

# 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. 26

Thursday, March 12, 2009

Twenty-sixth Day

---

The House of Representatives meets at the State House in Providence, Thursday, March 12, 2009 and is called to order at 4:06 o'clock P.M., by the Honorable William J. Murphy, Speaker.

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

**PRESENT - 72:** The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, A. Rice, M. Rice, Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

**ABSENT - 3:** Representatives Flaherty, Naughton, Segal.

## INVOCATION

The Honorable Speaker presents Representative Corvese 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 11, 2009 is approved as printed.

**ANNOUNCEMENT**

Representative Eileen Naughton will be unable to attend session Thursday, March 12, 2009.

**REPORTS OF COMMITTEE****TRANSFER OF BILLS**

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

**House Bill No. 5400**

**BY** Rice A, Gallison

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF TRANSPORTATION (would create the turnpike and bridge division within the department of transportation/It would increase the gasoline tax by one cent, and would dedicate that one cent to the restricted receipt account set up for the deposit of bridge tolls) {LC1191/1}

03/12/2009 Committee transferred to House Municipal Government

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of transfer to the Committee on Health, Education and Welfare:

**House Bill No. 5601**

**BY** Jacquard, Handy, Naughton

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- RIGHTS OF BLIND AND DEAF PERSONS (would require movie theaters with five or more screens to provide captioning on at least one screen for persons who are deaf or hard of hearing, and provide audio descriptions for persons who are blind or visually impaired) {LC1868/1}

03/12/2009 Committee transferred to House H.E.W.

**House Bill No. 5614**

**BY** Handy, Naughton, Jacquard

**ENTITLED**, AN ACT RELATING TO EDUCATION - CAPTIONING OF ELECTRONIC VIDEO MATERIALS (equire that all publishers/manufacturers of electronic video instructional materials offered for adoption/ sale in the state intended to be used in the instructional programs of educational institutions shall supply such materials with or closed captions) {LC1844/1}

03/12/2009 Committee transferred to House H.E.W.

**House Bill No. 5703**

**BY** Jacquard, Handy, Naughton, Ajello

**ENTITLED**, AN ACT RELATING TO INSURANCE - COCHLEAR IMPLANTS (would require insurance coverage for cochlear implant surgery) {LC1839/1}

03/12/2009 Committee transferred to House H.E.W.

**NEW BUSINESS****House Bill No. 5975****BY** Corvese**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- BROADBAND DEPLOYMENT AND INVESTMENT ACT ( would create the broadband deployment and investment act designed to implement proper regulations and oversight thereof) {LC2156/1}

03/12/2009 Introduced, referred to House Corporations

**House Bill No. 5976****BY** Schadone, Menard, Williams, Almeida, Shallcross Smith**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CHECK CASHING (would establish a two (2) mile protection radius for existing check cashing businesses) {LC2174/1}

03/12/2009 Introduced, referred to House Corporations

**House Bill No. 5977****BY** Handy, Fierro, Ajello, Gallison, Almeida**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND ENERGY EFFICIENCY AND RESOURCE MANAGEMENT COUNCIL-- HEATING OIL TAX (would impose a five cent (\$.05) per gallon charge on home heating oil sales to support the energy efficiency and resource management council) {LC2020/1}

03/12/2009 Introduced, referred to House Finance

**House Bill No. 5978****BY** Ajello, Savage, Melo, Baldelli-Hunt, Lima**ENTITLED**, AN ACT RELATING TO EDUCATION -- THE EDUCATION EQUITY AND PROPERTY TAX RELIEF ACT {LC2056/1}

03/12/2009 Introduced, referred to House Finance

**House Bill No. 5979****BY** Baldelli-Hunt**ENTITLED**, AN ACT RELATING TO SPORTS, RACING AND ATHLETICS ( would require Twin River and Newport Grand to operate 24 hours a day, 7 days per week, /would increase the legal gambling age from 18 to 21 years./ require all revenue gained from the new hours of operation to be deposited in the general fund {LC2121/1}

03/12/2009 Introduced, referred to House Finance

**House Bill No. 5980****BY** Gemma, Fox, Almeida, Ucci, Schadone**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HEALTH CARE FOR CHILDREN AND PREGNANT WOMEN ( would authorize the prescribing physicians to make the final determination if a brand name drug is medically necessary for patients in the RIte Care program) {LC2147/1}

03/12/2009 Introduced, referred to House H.E.W.

**House Resolution No. 5981****BY** Gallison, Gablinske, Edwards**ENTITLED**, HOUSE RESOLUTION CONGRATULATING MASON TAYLOR WETHERALD ON ATTAINING THE RANK OF EAGLE SCOUT {LC2204/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Edwards, Gablinske, M. Rice, Menard, Loughlin, Pollard, Williamson, Ucci and Azzinaro by unanimous consent, on a voice vote.

**House Resolution No. 5982****BY** Gallison, Gablinske, Edwards**ENTITLED**, HOUSE RESOLUTION CONGRATULATING CHRISTOPHER AZAR ON ATTAINING THE RANK OF EAGLE SCOUT {LC2203/1}

Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Edwards, Pollard, Loughlin, Azzinaro, Gablinske, Menard, Williamson and M. Rice by unanimous consent, on a voice vote.

**House Bill No. 5983 (Governor)****BY** Watson, Loughlin, Savage, Ehrhardt, Newberry**ENTITLED**, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010 {LC2189/1}

03/12/2009 Introduced, referred to House Finance

**CALENDAR**

From the Calendar are taken:

**IN ORDER FOR THURSDAY, MARCH 12, 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.

Representative Kilmartin moves passage of the resolution, seconded by Representatives McNamara, Coderre, Williamson and Corvese.

By unanimous consent, Representative Kilmartin, seconded by Representatives Fox and McNamara offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2009 -- H 5529 SUBSTITUTE A**

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

Mr. Speaker:

I hereby move to amend 2009 -- H 5529 SUBSTITUTE A, entitled "HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010", as follows:

1. On page 9, lines 9 through 11, by deleting all the language following the language "present." and inserting in place thereof the following language: "This rule shall not apply to a House Bill of which the Senate duplicate has passed the House, and provided further that the Speaker may at any time order a duplicate bill received from the Senate or a Senate bill after the budget bill shall have passed the House, onto the calendar."

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE KILMARTIN

=====  
LC01891/9  
=====

Representatives Kilmartin, Savage and Watson discuss the amendment.

The motion to amend prevails on a roll call vote 64 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kilmartin, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Watson.



**FLOOR AMENDMENT  
TO  
2009 -- H 5529 SUBSTITUTE A**

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

Mr. Speaker:

I hereby move to amend 2009 -- H 5529 SUBSTITUTE A, entitled "HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010", as follows:

(1) On page 6, lines 19 through 21, by deleting the language "A committee shall not hear any said bill or resolution without such notice except by the consent of a majority of its members and with at least one (1) day's notification to the principal sponsor. The sponsor may, however, waive such one-day notification."

(2) On page 6, line 23, by deleting the language ", or, after the 50<sup>th</sup> legislative day, to any bill originating in the Senate".

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE DRIVER

=====  
LC01891/10  
=====

Representatives Driver, Kilmartin and Watson discuss the amendment.

The motion to amend fails on a roll call vote 13 members voting in the affirmative and 53 members voting in the negative as follows:

YEAS - 13: Representatives Driver, Ehrhardt, Handy, Loughlin, MacBeth, Marcello, Newberry, Pacheco, Rice, M., Savage, Walsh, Watson, Winfield.

NAYS - 53: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Martin, Mattiello, McNamara, Melo, Menard, O'Neill, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Williams, Williamson.

**REQUEST**

Representative Winfield requests the journal to reflect that he had voted incorrectly on the amendment (LC01891/10), he should have voted in the negative.

By unanimous consent, Representative Driver, seconded by Representative Ehrhardt offers a written motion to amend.

**F L O O R   A M E N D M E N T**  
**TO**  
**2009 -- H 5529 SUBSTITUTE A**

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

Mr. Speaker:

I hereby move to amend 2009 -- H 5529 SUBSTITUTE A, entitled "HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010", as follows:

(1) On page 7, lines 10 through 14, by deleting the language “; or  
(v) a motion to report the bill or resolution to the House with a recommendation that it be held for further study.

In the event of a tie vote on any of the motions specified in (i), (ii), (iii), (iv) or (v) hereof, the bill or resolution shall be lost”.

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE DRIVER

=====  
LC01891/11  
=====

Representatives Driver and Kilmartin discuss the amendment.

The motion to amend fails on a roll call vote 5 members voting in the affirmative and 62 members voting in the negative as follows:

YEAS - 5: Representatives Driver, Ehrhardt, Loughlin, Newberry, Watson.

NAYS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

By unanimous consent, Representative Driver, seconded by Representative Savage offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2009 -- H 5529 SUBSTITUTE A**

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

Mr. Speaker:

I hereby move to amend 2009 -- H 5529 SUBSTITUTE A, entitled "HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010", as follows:

(1) On page 9, line 9, by deleting the language “, or by two-thirds (2/3) of members present”.

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE DRIVER

=====  
LC01891/12  
=====

Representatives Driver, Kilmartin and Watson discuss the amendment.

The motion to amend fails on a roll call vote 7 members voting in the affirmative and 61 members voting in the negative as follows:

YEAS - 7: Representatives Driver, Ehrhardt, Loughlin, Newberry, Petrarca, Savage, Watson.

NAYS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, O'Neill, Pacheco, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

By unanimous consent, Representative Driver, seconded by Representative Ehrhardt offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2009 -- H 5529 SUBSTITUTE A**

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

Mr. Speaker:

I hereby move to amend 2009 -- H 5529 SUBSTITUTE A, entitled "HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010", as follows:

(1) On page 15, line 12, by deleting the language "to commit or recommit,".

Respectfully submitted,

REPRESENTATIVE DRIVER

=====  
LC01891/13  
=====

Representatives Driver, Kilmartin, Watson, Fox and Newberry discuss the amendment.

The motion to amend prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 0.

**REQUEST**

Representative Corvese requests the journal to reflect that if he had voted on (LC01891/13), he would have voted in the affirmative.

By unanimous consent, Representative Loughlin, seconded by Representative Watson offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2009 -- H 5529 SUBSTITUTE A**

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

Mr. Speaker:

I hereby move to amend 2009 -- H 5529 SUBSTITUTE A, entitled "HOUSE

RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010", as follows:

(1) On page 13, line 1, by deleting the proposed new language "the prime sponsor of a bill or resolution" and restoring the existing language "any member of the House".

(2) On page 13, line 13, by deleting the word and figure "thirty-eight (38)" and inserting in place thereof the word and figure "twenty-five (25)".

(3) On page 13, lines 13-16, by restoring the period (.) on line 13 and by deleting the proposed new language " , provided, however, that if , the bill or resolution is calendared but before it is taken up, enough signatures are withdrawn so that the number of effective signatures falls below thirty-eight (38), the bill or resolution shall pass off the calendar."

Respectfully submitted,

REPRESENTATIVE LOUGHLIN

LC01891/4

Representatives Loughlin, Kilmartin, Ucci discuss the amendment. Representative Ucci requests to vote Section 1 separately. The Honorable Speaker Murphy rules it is divisible.

Representatives Watson, Fox, Handy, Driver, Gemma, Menard, Williamson and Corvese continue discussion on the amendment.

Section 1, lines 3 &4 fails on a roll call vote 1 member voting in the affirmative and 69 members voting in the negative as follows:

YEAS - 1: Representative Watson.

NAYS - 69: 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, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

The balance fails on a roll call vote 11 members voting in the affirmative and 59 members voting in the negative as follows:

YEAS - 11: Representatives Driver, Ehrhardt, Ferri, Handy, Loughlin, MacBeth, Newberry, Rice, M., Savage, Ucci, Watson.

NAYS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Fellela, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello,

Martin, Mattiello, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Ruggiero, San Bento, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

By unanimous consent, Representative Loughlin, seconded by Representative Ehrhardt offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2009 -- H 5529 SUBSTITUTE A**

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

Mr. Speaker:

I hereby move to amend 2009 -- H 5529 SUBSTITUTE A, entitled "HOUSE RESOLUTION ADOPTING RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2009-2010", as follows:

On page 9, line 32, following the word "Council" by inserting the following language: ", and shall identify each proposed legislative grant by the name of the proposed recipient and the dollar amount".

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE LOUGHLIN

=====  
LC01891/6  
=====

Representatives Loughlin discusses the amendment. Majority Leader Fox questions whether the amendment is germane. The Honorable Speaker Murphy rules the amendment is not germane. Representative Loughlin Challenges the Ruling of the Chair, seconded by Representative Watson.

The motion to Uphold the Ruling of the Chair prevails on a roll call vote 62 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 6: Representatives Driver, Ehrhardt, Loughlin, Newberry, Savage, Watson.

Representatives Kilmartin and Loughlin discuss the resolution, as amended. Representative Loughlin requests to vote the resolution, as amended, in sections, page 13 lines 13-16 separately. The Honorable Speaker Murphy rules it is divisible.

Representative Ehrhardt and Ucci discuss the resolution, as amended. Representative Ucci requests to vote page 18, lines 6-8 separately. The Honorable Speaker Murphy rules it is divisible.

Representatives Watson, Corvese and Fox continue discussion on the resolution as amended.

Rule 22, page 13, lines 13-17 prevails on a roll call vote, 57 members voting in the affirmative and 12 members voting in the negative as follows.

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 12: Representatives Driver, Ehrhardt, Fellela, Jackson, Loughlin, MacBeth, Newberry, Petrarca, Savage, Trillo, Ucci, Watson.

Rule 42, section B prevails on a roll call vote, 54 members voting in the affirmative and 15 members voting in the negative as follows.

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Hearn, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, O'Neill, Pacheco, Palumbo, Pollard, Rice, M., Ruggiero, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Vaudreuil, Walsh, Williams, Williamson, Winfield.

NAYS - 15: Representatives Caprio, Driver, Ehrhardt, Gemma, Jackson, Loughlin, Menard, Newberry, Petrarca, Rice, A., Savage, Trillo, Ucci, Wasylyk, Watson.

The balance of the resolution marked Substitute "A", is read and passed, as amended and the original bill indefinitely postponed, on a roll call vote, 62 members voting in the affirmative and 6 members voting in the negative as follows.

YEAS - 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, O'Neill, Pacheco, Palumbo, Petrarca, Pollard,

Rice, A., Rice, M., Ruggiero, Savage, Schadone, Serpa, Shallcross , Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

NAYS - 6: Representatives Driver, Ehrhardt, Loughlin, Newberry, Trillo, Watson.

**2. 2009-H 5445**

**BY Driver**

**ENTITLED, AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING**

Committee on Municipal Government recommends passage.

Representative Gallison moves passage of the act, seconded by Representative Driver.

Representative Driver, Sullivan, Watson and Ucci discuss the act.

Read and passed, on a roll call vote, 65 members voting in the affirmative and 3 members voting in the negative as follows.

YEAS - 65: 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, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Serpa, Shallcross , Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 3: Representatives Fierro, Pacheco, Sullivan.

**3. 2009-H 5973**

**BY DaSilva**

**ENTITLED, HOUSE RESOLUTION SUPPORTING THE EFFORTS OF THE 280 RECENTLY LAID OFF FORMER EMPLOYEES OF THE COLIBRI GROUP**

Ordered to be placed on the House Calendar

Representative DaSilva moves passage of the resolution, seconded by Representatives Williamson, Walsh, Kilmartin, Melo, Dennigan, Pacheco, Almeida, Hearn, Malik, Gemma, M. Rice, Pollard, Fox, Williams, Savage, Watson, Gallison, Lally, Fierro, Guthrie, McNamara, Ferri, Slater, Diaz, Ajello, Handy, Ruggiero, Corvese and Martin.

Representatives Watson and Slater discuss the resolution.

Read and passed, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 69: 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, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**4. 2009-H 5974**

**BY Kilmartin**

**ENTITLED,** HOUSE RESOLUTION PROCLAIMING MARCH 12TH, 2009 AS  
"CATHOLIC SCHOOLS DAY" IN THE STATE OF RHODE ISLAND

Ordered to be placed on the House Calendar

Representative Kilmartin moves passage of the resolution, seconded by Representatives Sullivan, Melo, Coderre, Serpa, Martin, M. Rice, McNamara, Azzinaro, Fierro, Lally, Giannini, Fellela, Corvese, Slater, Diaz, Brien, Gemma and Baldelli-Hunt.

Read and passed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 68: 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, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**TRANSMITTAL**

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to the Honorable Secretary of State and the Honorable Senate, forthwith with the exception of (09-H 5181).

**ANNOUNCEMENTS**

The Honorable Speaker Murphy wishes Representative Joanne Giannini a Happy Birthday on Sunday, March 15<sup>th</sup>.

The Honorable Speaker Murphy wishes Representative Donna Walsh and her husband Henry a Happy “38<sup>th</sup>” Anniversary on Saturday, March 14<sup>th</sup>.

The Honorable Speaker Murphy wishes Representative John McCauley a Happy “51<sup>st</sup>” Birthday.

Representative Williamson announces the Special Legislative Commission to study all aspects of the State Pension and Retirement System will still be meeting at the rise of the House in the House Lounge.

Representative Diaz announces that the Committee on Health, Education and Welfare will meet at the rise of the House, in Room 135 of the State House.

Representative Williams announces that the Committee on Labor will meet at the rise of the House, in Room 201 of the State House.

Representative Handy announces that the Committee on Environment and Natural Resources will meet at the rise of the House, in Room 207 of the State House

### GUESTS

Representative DaSilva welcomes to the Chamber as guests Alda Bonin, Michael Masi and Iris Medina.

Representative Winfield welcomes to the House Chamber as guests recipients of the 2009 Hoby Baker Award as follows: Michael Murphy, Kristina Vongerichten, James Cavanagh, John J. Hanley, Corinne Mattera, Justin Dimaio, Brett Saquid, Brittany Foster, Matt Hayes, John McCarthy, Jesse Joy, Aaron Broccoli, Frederick M. Vicario, Kaitlin O’Donnell, Scott Boulis, Eliza Jalbert, Ryan Hebel, Jason Perfetto, Craig Larisa, Kyle Beauchamp, Kaeli Havunen, Reilly Loomis, Evan Schwender, Matthew Rei, Peter Brissette, Jocelyn Mandeville, Kyle Maxfield, Colin Cunniff, Matt Chappell, Taylor Polhemus, Patrick Rock, Brad Jackson, Eric Papa, Cody Lange, Dan Morrissey, Megan McGhie, Matthew Tougas, Stephen Henn, Megan Vittum, Kyle Treanor, Bob Colombi and Nicholas Leandro.

--

The Honorable Speaker Murphy congratulates the winners, coaches and parents.

Representative Sullivan welcomes to the House as a guest Sally Hitchcock.

### ADJOURNMENT

At 6:00 o’clock P.M. on motion of Representative Williamson, and as a further mark of respect to the memory of Manuel L. Deus; on motion of Representative Giannini, and as a further mark of respect to the memories of Lillian Bolodian and Julia West; on motion of Representative M. Rice and as a further mark of respect to the memory of Joseph G. “Pippy” Boragine; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy  
Recording Clerk

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE ARTHUR J. CORVESE**

Dear Lord, bestow your blessings on all assembled in this chamber. Help us to always bear in mind that the people who elected us to serve them have placed their trust in us. May we serve them well in the ways in which you have taught us. Amen