor recommends passage in concurrence.

**23.** (01-H6458) (Substitute cc A,,) An Act relating to labor and labor relations - workers' compensation - benefits.

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

**24.** (01-H5648) An Act relating to state affairs and government- energy facility siting act.

Joint Committee on Environment and Energy recommends passage.

**25.** (01-H5724) An Act relating to the Narragansett Bay Commission.

Joint Committee on Environment and Energy recommends passage.

**26.** (01-H5379) An Act relating to parks and recreational areas - recreational vehicle parks and campgrounds.

Joint Committee on Environment and Energy recommends passage.

**27.** (01-H5987) An Act relating to waters and navigation - regulation of boats.

Joint Committee on Environment and Energy recommends passage.

**28.** (01-H6238) An Act relating to public utilities and carriers- duties of utilities and carriers.

Committee on Corporations recommends passage.

**29.** (99-S743) An Act relating to taxation -property tax classification- Providence.

Committee on Corporations recommends passage in concurrence.

**30.** (99-S893) An Act relating to levy and assessment of local taxes town of Middletown.

Committee on Corporations recommends passage in concurrence.

**31.** (01-H 5183) An Act relating to the General Assembly - Permanent Joint Committee on Naming All New Buildings, Bridges, Edifices, and other state constructions.

Joint Committee on Naming State Constructions recommends passage.

**32.** (01-H 5092) An Act relating to the naming of new buildings, bridges, edifices and other state construction.

Joint Committee on Naming State Constructions recommends passage.

**33.** (01-H6501) An Act relating to the Joint Committee on Naming State Constructions.

Joint Committee on Naming State Constructions recommends passage.

**34.** (99-S829) (Substitute "B") An Act relating to taxation.

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

**35.** (01-H6506) (Substitute "A") An Act relating to waters and navigation - ballast water.

Joint Committee on Environment and Energy recommends indefinite postponement of the original bill and passage of Substitute "A".

**36.** (99-S604) An Act relating to waters and navigation - Rhode Island Clean Water Finance Agency.

Ordered on the Calendar.

**37.** (99-S255) (Substitute "A") An Act relating to health and safety - mosquito abatement.

Ordered on the Calendar.



**38.** (99-S808) (Substitute "A") An Act relating to state affairs and government - environmental incentive act.

Ordered on the Calendar.

**39.** (99-S814) (Substitute "A") An Act relating to waters and navigation.

Ordered on the Calendar.

**40.** (99-S990) Joint Resolution making an appropriation to pay certain claims.

Ordered on the Calendar.

LOUIS D'ANTUONO

Clerk of the House

Thursday, June 21, 2001

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As always, your [comments](#) concerning this page are welcomed and appreciated.

Thank you for stopping by!

