

**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. 39

Wednesday, April 22, 2009

Thirty-ninth Day

---

The House of Representatives meets at the State House in Providence, Wednesday, April 22, 2009 and is called to order at 4:23 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 68 members present and 7 members absent as follows:

**PRESENT - 68:** The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Coderre, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, A. Rice, M. Rice, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

**ABSENT - 7:** Representatives Carter, Corvese, Gablinske, Jacquard, Malik, Palumbo, Sullivan.

**INVOCATION**

The Honorable Speaker presents Representative Guthrie 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 Tuesday, April 21, 2009 is approved as printed.

**ANNOUNCEMENTS**

Representative Arthur Corvese will be unable to attend session Wednesday, April 22, 2009.

Representative Jan Malik will be out of town and unable to attend session Wednesday, April 22 through Thursday, April 30, 2009.

**REPORT OF COMMITTEE****COMMITTEE ON JUDICIARY**

Representative Lally, for the Committee on Judiciary, reports back the following measure, with recommendation of passage:

**House Bill No. 6098**

**BY** Ruggiero

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow William Loehning to join Kara McDonough and Mark Pollard in marriage within the Town of Jamestown, Rhode Island on or about September 5, 2009) {LC2391/1}

04/22/2009 Placed on House Calendar

**NEW BUSINESS****House Bill No. 6117**

**BY** Marcello, Kilmartin, Hearn, Gemma, Shallcross Smith

**ENTITLED**, AN ACT RELATING TO INSURANCE - LARGE GROUP HEALTH INSURANCE {LC2416/1}

04/22/2009 Introduced, referred to House Corporations

**House Bill No. 6118 (Attorney General)**

**BY** Diaz, Slater

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS {LC385/1}

04/22/2009 Introduced, referred to House Judiciary

**House Bill No. 6119**

**BY** DaSilva, Kilmartin, Martin

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - ASSAULTS {LC2442/1}

04/22/2009 Introduced, referred to House Judiciary

**House Bill No. 6120**

**BY** Marcello

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2418/1}

04/22/2009 Introduced, referred to House Judiciary

**House Bill No. 6121****BY** Petrarca**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION {LC2483/1}

04/22/2009 Introduced, referred to House Municipal Government

**House Resolution No. 6122****BY** Silva, Vaudreuil**ENTITLED**, HOUSE RESOLUTION CONGRATULATING THE CENTRAL FALLS ATHLETIC TEAMS ON THEIR CHAMPIONSHIP SEASONS {LC2522/1}

Representative Silva requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Silva seconded by Representative Vaudreuil and many other members of the House by unanimous consent, on a voice vote.

**House Resolution No. 6123****BY** Fox**ENTITLED**, HOUSE RESOLUTION AMENDING THE RULES OF THE HOUSE FOR THE YEARS 2009 - 2010 {LC2499/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representative Kilmartin by unanimous consent, on a voice vote.

**House Resolution No. 6124****BY** Dennigan, Driver, Slater, Walsh, Vaudreuil**ENTITLED**, HOUSE RESOLUTION HONORING THE RHODE ISLAND STATE ALLIANCE OF YMCAS {LC2487/1}

Representative Dennigan requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Dennigan seconded by Representatives Naughton, Ferri, Trillo, M. Rice, Diaz and many other members of the House by unanimous consent, on a voice vote.

**House Resolution No. 6125****BY** Coderre E, Kilmartin, Lima, Murphy, Fox**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE ANDREW E. MCCONNELL {LC2516/1}

Representative Coderre requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Coderre seconded by Representatives Kilmartin, Dennigan, O'Neill, San Bento and Watson by unanimous consent, on a rising vote.

**House Resolution No. 6126**

**BY** Lima, Wasylyk, Gallison, Melo

**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO EXAMINE THE ISSUE OF LICENSING BUILDERS AND CONTRACTORS {LC2495/1}

Representative Lima requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Lima seconded by Representatives Wasylyk, Gallison and many other members of the House by unanimous consent, on a voice vote.

**House Resolution No. 6127**

**BY** Baldelli-Hunt, Brien, Fierro, MacBeth, Fellela

**ENTITLED**, HOUSE RESOLUTION EXPRESSING OUR DEEPEST SYMPATHY ON THE UNTIMELY PASSING OF CARRIE MILLICENTE MENARD PILAVIN {LC2517/1}

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, Fierro and many other members of the House by unanimous consent, on a rising vote.

**By the agreement of the Majority and the Minority, Representative Trillo requests to place (09-H 6128) on the top of tomorrow's Calendar. There is no objection.**

**House Resolution No. 6128**

**BY** Trillo

**ENTITLED**, HOUSE RESOLUTION PROCLAIMING WARWICK ICE CREAM THE OFFICIAL ICE CREAM OF THE STATE OF RHODE ISLAND {LC2439/1}

04/22/2009 Placed on House Calendar

**By the agreement of the Majority and the Minority, Representative Coderre requests to place (09-H 6129) on tomorrow's Calendar. There is no objection.**

**House Resolution No. 6129**

**BY** Coderre E, Kennedy, Marcello, Petrarca, O'Neill JP

**ENTITLED**, HOUSE RESOLUTION REQUESTING THE RHODE ISLAND PUBLIC TRANSIT AUTHORITY TO REPORT ON THE ESTABLISHMENT OF A STATEWIDE WHEELCHAIR ACCESSIBLE TRANSPORTATION SERVICE {LC2528/1}

04/22/2009 Placed on House Calendar

## CALENDAR

From the Calendar are taken:

**IN ORDER FOR WEDNESDAY, APRIL 22, 2009:****1 2009-H 6013****BY Azzinaro****ENTITLED, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY**

Committee on Municipal Government recommends passage.

Representative Fox moves to recommit to the Committee on Municipal Government. There is no objection.

Read and recommitted to the Committee on Municipal Government.

**2 2009-H 6010****BY Naughton****ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY PSYCHIATRIC HOLDS IN HOSPITAL EMERGENCY DEPARTMENTS**

Committee on Constituent Services recommends passage.

Representative Giannini moves passage of the resolution, seconded by Representatives Naughton, Dennigan, M. Rice and many other members of the House.

Read and passed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 0.

**3 2009-H 6068****BY Williamson****ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF**

THE CHARTER OF THE BIG NEW ENGLAND FOOTBALL CLINIC,  
INC.

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives Williamson and many other members of the House.

Read and passed, 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, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**4 2009-H 6075**

**BY Gallison**

**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representative Gallison and many other members of the House.

Read and passed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Coderre, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**5 2009-H 6076****BY McNamara****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives McNamara, Gemma, Naughton and many other members of the House.

Read and passed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Coderre, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**6 2009-H 5055****BY Corvese****ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE**

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, April 23, 2009.

**7 2009-H 5057****BY Corvese****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS**

Committee on Municipal Government recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, April 23, 2009.

**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.

**ANNOUNCEMENTS**

Representative Fierro wishes his grandmother and grandfather a Happy “59<sup>th</sup>” Wedding Anniversary.

Representative Serpa congratulates and commends the West Warwick winners in the SKILLS USA COMPETITION at the Warwick Area Career and Tech Center: Ty Bailey, Tabitha Aube, Michael DeGrasse, Jessica Johnson, April Lemois, Derek Hebert, Macy Tyler, Andrew Simas, John Carvalho, Joshua Allard and Zachery Laurent.

Representative Lima announces Friday, April 24<sup>th</sup> is the deadline to file RI Ethics Commission papers.

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

Representative Hearn congratulates Joan and Anthony Arico on their 51<sup>st</sup> wedding anniversary.

**GUESTS**

Representative Silva welcomes to the House Chamber as guests and congratulates **Central Falls High School Girls Volleyball-Varsity 2008-2009 Division III Champions (regular season) and Division III State Champions** along with Head Coach: Richard Sousa, Division III Coach of the Year 2008-2009, Players: Natalia Szulc, Julia Pickett, Alba Vargas, Sofia Silva, Soto Marianae, Asisis Wessin –Captain, Maria Budzyna, Melanie Velez, Valarie Biascochea - Captain, Sasha Gonzalez, Sakira Wilson and Anairis Rodriguez; Athletic Director: Kathleen Luther, RI Interscholastic Athletic Administrators Association Athletic Director of the Year; **Central Falls High School Girls JV Volleyball 2008-2009 Division III JV State Champions** along with their Coach: Jorge Torres, Players: Ana German, Diana Giraldo, Kayla Camara, Brianna Cooley, Anjelique Cooley, Leticia Osorio, Raquel Hernandez and Antoinette Kou; **Central Falls High School Girls Basketball Varsity 2008-2009 Division III Champions (regular season) Division III State Champions (double overtime winners)** along with their Head Coach: Joe Handy, Male Coach of the Year 2008-2009, Players: Anjelique Cooley, Holly Webb, Alyssa Polion, Brianna Cooley, Halie Webb, Jenny Gonzalez – Captain, Valarie Biascochea – Captain, Sakira Wilson, Shariela Jimenez, Adda Sokona and Anairis Rodriguez; **Central Falls High School Boys Basketball – Varsity 2008-2009 Division III Champions (regular season) Division III Runner-Up State Champions** along with their Manager: Tiryll Barata, Players: Kevin Cleveland, Luis Pena – Captain, Eric Wilcox, Cory Cassamas, Kelvin Lopes, Jason Pita, Kevin Figueiredo, George Carle – Captain, Antonio Mena, Angel Gonzalez, Albert Bello, James Londono, Aneury Florentino and Robert Alers.

Representative Dennigan welcomes to the House Chamber as guests Harold Hemberger- Executive Director of the Smithfield YMCA; Mike Norklun- Executive Director Cranston YMCA; Mike Fournier- Leadership Director YMCA; Karen Leslie- Executive Director of the Greater Providence YMCA.



**ADJOURNMENT**

At 4:55 o'clock P.M. on motion of Representative Ehrhardt, and as a further mark of respect to the memory of Rita Anne Carter, daughter-in-law of Representative Kenneth Carter; on motion of Representatives Kilmartin and Coderre, and as a further mark of respect to the memory of the Honorable Andrew McConnell; on motion of Representative DaSilva, and as a further mark of respect to the memory of Edward (Branco) White; on motion of Representative M. Rice and as a further mark of respect to the memory of Kathy S. Connors; on motion of Representative Baldelli-Hunt, and as a further mark of respect to the memory of Carrie Millicente Menard Pilavin; on motion of Representative Williamson, and as a further mark of respect to the memory of Raymond Babiec; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
**Recording Clerk**

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE SCOTT GUTHRIE**

Gracious God, allow us to create a safe environment for those who have been entrusted to us.  
Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, APRIL 23, 2009:

1 2009-H 6128

BY Trillo

ENTITLED, HOUSE RESOLUTION PROCLAIMING WARWICK ICE CREAM  
THE OFFICIAL ICE CREAM OF THE STATE OF RHODE ISLAND

Ordered on the Calendar

2 2009-H 6129

BY Coderre E

ENTITLED, HOUSE RESOLUTION REQUESTING THE RHODE ISLAND  
PUBLIC TRANSIT AUTHORITY TO REPORT ON THE  
ESTABLISHMENT OF A STATEWIDE WHEELCHAIR  
ACCESSIBLE TRANSPORTATION SERVICE

Ordered on the Calendar

3 2009-H 5055

BY Corvese

ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE

Committee on Municipal Government recommends passage.

4 2009-H 5057

BY Corvese

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL  
POWERS

Committee on Municipal Government recommends passage.

IN ORDER FOR TUESDAY, APRIL 28, 2009:

1 2009-H 6098

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Francis P. McCabe  
Clerk of the House