

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. 44

Tuesday, May 5, 2009

Forty-fourth Day

The House of Representatives meets at the State House in Providence, Tuesday, May 5, 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 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, 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, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

ABSENT - 4: Representatives Naughton, Sullivan, Watson, Williamson.

INVOCATION

The Honorable Speaker presents Representative McNamara 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 Thursday, April 30, 2009 is approved as printed.

ANNOUNCEMENTS

Representative Eileen Naughton is out of state on business and will be unable to attend session Tuesday, May 5, 2009.

Representative Timothy Williamson will not be able to attend session on Tuesday, May 5, 2009 due to a business commitment.

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. 5195

BY Walsh, Carter, Ferri, Shallcross Smith, Rice A

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SOLICITATION BY CHARITABLE ORGANIZATIONS (would provide that charitable land trusts organized under the laws of this state would be exempt from filing a registration statement with the department of business regulation.) {LC739/1}

05/05/2009 Placed on House Calendar

House Bill No. 5449 SUB A

BY Naughton, Walsh, Rice M, Coderre E

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LONG TERM CARE COORDINATING COUNCIL {LC1255/1/A}

05/05/2009 Placed on House Calendar

House Bill No. 5823 SUB A

BY Slater, Segal, Diaz

ENTITLED, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES {LC2063/2/A}

05/05/2009 Placed on House Calendar

House Bill No. 5895

BY Corvese, Brien, Melo

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- UNIFORM FOREIGN MONEY CLAIMS ACT {LC683/1}

05/05/2009 Placed on House Calendar

House Bill No. 5901 SUB A

BY Marcello, Ucci, Newberry

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF BUSINESS REGULATIONS -- MALPRACTICE INSURANCE {LC2117/2/A}

05/05/2009 Placed on House Calendar

House Bill No. 5902 SUB A (Attorney General)**BY** Sullivan, Kilmartin, Guthrie**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS {LC1782/1/A}

05/05/2009 Placed on House Calendar

House Bill No. 5903 (Business Regulation)**BY** Kennedy**ENTITLED**, AN ACT RELATING TO INSURANCE -- EXAMINATIONS (would amend chapter 27-13.1 of the general laws regarding insurance examinations / would also provide clarification to and procedures to be followed in the financial analysis process {LC2049/1}

05/05/2009 Placed on House Calendar

House Bill No. 6029**BY** Mattiello, Serpa, Shallcross Smith, Rice A, Carter**ENTITLED**, AN ACT HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES (would prohibit the issuance of any new initial licenses for nursing facilities prior to July 1, 2012, as well as limiting the licensed bed capacity prior to July 1, 2012) {LC2314/1}

05/05/2009 Placed on House Calendar

House Bill No. 5975 SUB A**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/A}

05/05/2009 Placed on House Calendar

House Bill No. 5088**BY** Costantino, Fox, Slater, Ajello, Williams**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - LOCATION OF GAS REGULATORS AND GAS METERS {LC47/1}

05/05/2009 Placed on House Calendar

House Bill No. 5398**BY** Ajello, Rice A, Giannini, Segal, Ruggiero**ENTITLED**, AN ACT RELATING TO INSURANCE (provide insurance coverage for treatment of infertility for unmarried, as well as married, persons) {LC1183/1}

05/05/2009 Placed on House Calendar

House Bill No. 5454 SUB A**BY** McCauley**ENTITLED**, AN ACT RELATING TO INSURANCE - DENTAL SERVICE CORPORATIONS (would prohibit a dental insurance company from requiring a dentist who provides services to its subscribers to accept a fee set by the company unless it compensates the dentist for such services) {LC1675/2/A}

05/05/2009 Placed on House Calendar

House Bill No. 5827 (by request)

BY Ehrhardt

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF ADMINISTRATION {LC1594/1}

05/05/2009 Placed on House Calendar

House Bill No. 5199

BY Kennedy, San Bento, Gemma, Lima, Coderre E

ENTITLED, AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT {LC252/1}

05/05/2009 Placed on House Calendar

House Bill No. 5777 (Business Regulation)

BY Watson

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - LAND SURVEYORS {LC1663/1}

05/05/2009 Placed on House Calendar

NEW BUSINESS

House Bill No. 6169

BY Jackson, Martin, Ruggiero, Edwards, Gallison

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- MANUFACTURING AND WHOLESALE LICENSES {LC2532/1}

05/05/2009 Introduced, referred to House Corporations

House Bill No. 6170

BY Mattiello

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF LEW'S AUTO BODY, INC. {LC2524/1}

05/05/2009 Introduced, referred to House Corporations

House Bill No. 6171

BY Mattiello

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF LEW'S AUTO SALES, INC. {LC2525/1}

05/05/2009 Introduced, referred to House Corporations

House Bill No. 6172

BY DaSilva

ENTITLED, AN ACT MOTOR AND OTHER VEHICLES - MISCELLANEOUS RULES {LC2454/1}

05/05/2009 Introduced, referred to House Finance

House Bill No. 6173**BY** Jackson, Gallison, Lally, Schadone**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE --
PRACTICE IN PROBATE COURTS {LC2531/1}

05/05/2009 Introduced, referred to House Judiciary

House Resolution No. 6174**BY** Fox, Loughlin**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2579/1}

05/05/2009 House read and passed

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6175**BY** Fox, Loughlin, Murphy**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2580/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6176**BY** McNamara, Azzinaro**ENTITLED**, HOUSE RESOLUTION PROCLAIMING THE MONTH OF MAY, 2009 AS
"VIRAL HEPATITIS AWARENESS MONTH" IN THE STATE OF RHODE ISLAND
{LC2537/1}

Representative McNamara requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative McNamara seconded by Representatives Azzinaro, Diaz and many other members of the House by unanimous consent, on a voice vote.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 863**BY** DeVall, Connors, Ruggerio, DaPonte**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - THE STATE ENERGY CONSERVATION CODE - ADOPTING OF CODE {LC2183/1}

05/05/2009 Placed on House Calendar

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, MAY 5, 2009:**1 2009-H 6168****BY Fierro****ENTITLED**, HOUSE RESOLUTION CONGRATULATING GABRIEL AMO ON WINNING THE TRUMAN SCHOLARSHIP

Ordered on the Calendar

Representative Fierro moves passage of the resolution, seconded by Representatives Shallcross-Smith, Williams, Carnevale and Guthrie.

Read and passed, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 56: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh.

NAYS - 0.

REQUEST

Representative Palumbo requests the journal to reflect that if he had voted on (09-H 6168), he would have voted in the affirmative.

2 2009-H 5770**BY Watson****ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - THE PRESCRIBING SAFETY ACT

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 12, 2009.

3 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 12, 2009.

4 2009-H 6158**BY Lima****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
TAXATION

Ordered on the Calendar

Representative Lima moves passage of the act, seconded by Representatives Marcello, McNamara and many other members of the House.

Representatives Trillo and Lima discuss the act.

Read and passed, on a roll call vote, 59 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kilmartin, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh, Williams, Winfield.

NAYS - 0.

REQUEST

Representative Palumbo requests the journal to reflect that if he had voted on (09-H 6158), he would have voted in the affirmative.

5 2009-H 5244**BY Corvese****ENTITLED,** AN ACT RELATING TO FIDUCIARIES - UNIFORM
MANAGEMENT OF INSTITUTIONAL FUNDS

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representative Corvese.

Read and passed, on a roll call vote, 57 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 57: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Petrarca, Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Walsh, Williams, Winfield.

NAYS - 0.

6 2009-H 5345

BY McCauley

ENTITLED, AN ACT RELATING TO SPORTS RACING AND ATHLETICS --
MIXED MARTIAL ARTS

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 4, 2009.

7 2009-H 5453 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- RENTAL NETWORK
CONTRACT ARRANGEMENTS

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 12, 2009.

8 2009-H 5536 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE - SMALL EMPLOYER
HEALTH INSURANCE

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

Representative Kennedy moves passage of the act, seconded by Representatives Coderre, Fierro and Gemma.

Representative Trillo discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh, Williams, Winfield.

NAYS - 0.

REQUEST

Representative Palumbo requests the journal to reflect that if he had voted on (09-H 5536 SUB A), he would have voted in the affirmative.

9 2009-H 5607 SUB A

BY Slater

ENTITLED, AN ACT RELATING TO TAXATION - CIGARETTE TAX

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

Representative Kennedy moves passage of the act, seconded by Representatives Slater, Diaz, Williams and Almeida.

Representative Trillo discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 58 members voting in the affirmative and 4 members voting in the negative as follows.

YEAS - 58: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Vaudreuil, Walsh, Williams.

NAYS - 4: Representatives Flaherty, Loughlin, Trillo, Winfield.

REQUEST

Representative Palumbo requests the journal to reflect that if he had voted on (09-H 5607 SUB A), he would have voted in the affirmative.

10 2009-H 5704 SUB A**BY Kennedy****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS**

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

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

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 62 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 62: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, 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, McNamara, Melo, Menard, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Vaudreuil, Walsh, Williams, Winfield.

NAYS - 1: Representative Newberry.

REQUEST

Representative Palumbo requests the journal to reflect that if he had voted on (09-H 5704 SUB A), he would have voted in the affirmative.

11 2009-H 5769**BY Loughlin****ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETES - BOXING**

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 13, 2009.

12 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 12, 2009.

13 2009-H 5774

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE -- ADMINISTRATIVE SUPERVISION

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 12, 2009.

14 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 12, 2009.

15 2009-H 5779

BY Ehrhardt

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representative Ehrhardt.

Representatives Trillo and Winfield discuss the act.

Read and passed, on a roll call vote, 34 members voting in the affirmative and 31 members voting in the negative as follows.

YEAS - 34: The Honorable Speaker Murphy and Representatives Azzinaro, Caprio, Carter, Coderre, Corvese, Costantino, DeSimone, Ehrhardt, Ferri, Fierro, Fox, Gallison, Handy, Hearn, Jackson, Kennedy, Lally, Marcello, Mattiello, McNamara, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Ruggiero, San Bento, Savage, Segal, Shallcross, Silva, Slater, Vaudreuil.

NAYS - 31: Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Carnevale, DaSilva, Dennigan, Driver, Edwards, Fellela, Flaherty, Gemma, Giannini, Guthrie, Jacquard, Kilmartin,

Loughlin, MacBeth, Malik, Martin, Melo, Menard, Newberry, Petrarca, Rice, M., Schadone, Serpa, Trillo, Walsh, Williams, Winfield.

16 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.

Representative Kennedy moves passage of the act, seconded by Representatives Ehrhardt and Gemma.

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: Representatives Ajello, Almeida, Azzinaro, 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, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 0.

17 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.

Representative Kennedy moves passage of the act, seconded by Representative Newberry.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Carter, Coderre, Corvese, 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, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 0.

18 2009-H 5824

BY Kilmartin

ENTITLED, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS

Committee on Corporations recommends passage.

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

Representatives Driver and Kennedy discuss the act.

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: 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, 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, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 0.

19 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.

Representative Kennedy moves passage of the act, seconded by Representative Newberry.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, 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, Segal, Serpa, Shallcross, Silva, Slater, Ucci, Walsh, Wasylyk, Williams, 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 McNamara announces that there will be an informational meeting tomorrow, (Wednesday, May 6) at 3 p.m. in Room 313 for all General Assembly members regarding swine flu concerns. The speakers will be Dr. David Gifford, director of the Department of Health, and Education Commissioner Peter McWalters

Representatives Carter, Lima, McNamara and Majority Leader Fox extend condolences to the Honorable Speaker Murphy, his wife Stacey and family on the passing of Honorable Speaker Murphy's father-in-law, Robert J. Judge.

Representative Brien announces Wednesday May 6th is RI Charter Public School Day in the State of RI.

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

Representative DaSilva wishes Representative Peter Martin a Happy "68th" Birthday on May 3rd.

GUESTS

Representative Fierro welcomes to the House Chamber as guests his friend Gabriel Amo along with his family-Weady Socree, Betheny Williams, Gregory Williams, Gabriel Amo, Sr., Henrietta Amo, Kerwin Amo, Branton Amo and Joshua Amo. Representative Fierro congratulates Gabriel Amo on winning the Truman Scholarship.

ADJOURNMENT

At 4:50 o'clock P.M. on motion of Representative Carter, and as a further mark of respect to the memory of Robert J. Judge, father-in-law of Honorable Speaker Murphy; on motion of Representative McNamara, and as a further mark of respect to the memory of Kimberly A. Pisaturo; on motion of Representative Coderre and as a further mark of respect to the memory of Daniel F. McKinnon; seconded by Representatives Fox and Loughlin the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JOSEPH M. MC NAMARA

Dear God, we ask that you be with us today in our thoughts and actions as we try to work for the benefit of all our constituents. Amen.

APPENDIX

CALENDAR

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-S 863****BY DeVall****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - THE STATE
ENERGY CONSERVATION CODE - ADOPTING OF CODE

Ordered on the Calendar

2 2009-H 5393**BY Slater****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- CENTER FOR
HEALTH PROFESSIONS ACT

Committee on Corporations recommends passage.

3 2009-H 5609**BY Gallison****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Corporations recommends passage.

4 2009-H 5097**BY Brien****ENTITLED,** AN ACT RELATING TO ELECTIONS - VOTER IDENTIFICATION

Committee on Judiciary recommends passage.

5 2009-H 5175**BY Savage****ENTITLED,** AN ACT RELATING TO PROPERTY -- RESIDENTIAL
LANDLORD AND TENANT ACT

Committee on Judiciary recommends passage.

6 2009-H 5290

BY O'Neill JP

ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS

Committee on Judiciary recommends passage.

7 2009-H 5489

BY Lally

ENTITLED, AN ACT RELATING TO PROPERTY

Committee on Judiciary recommends passage.

8 2009-H 5568

BY Lally

ENTITLED, AN ACT RELATING TO TAXATION - ESTATE AND TRANSFER TAXES - ENFORCEMENT AND COLLECTION

Committee on Judiciary recommends passage.

9 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.

10 2009-H 5078

BY Gemma

ENTITLED, AN ACT RELATING TO HIGHWAYS

Committee on Municipal Government recommends passage.

11 2009-H 5677 SUB A

BY Ruggiero

ENTITLED, AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN

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

12 2009-H 5992 SUB A

BY Pollard

ENTITLED, AN ACT RELATING TO THE ABBEY LANE COMMUNITY

ASSOCIATION, INC. WATER DISTRICT

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

13 2009-H 6015**BY Pacheco****ENTITLED, AN ACT RELATING TO THE OAKLAND - MAPLEVILLE NUMBER 4 FIRE DISTRICT**

Committee on Municipal Government recommends passage.

14 2009-H 6040**BY Jackson****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

Committee on Municipal Government recommends passage.

15 2009-H 5415 SUB A**BY Naughton****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

16 2009-H 5483**BY McNamara****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES**

Committee on Health, Education & Welfare recommends passage.

17 2009-H 5798 SUB A**BY Naughton****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- STROKE PREVENTION ACT OF 2009**

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

18 2009-H 5802**BY Fox****ENTITLED, AN ACT RELATING TO EDUCATION**

Committee on Health, Education & Welfare recommends passage.

IN ORDER FOR TUESDAY, MAY 12, 2009:**1 2009-H 5770****BY Watson****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS - THE
PRESCRIBING SAFETY ACT

Committee on Corporations recommends passage.

2 2009-H 5771 SUB A**BY Watson****ENTITLED,** AN ACT RELATING TO INSURANCE - RHODE ISLAND LIFE
AND HEALTH INSURANCE GUARANTY ASSOCIATION ACTCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**3 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.**4 2009-H 5772 SUB A****BY Watson****ENTITLED,** AN ACT RELATING TO INSURANCECommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**5 2009-H 5774****BY Watson****ENTITLED,** AN ACT RELATING TO INSURANCE -- ADMINISTRATIVE
SUPERVISION

Committee on Corporations recommends passage.

6 2009-H 5775 SUB A**BY Watson****ENTITLED,** AN ACT RELATING TO INSURANCE - FRAUD PREVENTIONCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.

7 2009-H 5359 SUB A**BY Slater****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

8 2009-H 5118 SUB A**BY Gemma****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PUPIL TRANSPORTATION VEHICLES

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

9 2009-H 5266 SUB A**BY Palumbo****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND AUTISM SPECTRUM DISORDER EVALUATION AND TREATMENT ACT

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

10 2009-H 5479 SUB A**BY McNamara****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

11 2009-H 5556**BY Sullivan****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - UTILIZATION OF UNUSED PRESCRIPTION DRUGS ACT

Committee on Health, Education & Welfare recommends passage.

12 2009-H 5724**BY Gablinske****ENTITLED,** HOUSE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND DEPARTMENT OF EDUCATION TO CONDUCT A STUDY OF OPTIONS FOR CREATING A RESTRUCTURED

PERFORMANCE-BASED SYSTEM OF TEACHER COMPENSATION
IN THE STATE OF RHODE ISLAND

Committee on Health, Education & Welfare recommends passage.

13 2009-H 5797**BY Carnevale****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT
OF HEALTH

Committee on Health, Education & Welfare recommends passage.

14 2009-H 5968**BY Naughton****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- BLOOD BANK
SERVICES

Committee on Health, Education & Welfare recommends passage.

IN ORDER FOR WEDNESDAY, MAY 13, 2009:**1 2009-H 5769****BY Loughlin****ENTITLED,** AN ACT RELATING TO SPORTS, RACING, AND ATHLETES -
BOXING

Committee on Corporations recommends passage.

2 2009-H 5235**BY Brien****ENTITLED,** AN ACT RELATING TO TAXATION -- TAX CLASSIFICATION

Committee on Municipal Government recommends passage.

3 2009-H 5238 SUB A**BY McCauley****ENTITLED,** AN ACT RELATING TO TAXATION -- PAYMENT OF LOCAL
TAXES

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

4 2009-H 5685 SUB A**BY San Bento****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
INSTALLERS OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

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

5 2009-H 6022

BY Loughlin

ENTITLED, AN ACT RELATING TO LITTLE COMPTON AGRICULTURAL CONSERVANCY TRUST

Committee on Municipal Government recommends passage.

6 2009-H 6082 SUB A

BY Menard

ENTITLED, AN ACT RELATING TO TAXATION - TAX SALES

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

7 2009-H 5195

BY Walsh

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SOLICITATION BY CHARITABLE ORGANIZATIONS

Committee on Corporations recommends passage.

8 2009-H 5449 SUB A

BY Naughton

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LONG TERM CARE COORDINATING COUNCIL

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

9 2009-H 5823 SUB A

BY Slater

ENTITLED, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

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

10 2009-H 5895

BY Corvese

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- UNIFORM FOREIGN MONEY CLAIMS ACT

Committee on Corporations recommends passage.

11 2009-H 5901 SUB A

BY Marcello

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF BUSINESS REGULATIONS -- MALPRACTICE
INSURANCE

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

12 2009-H 5902 SUB A

BY Sullivan

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL
REGULATORY PROVISIONS

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

13 2009-H 5903

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- EXAMINATIONS

Committee on Corporations recommends passage.

14 2009-H 6029

BY Mattiello

ENTITLED, AN ACT HEALTH AND SAFETY - LICENSING OF HEALTH CARE
FACILITIES

Committee on Corporations recommends passage.

IN ORDER FOR THURSDAY, MAY 14, 2009:

1 2009-H 5088

BY Costantino

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
LOCATION OF GAS REGULATORS AND GAS METERS

Committee on Corporations recommends passage.

2 2009-H 5398

BY Ajello

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

3 2009-H 5454 SUB A**BY McCauley****ENTITLED,** AN ACT RELATING TO INSURANCE - DENTAL SERVICE CORPORATIONS

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

4 2009-H 5975 SUB A**BY Corvese****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- BROADBAND DEPLOYMENT AND INVESTMENT ACT

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

IN ORDER FOR TUESDAY, MAY 19, 2009:**1 2009-H 5199****BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE -- LIFE SETTLEMENTS ACT

Committee on Corporations recommends passage.

2 2009-H 5777**BY Watson****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS - LAND SURVEYORS

Committee on Corporations recommends passage.

3 2009-H 5827**BY Ehrhardt****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF ADMINISTRATION

Committee on Corporations recommends passage.

IN ORDER FOR THURSDAY, JUNE 4, 2009:**1 2009-H 5345****BY McCauley****ENTITLED,** AN ACT RELATING TO SPORTS RACING AND ATHLETICS -- MIXED MARTIAL ARTS

Committee on Corporations recommends passage.

Francis P. McCabe
Clerk of the House

Tuesday, May 5, 2009