

Minutes



LEGISLATION COMMITTEE

Monday 3:00 PM to 4:30 PM

Governor's Commission on Disabilities

John O. Pastore Center (Formerly the Howard Center)

- 41 Cherry Dale Court

Cranston, RI 02920

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(e-mail) disabilities@gcd.ri.gov

(website) www.disabilities.ri.gov

Secretary: Bob Cooper

Attendees: Raymond Bandusky; Rosemary C. Carmody; Regina Connor; Joseph Corrente; Elaina Goldstein; Bill Inlow; Kate McCarthy-Barnett, EdD; Arthur M. Plitt; Rev. Gerard O. Sabourin; Janet Spinelli; & Michael Spoerri

Excused: Paul Choquette (Chair); Tim Flynn (Vice Chair); Jeanne Behie; Sharon Brinkworth; Linda Deschenes; Liberty Goodwin; Kenneth Pariseau; Gwen Reeve; & Marie Strauss

Guests: Lorna Ricci & (OCSIL), Roberta Green (DHS/ORS)

Minutes

3:00 PM Call to Order and acceptance of minutes Tim Flynn, Vice Chair

Discussion: Chair calls the meeting to order at 3:00PM.

Members and guests introduce themselves

MOTION: To accept the minutes as presented RB/RC passed unanimously

3:05 PM Final Status of GCD Legislative Package Bob Cooper

The Legislation Committee members initially reviewed 233 bills, and took positions on 55.

The Commission Supported 18 Bills:

Signed by Governor

06 H-7226 Sub A CRIMINAL OFFENSES -- ASSAULTS Sponsor: Rep. Naughton Public Law 2006 Chapter -175

06 H-7120 Art. 34 Sub A as Amended INSURANCE - MANDATED BENEFITS Sponsor: Rep. Watson Public Law 2006 Chapter -246

06 S-2378 Sub A CRIMINAL OFFENSES -- ASSAULTS Sponsor: Sen. McCaffrey Public Law 2006 Chapter -268

Total Signed by Governor: 3

Effective without Governor's signature

06 S-2604 Sub A as Amended HUMAN SERVICES -- TRAUMATIC BRAIN INJURIES Sponsor: Sen. Blais Identical (as sub A as Amended) to H 7546 Sub A Public Law 2006 Chapter -363

06 H-7546 Sub A MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES Sponsor: Rep. McNamara Identical as Sub A to S 2604 Sub A as Amended Public Law 2006 Chapter -

Total Effective without Governor's signature: 2

Resolution Adopted

06 S-2627 Sub A SENATE RESOLUTION RESPECTFULLY URGING THE DEPARTMENT OF ADMINISTRATION TO USE ENVIRONMENTALLY-SAFE AND HEALTH-FRIENDLY CLEANING PRODUCTS IN STATE FACILITIES AND WORKPLACES Sponsor: Sen. Perry
Senate Resolution 2006 -276

Total Resolutions Adopted: 1

Passed in Concurrence

06 H-7081 Sub A MOTOR AND OTHER VEHICLES -- STOPPING, STANDING AND PARKING RESTRICTIONS Sponsor: Rep. Naughton Senate Desk
06 S-2879 as Amended STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS Sponsor: Sen. Ciccone Identical to S 2779 & H 7672 House Desk

Total Passed in Concurrence: 2 (haven't been transmitted to the Governor yet)

Incorporated into Budget Act

06 H-7159 HEALTH CARE SERVICES - UTILIZATION REVIEW ACT Sponsor: Rep. Story Identical to S 2209 House Health, Education, & Welfare Committee
06 S-2209 HEALTH CARE SERVICES - UTILIZATION REVIEW ACT Sponsor: Sen. Pichardo Identical to H 7159 Senate Health and Human Services Committee
06 S-2840 HOUSING RESOURCES - NEIGHBORHOOD OPPORTUNITIES PROGRAM Sponsor: Sen. Pichardo Identical to H 7262 Senate Finance Committee
06 H-7262 HOUSING RESOURCES - NEIGHBORHOOD OPPORTUNITIES PROGRAM Sponsor: Rep. Fox Identical to S 2840 House Finance Committee

Total Incorporated into Budget Act: 4

In Committee

06 S-2289 DEPARTMENT OF HEALTH Sponsor: Sen. Ciccone Identical to H 7095, S 2627 & H 7256 Senate Environment and Agriculture Committee
06 S-2334 TOWNS AND CITIES -- ZONING ORDINANCES Sponsor: Sen. Levesque Similar to S 2352 Senate Commerce, Housing and Municipal Government Committee
06 S-2269 CIVIL RIGHTS OF PEOPLE WITH DISABILITIES Sponsor: Sen. Polisena House Health, Education, & Welfare Committee
06 S-2779 STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS Sponsor: Sen. Perry Identical to S 2879 & H 7672 Senate Judiciary Committee
06 H-7256 DEPARTMENT OF HEALTH Sponsor: Rep. Kilmartin Identical to H 7095, S 2627 & S 2289 House Environmental and Natural Resources
06 H-7095 DEPARTMENT OF HEALTH Sponsor: Rep. Kilmartin Identical to S 2627, S 2289 & H 7256 House Health, Education, & Welfare Committee

Total In Committee: 6

6 of 18 enacted with 2 pending 33% effective

The Commission Opposed 5 Bills

In Committee

06 S-2268 PUBLIC RECORDS -- ACCESS Sponsor: Sen. Lenihan Identical to H 6951 & H 6952 Senate Judiciary Committee
06 S-2270 PUBLIC RECORDS Sponsor: Sen. Lenihan Identical to H 6952, H 6951, S 2268 Senate Judiciary Committee
06 H-6951 PUBLIC RECORDS -- ACCESS Sponsor: Rep. Dennigan Identical to S 2270 & Similar to H 6952 & S 2270 House Judiciary Committee
06 H-6952 PUBLIC RECORDS Sponsor: Rep. Dennigan Identical to S 2268 & Similar to H 6951 & S 2270 House Judiciary Committee
06 H-6790 PARKING PRIVILEGES Sponsor: Rep. Lewiss House Health, Education, & Welfare

Total In Committee: 5

5 of 5 died: 100% effective
The Commission Supported 4 Bills if Amended

Recommended

06 H-7672 STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS Sponsor: Rep. Kilmartin
Identical to S 2779 & S 2979 Senate Judiciary Committee

Total Recommended: 1

In Committee

06 S-2134 SCHOOL AND MUNICIPAL PLAYGROUND SAFETY Sponsor: Sen. Blais Senate
Finance Committee

06 S-2352 TOWNS AND CITIES -- ZONING ORDINANCES Sponsor: Sen. Levesque Similar to S
2334 Senate Commerce, Housing and Municipal Government Committee

06 H-7629 HUMAN SERVICES Sponsor: Rep. Naughton House Finance Committee

Total In Committee: 3

4 of 4 not amended nor enacted: 100% effective

The Legislation Committee found 27 Bills Beneficial

Vetoed by Governor

06 H-6754 Sub A SEPARATION OF POWERS Sponsor: Rep. Coderre Identical to S 2138 Similar to H
7975 House Desk

Total Vetoed by Governor: 1

Transmitted to Governor

06 S-2042 Sub A as Amended MOTOR AND OTHER VEHICLES Sponsor: Sen. Cote Identical to H
6826 Governor's Office

Total Transmitted to Governor: 1

Signed by Governor

06 S-2628 Sub A as Amended MEDICAL ASSISTANCE - LONG-TERM CARE SERVICE AND
FINANCE REFORM Sponsor: Sen. Perry Identical to H 7686 Public Law 2006 Chapter -263

06 H-7686 Sub A HUMAN SERVICES -- LONG-TERM CARE SERVICE AND FINANCE REFORM
Sponsor: Rep. Sullivan Identical to S 2628 Public Law 2006 Chapter -286

Total Signed by Governor: 2

Effective without Governor's signature

06 S-2138 Sub B as Amended SEPARATION OF POWERS Sponsor: Sen. Connor Identical to H 6754
Similar to H 7975 Public Law 2006 Chapter -103

06 H-7975 SEPARATION OF POWERS Sponsor: Rep. Coderre Similar to S 2138 & H 8754 Public
Law 2006 Chapter -144

06 S-2185 as Amended ASSAULTS Sponsor: Sen. McCaffrey Identical to S 2251 & H 7228 Similar to S
2389 & H 7226 Public Law 2006 Chapter -169

06 H-7228 as Amended ASSAULTS Sponsor: Rep. Naughton Identical to S 2251 & 2185 Similar to S
2378 & H 7226 Public Law 2006 Chapter -196

06 S-2615 Sub A as Amended LONG-TERM HEALTH CARE Sponsor: Sen. Paiva-Weed Identical to H
7233 & H 8166 Public Law 2006 Chapter -361

06 H-8166 HEALTH AND SAFETY - LONG-TERM CARE Sponsor: Rep. Naughton Similar to H
7233 & S 2615 Governor's Office501

Total Effective without Governor's Signature: 6

Incorporated into Budget Act

06 H-7822 PHARMACEUTICAL ASSISTANCE TO THE ELDERLY Sponsor: Rep. Crowley Identical
to S 2563 House Health, Education, & Welfare Committee

06 S-2563 PHARMACEUTICAL ASSISTANCE TO THE ELDERLY Sponsor: Sen. Perry Identical to
H 7822 Senate Finance Committee

Total Incorporated into Budget Act: 2

In Committee

06 H-8257 HEALTH AND SAFETY -- LICENSING OF REHABILITATION COUNSELORS Sponsor: Rep. Naughton Similar to H 7856 Senate Health and Human Services Committee
06 S-2026 CHILDREN WITH DISABILITIES Sponsor: Sen. Tassoni Senate Finance Committee
06 S-2240 HEALTH AND SAFETY- STEM CELL RESEARCH Sponsor: Sen. Perry Identical to H 7429 Senate Health and Human Services Committee
06 H-7189 EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION Sponsor: Rep. Almeida Senate Judiciary Committee
06 S-2250 as Amended SOVEREIGN IMMUNITY Sponsor: Sen. McCaffrey Identical to H 7806 House Finance Committee
06 H-7856 HEALTH AND SAFETY -- LICENSING OF REHABILITATION COUNSELORS Sponsor: Rep. Naughton Identical to H 8257 House Corporations Committee
06 H-7233 Sub A HEALTH AND SAFETY - LONG TERM CARE Sponsor: Rep. Naughton Identical to S 2615 & similar to H 8166 House Health, Education, & Welfare Committee
06 S-2379 Sub A as Amended PUBLIC UTILITIES AND CARRIERS - RHODE ISLAND PUBLIC TRANSIT AUTHORITY Sponsor: Sen. Raptakis Similar to S 3208 House Health, Education, &
06 S-2560 STATE AFFAIRS AND GOVERNMENT Sponsor: Sen. Perry Senate Finance Committee
06 S-2568 STATE AFFAIRS AND GOVERNMENT -- PHARMACEUTICAL ASSISTANCE TO THE ELDERLY ACT Sponsor: Sen. Roberts Senate Finance Committee
06 S-2707 MENTAL HEALTH, RETARDATION, AND HOSPITALS - DIVISION OF MENTAL HEALTH Sponsor: Sen. Pichardo Senate Finance Committee
06 H-7429 HEALTH AND SAFETY- STEM CELL RESEARCH Sponsor: Rep. Ajello Identical to S 2240 House Health, Education, & Welfare Committee
06 H-7806 SOVEREIGN IMMUNITY Sponsor: Rep. Moura Identical to S 2250 House Finance
06 S-2217 INSURANCE -- COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE Sponsor: Sen. Perry Senate Health and Human Services Committee
06 H-7902 EDUCATION - LOAN REPAYMENT PROGRAM Sponsor: Rep. Naughton House Finance Committee

Total In Committee: 15

11 of 27 enacted: 41% effective

The Legislation Committee found 2 Bills Beneficial if amended

In Committee

06 H-6992 HUMAN SERVICES Sponsor: Rep. Slater Identical to S 2562 House Finance Committee
06 S-2562 STATE AFFAIRS AND GOVERNMENT Sponsor: Sen. Alves Identical to H 6992 Senate Finance Committee

Total In Committee: 2

2 of 2 bills not amended nor enacted: 100% effective

The Legislation Committee found 3 Bills Harmful

In Committee

06 H-7880 MANDATED BENEFITS REVIEW ACT Sponsor: Rep. Menard House Corporations
06 H-7337 EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS Sponsor: Rep. Loughlin House Health, Education, & Welfare Committee
06 H-7990 STATE AFFAIRS AND GOVERNMENT - - ELDERLY AFFAIRS Sponsor: Rep. Singleton House Health, Education, & Welfare Committee

Total In Committee: 3

3 of 3 not enacted: 100% effective

The Commission Position: Committee found 6 Bills Harmful unless Amended

In Committee

06 S-2368 PHARMACEUTICAL ASSISTANCE TO THE ELDERLY Sponsor: Sen. Felag Identical to

H 7067 Senate Finance Committee

06 H-6826 MOTOR AND OTHER VEHICLES Sponsor: Rep. McCauley Identical to S 2042 House Environmental and Natural Resources

06 H-7507 BRIDLE AND HIKING TRAILS Sponsor: Rep. Ginaitt House Environmental and Natural Resources

06 S-2251 ASSAULTS Sponsor: Sen. McCaffrey Identical to S 2185 & H 7228 Similar to S 2378 & H 7226 Senate Judiciary Committee

06 H-7067 PHARMACEUTICAL ASSISTANCE TO THE ELDERLY Sponsor: Rep. Naughton Identical to S 2368 House Finance Committee

06 S-2754 OPERATORS' AND CHAUFFEURS' LICENSES Sponsor: Sen. Roberts Senate Health and Human Services Committee

Total In Committee: 6

6 of 6 not enacted: 100% effective

37 of 55 Bills were acted upon in accordance with the Commission's recommendations, 2 pending: 67% effective

In 1993 the Commission created the Joseph Vanni Memorial Award to recognize the role of the average citizen in the enactment and implementation of laws to improve the quality of life of the children and adults with disabilities.

Joseph Vanni was the founding director of the RI Handicapped Action Committee, a social advocacy organization. Mr. Vanni was also a member of the RI Governor's Committee on Employment of the Handicapped, the predecessor agency to the Governor's Commission on Disabilities, in the late '70s. Mr. Vanni taught individuals with disabilities how to advocate for themselves, through group and individual action. Mr. Vanni was the first client of the state's Office of Rehabilitation Service to be trained as a community organizer. Individuals awarded the Joseph Vanni Memorial Award demonstrate his commitment to social change through individual involvement, the hallmark of a democratic society.

MOTION: To recommend the Commission present its Joseph Vanni Award to:

- Fredericka Athanas on abuse and neglect 06 H-7226 Sub A CRIMINAL OFFENSES -- ASSAULTS Sponsor: Rep. Naughton Identical to S 2378 Public Law 2006 Chapter -175 and 06 S-2378 Sub A CRIMINAL OFFENSES -- ASSAULTS Sponsor: Sen. McCaffrey Public Law 2006 Chapter -268 and
- Mrs. Renee Doran for their advocacy on behalf of families that lead to revisions that strengthening protections for the families of people with disabilities and the enactment of 06 S-2185 as Amended ASSAULTS Sponsor: Sen. McCaffrey Public Law 2006 Chapter -169 and 06 H-7228 as Amended ASSAULTS Sponsor: Rep. Naughton Public Law 2006 Chapter -196.

BI/RCarmody passed unanimously

The Commission created the John E. Fogarty Memorial Award to recognize the efforts of members of the RI General Assembly in enacting laws to improve the quality of life of the 172,000 Rhode Islanders with Disabilities. The Commission has been awarding its John E. Fogarty Memorial Award, since 1987.

John E. Fogarty, the US House of Representative member from the 2nd Congressional District of Rhode Island (1940 -1967) was a strong advocate for the rights of individuals with disabilities. Congressman Fogarty was a leader, nationally and in Rhode Island to bring individuals with disabilities residing in large impersonal institutions (such as Ladd Center) to the community. Congressman Fogarty, although originally elected as a "labor" candidate, following his appointment to chair the House Appropriations Committee's Subcommittee on Labor - Health, Education, and Welfare in 1949, became the nation's

leading advocate for children with mental retardation, mental health, health care financing, and international/national health care research.

MOTION: To recommend the Commission present its John E. Fogarty Award to the sponsors of the following legislation:

1. 06 H-7226 Sub A CRIMINAL OFFENSES -- ASSAULTS Sponsor: Rep. Naughton
Public Law 2006 Chapter -175 & 06 S-2378 Sub A CRIMINAL OFFENSES --
ASSAULTS Sponsor: Sen. McCaffrey Public Law 2006 Chapter -268
2. 06 S-2627 Sub A SENATE RESOLUTION RESPECTFULLY URGING THE
DEPARTMENT OF ADMINISTRATION TO USE ENVIRONMENTALLY-SAFE
AND HEALTH-FRIENDLY CLEANING PRODUCTS IN STATE FACILITIES
AND WORKPLACES Sponsor: Sen. Perry Senate Resolution 2006 -276
3. 06 H-7081 Sub A MOTOR AND OTHER VEHICLES -- STOPPING, STANDING
AND PARKING RESTRICTIONS Sponsor: Rep. Naughton*
4. 06 S-2879 as Amended STATE AFFAIRS AND GOVERNMENT -- OPEN
MEETINGS Sponsor: Sen. Ciccone*
5. 06 S-2840 HOUSING RESOURCES - NEIGHBORHOOD OPPORTUNITIES
PROGRAM Sponsor: Sen. Pichardo that was incorporated into the Budget Act & 06
H-7262 HOUSING RESOURCES - NEIGHBORHOOD OPPORTUNITIES
PROGRAM Sponsor: Rep. Fox that was incorporated into the Budget Act
6. 06 S-2604 Sub A as Amended HUMAN SERVICES -- TRAUMATIC BRAIN
INJURIES Sponsor: Sen. Blais Public Law 2006 Chapter -363 & 06 H-7546 Sub A
MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES
Sponsor: Rep. McNamara Public Law 2006 Chapter – 456

AP/RC passed unanimously

* provided that they are enacted into law.

3:20 PM Public Forum – Dates, Locations & Host Sponsors

Monday July 24, 2006, 3:00 PM- 5:00 PM

Newport Public Library, Lower Level Program Room, 300 Spring Street

Tuesday July 25, 2006, 4:00 PM – 6:00 PM

Eleanor Slater Hospital-Zambarano Hospital, Auditorium,
2090 Wallum Lake, at the end of Route 100 N, Pascoag

Wednesday July 26, 2006, 11:00 AM-1:00 PM

PARI, Independence Square I, 500 Prospect Street, Pawtucket

Wednesday July 26, 2006, 3:00 PM – 5:00 PM

Independence Square II, Large Conference Room
25 West Independence Way, Kingston (on Route 138, just west of the URI Campus)

Thursday July 27, 2006, 4:30 PM – 6:30 PM

Warwick Public Library, Community Room 600 Sandy Lane, Warwick

3:30 PM Procedures for Conducting the Forums

Tim Flynn

Members discussed the logistics for the public forums & signed up to be forum panelists.

Adjourned at:

3:56 PM

Resource Persons

Christine Botts (GCD)