

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 sixth day of January in the year of Our Lord two thousand and nine.

Volume 136, No. 23

Thursday, March 5, 2009

Twenty-third Day

The House of Representatives meets at the State House in Providence, Thursday, March 5, 2009 and is called to order at 4:07 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 71 members present and 4 members absent as follows:

PRESENT - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, Pacheco, Palumbo, Petrarca, Pollard, A. Rice, M. Rice, Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 4: Representatives Gablinske, O'Neill, San Bento, Sullivan.

INVOCATION

The Honorable Speaker presents Representative M. Rice 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, March 4, 2009 is approved as printed.

ANNOUNCEMENTS

Representative William San Bento will be unable to attend session on Thursday, March 5, 2009.

Representative Douglas Gablinske will be unable to attend session Thursday, March 5, 2009.

REPORTS OF COMMITTEES**COMMITTEE ON MUNICIPAL GOVERNMENT**

Representative Gallison, for the Committee on Municipal Government, reports back the following measure, with recommendation of passage:

House Bill No. 5445**BY** Driver

ENTITLED, AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING {LC1412/1}
03/05/2009 Placed on House Calendar

COMMITTEE ON RULES

Representative Naughton, for the Committee on Rules, reports back the following measures, with recommendation of passage:

House Resolution No. 5529 SUB A**BY** Naughton

ENTITLED, HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010 {LC1891/2/A}
03/05/2009 Placed on House Calendar

NEW BUSINESS**House Bill No. 5946****BY** Coderre E, Petrarca, Kennedy, Pacheco, Marcello

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - TAXICABS AND LIMITED PUBLIC MOTOR VEHICLES (would require taxicab operators to provide evidence that their taxicabs are handicap accessible) {LC1962/1}
03/05/2009 Introduced, referred to House Corporations

House Bill No. 5947**BY** Carter, McNamara, Lally

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - CONTRACTORS' REGISTRATION BOARD (would expressly authorize the contractors' registration board to set fees and fines in operation in furtherance of its legislative mission) {LC1939/1}
03/05/2009 Introduced, referred to House Corporations

House Bill No. 5948**BY** Coderre E, Kilmartin, O'Neill JP, Dennigan, Shallcross Smith**ENTITLED**, AN ACT RELATING TO TAXATION (would amend the laws for tax exempt artistic communities to include certain parts of the city of Pawtucket) {LC1321/1}

03/05/2009 Introduced, referred to House Finance

House Bill No. 5949**BY** Lally**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - PERSONS WITH DISABILITIES (would amend the state's civil rights laws so as to incorporate definitions and other changes made by the federal ADA Amendments Act) {LC2085/1}

03/05/2009 Introduced, referred to House Judiciary

House Bill No. 5950**BY** Diaz, Slater, Almeida, Williams, Segal**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY EMPLOYEES (would require the employment agency of temporary employees to provide notification of new job descriptions and of potential violations of the temporary employee protection act) {LC2068/1}

03/05/2009 Introduced, referred to House Labor

House Bill No. 5951**BY** Ehrhardt, Lally, Carter**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES FOR AN AMOUNT NOT EXCEEDING \$10,000,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES {LC2008/1}

03/05/2009 Introduced, referred to House Municipal Government

House Resolution No. 5952**BY** Baldelli-Hunt, Caprio D, Gemma, Serpa, MacBeth**ENTITLED**, HOUSE RESOLUTION CONGRATULATING WOONSOCKET HIGH SCHOOL STUDENT ADAM BRUNETTION PUBLISHING HIS FIRST NOVEL {LC2165/1}

Representative Baldelli-Hunt requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Baldelli-Hunt seconded by Representatives Brien, Watson, Fierro and Fox on a roll call vote, 55 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 55: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gallison, Giannini, Guthrie, Handy, Hearn, Jackson, Kilmartin, Lally, Lima,

Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, Newberry, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Trillo, Ucci, Vaudreuil, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representative Gemma requests the journal to reflect that if he had voted on (09-H 5952), he would have voted in the affirmative.

TRANSMITTAL

By unanimous consent, (09-H 5952), on the clerk's desk is ordered to be transmitted to the Honorable Secretary of State, forthwith.

ANNOUNCEMENTS

Representative Costantino announces that on everyone's desk is a memo on the Stimulus package.

Representative Gallison announces that the Committee on Municipal Government will meet at the rise of the House, in Room 201 of the State House.

Representative Naughton announces that the Committee on Rules will meet at the rise of the House, in Room 205 of the State House.

Representative Pacheco wishes his daughter a Happy 1st Birthday, tomorrow.

GUESTS

At 4:12 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Baldelli-Hunt.

By unanimous consent, Representative Baldelli-Hunt addresses the members of the House and welcomes to the House Adam Brunetti who published his first novel "Dream Wars".

By unanimous consent, Adam Brunetti presents the Speaker with an autographed book for his children.

At 4:13 o'clock P.M. the Honorable Speaker returns to the rostrum and congratulates Adam.

Representative Ucci welcomes to the House Chamber as guests from the RI Association of Nurse Anesthetists-Keith Macksoud, along with students Garrick Whitlock and Sarah Miller.

Representative Edwards welcomes to the House as a guest his daughter Kelsey K. Edwards from Tiverton.

ADJOURNMENT

At 4:21 o'clock P.M. on motion of Representative Brien, and as a further mark of respect to the memory of Raymond J. Blais, Jr.; on motion of Representative Carter, and as a further mark of respect to the memories of George Grandolfi and Nancy E. Whitman; on motion of Representative Costantino and as a further mark of respect to the memory of Sandra Ferrucci; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE MICHAEL RICE

Dear God, above all we need your help in distributing the benefits and burdens, especially in a time of scarce resources and mounting demands, May we find the sense of balance we seek.
Amen.

APPENDIX

CALENDAR

IN ORDER FOR TUESDAY, MARCH 10, 2009:

1. **2009-H 5271 as amended****BY Jackson****ENTITLED,** HOUSE RESOLUTION REINSTATING AND EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE REQUIREMENTS FOR THE REMEDIATION OF NATURALLY OCCURRING ARSENIC IN SOIL

Committee on Constituent Services recommends passage as amended.

2. **2009-H 5272****BY Dennigan****ENTITLED,** JOINT RESOLUTION REINSTATING, EXTENDING, AND AMENDING THE MEMBERSHIP OF THE KARLA HARRY COMMISSION ON LIBRARIES IN RHODE ISLAND

Committee on Constituent Services recommends passage.

3. **2009-H 5391****BY Rice A****ENTITLED,** HOUSE RESOLUTION HONORING PORTSMOUTH FIRE CHIEF JEFF LYNCH FOR THE HEROIC LIFE-SAVING MEASURES HE TOOK TO SAVE THE LIVES OF THREE PEOPLE INJURED IN A CAR CRASH IN FALL RIVER

Committee on Constituent Services recommends passage.

4. **2009-H 5005****BY Pacheco****ENTITLED,** AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Committee on Judiciary recommends passage.

5. **2009-H 5094****BY Fierro****ENTITLED,** AN ACT RELATING TO ELECTIONS -- FEDERAL ELECTIVE OFFICERS

Committee on Judiciary recommends passage.

6. 2009-H 5184**BY Williamson****ENTITLED,** AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS

Committee on Judiciary recommends passage.

7. 2009-H 5325**BY Ajello****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- CAUSES OF ACTION

Committee on Judiciary recommends passage.

8. 2009-H 5421**BY Newberry****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY-PARTIES

Committee on Judiciary recommends passage.

9. 2009-H 5812**BY McNamara****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

10. 2009-H 5179**BY Driver****ENTITLED,** AN ACT RELATING TO THE RATIFICATION OF THE HOME RULE CHARTER OF THE TOWN OF RICHMOND

Committee on Municipal Government recommends passage.

11. 2009-H 5181**BY Menard****ENTITLED,** AN ACT RELATING TO VALIDATING AND RATIFYING CERTAIN AMENDMENTS TO THE HOME RULE CHARTER OF THE CUMBERLAND HILL FIRE DISTRICT

Committee on Municipal Government recommends passage.

12. 2009-H 5182**BY Ruggiero****ENTITLED,** AN ACT RELATING TO THE TOWN OF MIDDLETOWN

Committee on Municipal Government recommends passage.

IN ORDER FOR WEDNESDAY, MARCH 11, 2009:

1. 2009-H 5529 SUB A

BY Naughton

ENTITLED, HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010

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

2. 2009-H 5445

BY Driver

ENTITLED, AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING

Committee on Municipal Government recommends passage.

Francis P. McCabe
Clerk of the House

Thursday, March 5, 2009