

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. 42

Wednesday, April 29, 2009

Forty-second Day

The House of Representatives meets at the State House in Providence, Wednesday, April 29, 2009 and is called to order at 4:17 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, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, M. Rice, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 3: Representatives Flaherty, Malik, A. Rice.

INVOCATION

The Honorable Speaker presents Representative Carter 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 28, 2009 is approved as printed.

ANNOUNCEMENT

Representative Amy Rice is out of state on business and will be unable to attend session Wednesday, April 29, 2009.

APPOINTMENT

April 29, 2009

I hereby appoint Representative Kenneth Carter as Vice Chairman of the House Finance Committee.

William J. Murphy
SPEAKER

REPORTS OF COMMITTEES**COMMITTEE ON CORPORATIONS**

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

House Bill No. 5774 (Business Regulation)

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE -- ADMINISTRATIVE SUPERVISION
{LC1666/1}

04/29/2009 Placed on House Calendar

House Bill No. 5775 SUB A (Business Regulation)

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE - FRAUD PREVENTION
{LC1667/1/A}

04/29/2009 Placed on House Calendar

House Bill No. 5779 (Business Regulation)

BY Ehrhardt

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
{LC1518/1}

04/29/2009 Placed on House Calendar

House Bill No. 5821 (Transportation)

BY Ehrhardt

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND PUBLIC RAIL CORPORATION ACT {LC1616/1}

04/29/2009 Placed on House Calendar

House Bill No. 5826 SUB A (Business Regulation)
BY Newberry
ENTITLED, AN ACT RELATING TO INSURANCE {LC1672/1/A}
04/29/2009 Placed on House Calendar

House Bill No. 5824
BY Kilmartin
ENTITLED, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS
{LC1934/1}
04/29/2009 Placed on House Calendar

House Bill No. 5822 SUB A (Business Regulation)
BY Newberry
ENTITLED, AN ACT RELATING TO INSURANCE {LC1669/1/A}
04/29/2009 Placed on House Calendar

House Bill No. 5772 SUB A (Business Regulation)
BY Watson
ENTITLED, AN ACT RELATING TO INSURANCE {LC1600/1/A}
04/29/2009 Placed on House Calendar

House Bill No. 5769 (Business Regulation)
BY Loughlin
ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETES - BOXING
{LC1520/1}
04/29/2009 Placed on House Calendar

House Bill No. 5704 SUB A (Business Regulation)
BY Kennedy
ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS (would amend existing requirements for the licensing of mortgage loan originators in order to effect the provisions of the Secure and Fair Enforcement for Mortgage Licensing Act) {LC2048/2/A}
04/29/2009 Placed on House Calendar

House Bill No. 5607 SUB A
BY Slater, Diaz, Williams
ENTITLED, AN ACT RELATING TO TAXATION - CIGARETTE TAX (would provide that no license or permit to sell cigarettes would be issued or renewed unless the licensee has paid all current, fees, fines or other outstanding charges) {LC1717/1/A}
04/29/2009 Placed on House Calendar

House Bill No. 5536 SUB A
BY Kennedy, Costantino, Carter, Naughton, Melo
ENTITLED, AN ACT RELATING TO INSURANCE - SMALL EMPLOYER HEALTH INSURANCE (would limit any increased adjustments to premium rates based on age and gender, to 20%. It would also allow for differences in rates based on age and gender in otherwise identical groups) {LC1832/1/A}
04/29/2009 Placed on House Calendar

House Bill No. 5453 SUB A**BY** Kennedy, Naughton, Gemma**ENTITLED**, AN ACT RELATING TO INSURANCE -- RENTAL NETWORK CONTRACT ARRANGEMENTS (would allow for the rental of health care providers' services and contractual discounts, while ensuring that network access information is available to health care providers) {LC1039/1/A}

04/29/2009 Placed on House Calendar

House Bill No. 5345**BY** McCauley, Schadone, Corvese, Caprio D, Palumbo**ENTITLED**, AN ACT RELATING TO SPORTS RACING AND ATHLETICS -- MIXED MARTIAL ARTS (would permit mixed martial arts matches in Rhode Island and provides the rules, regulations and guidelines for such matches) {LC694/1}

04/29/2009 Placed on House Calendar

House Bill No. 5244**BY** Corvese**ENTITLED**, AN ACT RELATING TO FIDUCIARIES - UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS {LC681/1}

04/29/2009 Placed on House Calendar

COMMITTEE ON JUDICIARY

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

House Bill No. 5227 SUB A**BY** Coderre E, Giannini, Serpa, Shallcross Smith**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND EXECUTION {LC486/1/A}

04/29/2009 Placed on House Calendar

House Bill No. 5289**BY** Gallison, Gablinske, Hearn, Malik, O'Neill JP**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - ALCOHOL BOATING SAFETY (would increase the penalties for persons under the age of 21 who operate watercraft while under the influence of intoxicating liquor.) {LC909/1}

04/29/2009 Placed on House Calendar

House Bill No. 5370**BY** Coderre E, Naughton, Serpa, Williams, Giannini**ENTITLED**, AN ACT RELATING TO ELECTIONS -- ADDRESS CONFIDENTIALITY OF DOMESTIC VIOLENCE VICTIMS (would expand the list of those persons/voters who may protect the confidentiality of their addresses from the recipients of domestic violence restraining orders to include members of their household.) {LC972/1}

04/29/2009 Placed on House Calendar

House Bill No. 5376**BY** Ajello, Fox, Walsh, Lally, Handy**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ADMINISTRATIVE PROCEDURES (would require the secretary of state to post advanced notices of proposed agency rulemaking on its website) {LC762/1}

04/29/2009 Placed on House Calendar

House Bill No. 5432**BY** Ajello, Walsh, Handy, Rice A, Segal**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE (would make the definitions of disability, sexual orientation, gender identity and expression the same as set forth in Rhode Island general laws section 11-24-2.1) {LC1166/1}

04/29/2009 Placed on House Calendar

House Bill No. 5560**BY** Gallison, Azzinaro, Edwards, Silva, Jackson**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- TRESPASS AND VANDALISM (would make it a criminal offense to willfully cover or keep covered any public statue or monument) {LC1998/1}

04/29/2009 Placed on House Calendar

House Bill No. 5657 SUB A**BY** Ruggiero, Gallison, Rice M, Pacheco, Ajello**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE SALES DISCLOSURES (would amend the real estate sales disclosure requirements to make specific reference to conservation and preservation easements and restrictions) {LC1571/1/A}

04/29/2009 Placed on House Calendar

House Bill No. 5097**BY** Brien, Newberry, MacBeth, Gemma, Mattiello**ENTITLED**, AN ACT RELATING TO ELECTIONS - VOTER IDENTIFICATION (would provide that, any person claiming to be a registered and eligible voter who desires to vote at a primary election, special election or general election, shall provide proof of identity) {LC438/1}

04/29/2009 Placed on House Calendar

House Bill No. 5175**BY** Savage, DaSilva, Melo**ENTITLED**, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT (would provide greater benefits to residential tenants sixty-two (62) years of age and older who move from a rental premises.) {LC236/1}

04/29/2009 Placed on House Calendar

House Bill No. 5489**BY** Lally, Jackson**ENTITLED**, AN ACT RELATING TO PROPERTY (would reduce the time after which a recorded mortgage would be unenforceable against the real estate securing the mortgage)

{LC1076/1}

04/29/2009 Placed on House Calendar

House Bill No. 5290

BY O'Neill JP, Petrarca, Lally

ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS (would set the statewide poll closing time at 8:00 p.m.) {LC855/1}

04/29/2009 Placed on House Calendar

House Bill No. 5568

BY Lally, Brien

ENTITLED, AN ACT RELATING TO TAXATION - ESTATE AND TRANSFER TAXES - ENFORCEMENT AND COLLECTION (require the termination of a real property estate tax lien upon the expiration of 10 years after the death of the individual whose act, failure to act, or death gave rise to the lien, regardless of when the date of death occurred) {LC1682/1}

04/29/2009 Placed on House Calendar

House Bill No. 5949 SUB A

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/A}

04/29/2009 Placed on House Calendar

COMMITTEE ON LABOR

Representative Corvese, for the Committee on Labor, reports back the following measures, with recommendation of passage:

House Bill No. 5143

BY Brien, Gemma, Mattiello, Gablinske, Trillo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS (would establish the E-Verify compliance chapter. It would also require all non- governmental employers within the state with three (3) or more employees to apply to participate in the E-Verify program and to participate if accepted.) {LC326/1}

04/29/2009 Placed on House Calendar

House Bill No. 5246 SUB A

BY Corvese, Petrarca, San Bento, Carter, Melo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS (would add maintenance to those services for which a licensed electrician is required. In addition, it would include members of the board of examiners among those permitted to conduct inspections) {LC804/1/A}

04/29/2009 Placed on House Calendar

House Bill No. 5247

BY Corvese, Petrarca, San Bento, Carter, Melo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS (would limit the types of power companies that are excluded from the

requirements of chapter 5-6 to those power companies that are power utility companies)
{LC807/1}
04/29/2009 Placed on House Calendar

House Bill No. 5302

BY Corvese, Melo

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ELECTRICIANS (would amend various requirements for electricians to include journeypersons
with class B and M licenses.) {LC806/1}
04/29/2009 Placed on House Calendar

House Bill No. 5581

BY Lally

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND
PAYMENT OF DEBTS
BY CONTRACTORS (would require contractors and subcontractors who are awarded projects
for public works contracts to furnish payroll records to the director of labor and training on a
monthly basis) {LC1761/1}
04/29/2009 Placed on House Calendar

House Bill No. 5819 (Labor & Training)

BY Newberry

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - TRADE
LICENSE RENEWAL SCHEDULES {LC1608/1}
04/29/2009 Placed on House Calendar

House Bill No. 6057

BY Corvese, Melo, Palumbo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - OVERTIME
CALCULATION {LC2295/1}
04/29/2009 Placed on House Calendar

NEW BUSINESS

House Bill No. 6151

BY Edwards

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
CHARTER OF THE PORTSMOUTH DEMOCRATIC WOMEN'S CLUB {LC2551/1}
04/29/2009 Introduced, referred to House Corporations

House Bill No. 6152

BY Silva, Gallison, Almeida, Carnevale, Vaudreuil

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE ALARM
COMPLIANCE DEADLINE {LC2521/1}
04/29/2009 Introduced, referred to House Corporations

House Bill No. 6153**BY** Lima, MacBeth, Handy, Ajello, Dennigan**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- TOXIC MOLD PROTECTION ACT {LC2492/1}

04/29/2009 Introduced, referred to House H.E.W.

House Bill No. 6154**BY** Segal**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - TRESPASS AND VANDALISM {LC2544/1}

04/29/2009 Introduced, referred to House Judiciary

House Bill No. 6155**BY** Martin, Shallcross Smith, Walsh, DaSilva**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2523/1}

04/29/2009 Introduced, referred to House Judiciary

By the agreement of the Majority and the Minority, Representative M. Rice requests to place (09-H 6156) on the top of tomorrow's Calendar. There is no objection.

House Resolution No. 6156**BY** Rice M, Carter, Walsh, Caprio D, Pacheco**ENTITLED**, JOINT RESOLUTION HONORING ROBERT L. CAROTHERS ON HIS RETIREMENT AS PRESIDENT OF THE UNIVERSITY OF RHODE ISLAND {LC2563/1}

04/29/2009 Placed on House Calendar

House Resolution No. 6157**BY** Carter, Gallison, Loughlin, Martin, Gemma**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO UNDERTAKE A COMPREHENSIVE STUDY OF THE VETERANS HOME IN BRISTOL AND DEVELOP A MASTER PLAN FOR THE OVERALL FUTURE DIRECTION OF THE FACILITY {LC2437/1}

Representative Carter requests unanimous consent for immediate consideration.

There is no objection.

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

By the agreement of the Majority and the Minority, Representative Ucci requests to place (09-H 6158) on the top of the Calendar for Tuesday, May 5, 2009. There is no objection.

House Bill No. 6158**BY** Lima, Marcello, Ucci, Mattiello, Handy**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION {LC2561/1}

04/29/2009 Placed on House Calendar

RULE 17

The following bills were received pursuant to Rule 17:

Representative Lima-Health & Safety

COMMUNICATION FROM THE SENATE

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

Senate Resolution No. 716

BY Doyle, Algieri, Maselli, Tassoni, McBurney

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL JOINT COMMISSION TO STUDY THE EDUCATION OF CHILDREN WITH AUTISM IN THE STATE OF RHODE ISLAND (would create a twenty-four (24) member special joint commission whose purpose it would be to make a comprehensive study of the education of children with autism) {LC2062/1} 04/29/2009 Referred to House H.E.W.

Senate Bill No. 413 SUB A

BY Lenihan, Cote, Sheehan

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- HEALTH AND EDUCATION BUILDING CORPORATION (would require that appointees to the Rhode Island health and education building corporation board of directors receive the advice and consent of the senate) {LC303/1/A}

04/29/2009 Referred to House Finance

Senate Bill No. 211 as amended

BY Ciccone, Tassoni, Ruggerio, Jabour

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES (would restrict the use of radio frequency identification devices for the purpose of tracking the movement or identity of a student while on school grounds, at school functions or while being transported to and from school grounds or functions.) {LC323/1}

04/29/2009 Referred to House Judiciary

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, APRIL 29, 2009:**1 2009-H 6150**

BY Martin

ENTITLED, HOUSE RESOLUTION DECLARING MAY 2, 2009 MARY FERRAZZOLI DAY IN THE STATE OF RHODE ISLAND

Ordered on the Calendar

NOW PRESIDING

At 4:22 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

Representative Martin moves passage of the resolution, seconded by Representatives Handy and Watson. Read and passed by unanimous consent on a voice vote.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Peter Kilmartin, State Representative, District 61, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (09-H 5053 Sub A)
2. (Nature of the potential conflict) I have the following interest in the matter:
My employer represented a party in a zoning matter on this parcel of land.
3. (Complete and (A.) or (B.) and cross out whichever does not apply
B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

PETER F. KILMARTIN
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 29th day of April, 2009.

ALISA SARKISIAN
NOTARY PUBLIC

Representative Kilmartin is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

CHARLENE LIMA
SPEAKER PRO TEMPORE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

STATEMENT OF CONFLICT OF INTEREST PURSUANT TO RIGL 36-14-6

I, Peter Petrarca, State Representative, District 44, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (09-H 5053 Sub A)
2. (Nature of the potential conflict) I have the following interest in the matter:
3. (Complete and (A.) or (B.) and cross out whichever does not apply
B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

PETER PETRARCA
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 29th day of April, 2009.

J. PATRICK O'NEILL
NOTARY PUBLIC

Representative Petrarca is excused from voting on or participating in the consideration of the matter described in paragraph 1, above.

CHARLENE LIMA
SPEAKER PRO TEMPORE

2 2009-H 5053 SUB A

BY Corvese

**ENTITLED, AN ACT TO AUTHORIZE THE TOWN OF NORTH PROVIDENCE
TO TAKE LAND BY EMINENT DOMAIN**

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

Representative Gallison moves passage of the act, seconded by Representatives Corvese and Wasylyk.

Representatives Watson, Corvese, McCauley, Baldelli-Hunt, Williams, Gablinske and Loughlin discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 54 members voting in the affirmative and 11 members voting in the negative as follows.

YEAS - 54: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Guthrie, Handy, Hearn, Jackson, Jacquard, Lima, MacBeth, Marcello, Mattiello, McNamara, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 11: Representatives Baldelli-Hunt, Driver, Ehrhardt, Kennedy, Loughlin, Martin, McCauley, Menard, Newberry, Trillo, Watson.

REQUESTS

Representatives Lally and Sullivan request the journal to reflect that if they had voted on (09-H 5053 SUB A), they would have voted in the affirmative.

3 2009-H 5595

BY Edwards

ENTITLED, AN ACT RELATING TO THE NORTH TIVERTON FIRE DISTRICT

Committee on Municipal Government recommends passage.

Representative Gallison moves passage of the act, seconded by Representatives Kilmartin, Edwards and Loughlin.

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, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUESTS

Representatives Lally and Sullivan request the journal to reflect that if they had voted on (09-H 5595), they would have voted in the affirmative.

4 2009-H 5596**BY Edwards****ENTITLED,** AN ACT RELATING TO AN ACT TO INCORPORATE THE STONE BRIDGE FIRE DISTRICT AND TO FINANCE A SUPPLY OF WATER FOR THE TOWN OF TIVERTON

Committee on Municipal Government recommends passage.

Representative Gallison moves passage of the act, seconded by Representatives Loughlin and Edwards.

Read and passed, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 70: 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, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

REQUEST

Representatives Sullivan requests the journal to reflect that if he had voted on (09-H 5596), he would have voted in the affirmative.

5 2009-H 5957**BY Gallison****ENTITLED,** AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX - BRISTOL

Committee on Municipal Government recommends passage.

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

Representative Watson discusses the act.

Read and passed, on a roll call vote, 57 members voting in the affirmative and 10 members voting in the negative as follows.

YEAS - 57: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver,

Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Jackson, Kennedy, Kilmartin, Lally, Lima, MacBeth, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Pacheco, Palumbo, Pollard, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 10: Representatives Gemma, Hearn, Jacquard, Loughlin, Marcello, Newberry, Petrarca, Rice, M., Trillo, Watson.

REQUEST

Representative Sullivan requests the journal to reflect that if he had voted on (09-H 5957), he would have voted in the affirmative.

6 2009-H 6081

BY Driver

ENTITLED, AN ACT CREATING THE OAK RIDGE CONDOMINIUM WATER DISTRICT

Committee on Municipal Government recommends passage.

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

Representative Watson discusses the act.

Read and passed, on a roll call vote, 68 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 68: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Watson.

REQUEST

Representative Sullivan requests the journal to reflect that if he had voted on (09-H 6081), he would have voted in the affirmative.

7 2009-H 6108

BY Edwards

ENTITLED, AN ACT RELATING TO THE TOWN OF TIVERTON

Committee on Municipal Government recommends passage.

Representative Gallison moves passage of the act, seconded by Representatives Edwards and Loughlin.

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: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, 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, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, 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.

ANNOUNCEMENTS

Representative Pacheco congratulates former Representative Ray Church and his wife Carol on the birth their grandson Max Stewart Hawes, 7lbs. 8ozs.

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

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

Representative Kennedy announces that the Committee on Corporations will meet at the rise of the House, in Room 203 of the State House

Representative Jacquard announces that the Committee on Finance will reconvene at the rise of the House, in Room 35 of the State House.

GUEST

Representative Melo welcomes to the House Chamber as a guest his sister-in-law, Margarate Melo from Maryland.

ADJOURNMENT

At 5:02 o'clock P.M. on motion of Representative Naughton, and as a further mark of respect to the memory of Ralph N. Hallquist; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE KENNETH CARTER

We ask, that You guide us, Lord, in broadening our minds and extending ourselves in service to our constituents. May we better understand their concerns and needs and do our best to assist them. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, APRIL 30, 2009:

1 2009-H 6156**BY Rice M****ENTITLED,** JOINT RESOLUTION HONORING ROBERT L. CAROTHERS ON HIS RETIREMENT AS PRESIDENT OF THE UNIVERSITY OF RHODE ISLAND

Ordered on the Calendar

2 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

3 2009-H 5103**BY Serpa****ENTITLED,** AN ACT AUTHORIZING RHODE ISLAND COLLEGE STUDENT COMMUNITY GOVERNMENT, INC., TO INCREASE ITS HOLDINGS TO AN AMOUNT NOT EXCEEDING TWO MILLION DOLLARS (\$2,000,000)

Committee on Corporations recommends passage.

4 2009-H 5114**BY Lima****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES

Committee on Corporations recommends passage.

5 2009-H 5193 SUB A**BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE RATINGS

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

6 2009-H 5393**BY Slater****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- CENTER FOR HEALTH PROFESSIONS ACT

Committee on Corporations recommends passage.

7 2009-H 5449**BY Naughton****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - LONG TERM CARE COORDINATING COUNCIL

Committee on Corporations recommends passage.

8 2009-H 5609**BY Gallison****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Corporations recommends passage.

9 2009-H 5767**BY Naughton****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - HEALTH INSURANCE -- EARLY INTERVENTION SERVICES

Committee on Corporations recommends passage.

10 2009-H 5770**BY Watson****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS - THE PRESCRIBING SAFETY ACT

Committee on Corporations recommends passage.

11 2009-H 5771 SUB A**BY Watson****ENTITLED,** AN ACT RELATING TO INSURANCE - RHODE ISLAND LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT

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

12 2009-H 5825**BY Costantino****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Corporations recommends passage.

13 2009-H 5906 SUB A**BY Serpa****ENTITLED,** AN ACT RELATING TO PROPERTY - CONDOMINIUM
MANAGEMENT

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

14 2009-H 5121 SUB A**BY Fox****ENTITLED,** AN ACT RELATING TO STATUTES AND STATUTORY
CONSTRUCTION

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

15 2009-H 6120**BY Marcello****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

16 2009-H 6132**BY O'Neill JP****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

17 2009-H 6134**BY Caprio D****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Committee on Judiciary recommends passage.

IN ORDER FOR TUESDAY, MAY 5, 2009:**1 2009-H 6158****BY Lima****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
TAXATION

Ordered on the Calendar

2 2009-H 5244**BY Corvese****ENTITLED,** AN ACT RELATING TO FIDUCIARIES - UNIFORM
MANAGEMENT OF INSTITUTIONAL FUNDS

Committee on Corporations recommends passage.

3 2009-H 5345**BY McCauley****ENTITLED,** AN ACT RELATING TO SPORTS RACING AND ATHLETICS --
MIXED MARTIAL ARTS

Committee on Corporations recommends passage.

4 2009-H 5453 SUB A**BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE -- RENTAL NETWORK
CONTRACT ARRANGEMENTSCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**5 2009-H 5536 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE - SMALL EMPLOYER
HEALTH INSURANCECommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**6 2009-H 5607 SUB A****BY Slater****ENTITLED,** AN ACT RELATING TO TAXATION - CIGARETTE TAXCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**7 2009-H 5704 SUB A****BY Kennedy****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONSCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**8 2009-H 5769****BY Loughlin****ENTITLED,** AN ACT RELATING TO SPORTS, RACING, AND ATHLETES -
BOXING

Committee on Corporations recommends passage.

9 2009-H 5772 SUB A**BY Watson****ENTITLED,** AN ACT RELATING TO INSURANCE

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

10 2009-H 5774

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE -- ADMINISTRATIVE SUPERVISION

Committee on Corporations recommends passage.

11 2009-H 5775 SUB A

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE - FRAUD PREVENTION

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

12 2009-H 5779

BY Ehrhardt

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Corporations recommends passage.

13 2009-H 5821

BY Ehrhardt

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND PUBLIC RAIL CORPORATION ACT

Committee on Corporations recommends passage.

14 2009-H 5822 SUB A

BY Newberry

ENTITLED, AN ACT RELATING TO INSURANCE

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

15 2009-H 5824

BY Kilmartin

ENTITLED, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS

Committee on Corporations recommends passage.

16 2009-H 5826 SUB A

BY Newberry

ENTITLED, AN ACT RELATING TO INSURANCE

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

IN ORDER FOR WEDNESDAY, MAY 6, 2009:

1 2009-H 5227 SUB A

BY Coderre E

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND EXECUTION

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

2 2009-H 5289

BY Gallison

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - ALCOHOL BOATING SAFETY

Committee on Judiciary recommends passage.

3 2009-H 5370

BY Coderre E

ENTITLED, AN ACT RELATING TO ELECTIONS -- ADDRESS CONFIDENTIALITY OF DOMESTIC VIOLENCE VICTIMS

Committee on Judiciary recommends passage.

4 2009-H 5376

BY Ajello

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ADMINISTRATIVE PROCEDURES

Committee on Judiciary recommends passage.

5 2009-H 5432

BY Ajello

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE

Committee on Judiciary recommends passage.

6 2009-H 5560

BY Gallison

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- TRESPASS AND VANDALISM

Committee on Judiciary recommends passage.

7 2009-H 5657 SUB A**BY Ruggiero****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
REAL ESTATE SALES DISCLOSURES

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

8 2009-H 5143**BY Brien****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage.

9 2009-H 5246 SUB A**BY Corvese****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ELECTRICIANS

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

10 2009-H 5247**BY Corvese****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
ELECTRICIANS

Committee on Labor recommends passage.

11 2009-H 5302**BY Corvese****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ELECTRICIANS

Committee on Labor recommends passage.

12 2009-H 5581**BY Lally****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage.

13 2009-H 5819**BY Newberry****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -

TRADE LICENSE RENEWAL SCHEDULES

Committee on Labor recommends passage.

14 2009-H 6057**BY Corvese****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - OVERTIME CALCULATION**

Committee on Labor recommends passage.

IN ORDER FOR THURSDAY, MAY 7, 2009:**1 2009-H 5097****BY Brien****ENTITLED, AN ACT RELATING TO ELECTIONS - VOTER IDENTIFICATION**

Committee on Judiciary recommends passage.

2 2009-H 5175**BY Savage****ENTITLED, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT**

Committee on Judiciary recommends passage.

3 2009-H 5290**BY O'Neill JP****ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS**

Committee on Judiciary recommends passage.

4 2009-H 5489**BY Lally****ENTITLED, AN ACT RELATING TO PROPERTY**

Committee on Judiciary recommends passage.

5 2009-H 5568**BY Lally****ENTITLED, AN ACT RELATING TO TAXATION - ESTATE AND TRANSFER TAXES - ENFORCEMENT AND COLLECTION**

Committee on Judiciary recommends passage.

6 2009-H 5949 SUB A

BY Lally

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PERSONS WITH
DISABILITIES**

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

Francis P. McCabe
Clerk of the House

Wednesday, April 29, 2009