

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. 56

Wednesday, June 3, 2009

Fifty-sixth Day

The House of Representatives meets at the State House in Providence, Wednesday, June 3, 2009 and is called to order at 4:21 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

PRESENT - 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, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, A. Rice, M. Rice, Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams.

ABSENT - 5: Representatives Gablinske, McCauley, Savage, Williamson, Winfield.

INVOCATION

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

ANNOUNCEMENTS

Representative Douglas Gablinske will be unable to attend session Wednesday, June 3, 2009.

Representative Thomas Winfield is out of town on business and unable to attend session Wednesday, June 3, 2009.

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. 5773 SUB A (Business Regulation)
BY Watson
ENTITLED, AN ACT RELATING TO INSURANCE {LC1673/1/A}
06/03/2009 Placed on House Calendar

House Bill No. 5776 SUB A (Business Regulation)
BY Watson
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF BUSINESS REGULATION {LC1664/1/A}
06/03/2009 Placed on House Calendar

Senate Bill No. 231 as amended
BY Bates, Sosnowski, Walaska, Algieri, Miller
ENTITLED, AN ACT RELATING TO INSURANCE - FIRE INSURANCE POLICIES AND
RESERVES (would provide for the application of the hurricane deductible for losses in Block
Island from hurricane force sustained winds reported by the national weather service.)
{LC898/1}
06/03/2009 Placed on House Calendar

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

Representative Malik, for the Committee on Environment and Natural Resources, reports back the following measures, with recommendation of passage:

House Bill No. 5794 SUB A
BY Malik, Walsh, Gablinske, Winfield
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - MERCURY
REDUCTION AND EDUCATION ACT {LC1118/1/A}
06/03/2009 Placed on House Calendar

House Bill No. 6052 (Attorney General)**BY** Fellela, Ucci, Petrarca, Carnevale**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION {LC2299/1}

06/03/2009 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. 5738 SUB A**BY** Caprio D, Petrarca, Silva, Edwards, Lally**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURES - PROCEDURE IN PARTICULAR ACTIONS - WRONGFUL DEATH (would allow for the recovery of punitive damages in a wrongful death suit) {LC1852/1/A}

06/03/2009 Placed on House Calendar

House Bill No. 5970**BY** Lima, Naughton, Giannini, Fellela, Pacheco**ENTITLED**, AN ACT RELATING TO INSURANCE -- LIABILITY INSURANCE {LC2105/1}

06/03/2009 Placed on House Calendar

House Bill No. 6088**BY** Lima, Wasylyk, Williams**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would prohibit any liquor licensee from knowingly allowing the use of its premises as part of an organized pub crawl) {LC2371/1}

06/03/2009 Placed on House Calendar

House Bill No. 6216**BY** Savage**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Harry W. Cary III to join Ronald A. Russell and Mary E. Kent in marriage within the Town of Barrington, Rhode Island on or about August 29, 2009.) {LC2669/1}

06/03/2009 Placed on House Calendar

House Bill No. 6217**BY** Ehrhardt**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Kimberly Giampietro, Esquire to join Erika Pearson and Philip Giampietro in marriage within the Town of North Kingstown, Rhode Island on or about August 15, 2009.) {LC2599/1}

06/03/2009 Placed on House Calendar

House Bill No. 6059 SUB A**BY** Lima, Williams**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.) {LC327/1/A}

06/03/2009 Placed on House Calendar

House Bill No. 5969**BY** Lima, Naughton, Giannini, Fellela, Ajello**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
PROCEDURE IN PARTICULAR ACTIONS - DEATH**BY** WRONGFUL ACT (would allow a parent to recover damages for loss of consortium or
parental society and companionship irrelevant of the son or daughter's age) {LC2102/1}

06/03/2009 Placed on House Calendar

COMMITTEE ON LABORRepresentative Corvese, for the Committee on Labor, reports back the following measures, with
recommendation of passage:**House Bill No. 5303 SUB A****BY** Vaudreuil, Silva, Corvese, Serpa, Mattiello**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
TEMPORARY DISABILITY INSURANCE BENEFITS (would prevent injured in the line of
duty personnel who receive full pay & benefits for their work related disability from
simultaneously receiving TDI.) {LC893/1/A}

06/03/2009 Placed on House Calendar

House Bill No. 5591**BY** Serpa, Vaudreuil, Silva**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS'
COMPENSATION -- PROCEDURE (would entitle an attorney for an injured worker to receive
a reasonable counsel fee for the services rendered on behalf of the injured worker in recovering
relief for the worker) {LC1135/1}

06/03/2009 Placed on House Calendar

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

06/03/2009 Placed on House Calendar

COMMITTEE ON MUNICIPAL GOVERNMENT

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

Senate Bill No. 47**BY** Felag**ENTITLED**, AN ACT RELATING TO THE TOWN OF WARREN {LC234/1}

06/03/2009 Placed on House Calendar

Senate Bill No. 555**BY** Felag, DiPalma**ENTITLED**, AN ACT RELATING TO THE NORTH TIVERTON FIRE DISTRICT {LC1775/1}

06/03/2009 Placed on House Calendar

Senate Bill No. 559**BY** Felag, DiPalma**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 (would amend the Stone Bridge Fire District.) {LC1875/1}

06/03/2009 Placed on House Calendar

Senate Bill No. 561 as amended**BY** Paiva-Weed**ENTITLED**, AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN (would change the property tax abatement for Jamestown emergency medical services/volunteer fire dept, from an exemption of \$75,000 of the assessed valuation of property to a flat amount of \$700 per year.) {LC1030/1}

06/03/2009 Placed on House Calendar

Senate Bill No. 602**BY** Paiva-Weed**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - JAMESTOWN JUVENILE HEARING BOARD (would allow the town of Jamestown to establish a juvenile hearing board.) {LC910/1}

06/03/2009 Placed on House Calendar

Senate Bill No. 756**BY** DiPalma**ENTITLED**, AN ACT RELATING TO LITTLE COMPTON AGRICULTURAL CONSERVANCY TRUST {LC1990/1}

06/03/2009 Placed on House Calendar

House Bill No. 6195 SUB A**BY** Azzinaro, Walsh, Kennedy**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY (would reduce the membership of the housing board of review of the town of Westerly to three members) {LC2597/1/A}

06/03/2009 Placed on House Calendar

NEW BUSINESS**House Bill No. 6232****BY** Walsh**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2695/1}

06/03/2009 Introduced, referred to House Judiciary

House Resolution No. 6233**BY** Fox, Loughlin**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2725/1}

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. 6234**BY** Fox, Loughlin**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2726/1}

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 voice vote.

By agreement of the Majority and the Minority, Representative Williams requests to place (09-H 6235) on the Calendar for Tuesday, June 9, 2009. There is no objection.**House Resolution No. 6235****BY** Williams, Naughton, Lima, Giannini, Diaz**ENTITLED**, HOUSE RESOLUTION CONGRATULATING PRESIDENT BARACK OBAMA ON THE NOMINATION OF JUDGE SONIA SOTOMAYOR TO THE UNITED STATES SUPREME COURT {LC2708/1}

06/03/2009 Placed on House Calendar

By agreement of the Majority and the Minority, Representative Azzinaro requests to place (09-H 6236) on the Calendar for Tuesday, June 9, 2009. There is no objection.

House Resolution No. 6236

BY Azzinaro, Pollard, Fierro, Guthrie

ENTITLED, HOUSE RESOLUTION PROCLAIMING THE LAST WEEK IN MAY, 2009 AS "EHLERS-DANLOS SYNDROME AWARENESS WEEK" IN THE STATE OF RHODE ISLAND {LC2736/1}

06/03/2009 Placed on House Calendar

House Resolution No. 6237

BY Menard, MacBeth

ENTITLED, HOUSE RESOLUTION HONORING CHIEF RICHARD A. SUSI ON THE OCCASION OF HIS RETIREMENT FROM THE CUMBERLAND HILL FIRE DEPARTMENT {LC2738/1}

Representative Menard requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6238

BY Menard, Shallcross Smith, Petrarca

ENTITLED, HOUSE RESOLUTION CONGRATULATING JONATHAN ELOFSON ON BEING NAMED THE LINCOLN HIGH SCHOOL CLASS OF 2009 SALUTATORIAN {LC2696/1}

Representative Menard requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Menard seconded by Representatives Shallcross-Smith and Petrarca by unanimous consent, on a voice vote.

House Resolution No. 6239

BY Shallcross Smith, Menard, Petrarca

ENTITLED, HOUSE RESOLUTION CONGRATULATING YU ZHAO BEING NAMED VALEDICTORIAN OF THE LINCOLN HIGH SCHOOL CLASS OF 2009 {LC2697/1}

Representative Menard requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Menard seconded by Representatives Shallcross-Smith and Petrarca 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. 390 SUB A

BY Lynch, Goodwin

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) {LC1713/2/A}

06/03/2009 Referred to House Corporations

Senate Bill No. 472 (Public Utilities)

BY Blais

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -

REGULATORY POWERS OF ADMINISTRATION (would add two (2) months to the time prescribed for adjudicating rate filings.) {LC1331/1}

06/03/2009 Referred to House Corporations

Senate Bill No. 706

BY Gallo, Fogarty P, DeVall, Crowley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND HEALTH CARE REFORM ACT OF 2004 {LC1989/1}

06/03/2009 Referred to House Corporations

Senate Bill No. 748 SUB A (Lieutenant Governor)

BY Lynch, Gallo, DiPalma, Miller, Levesque C

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

COORDINATING COUNCIL (would change the composition of the long-term care coordinating council and would designate the lieutenant governor as its chairperson)

{LC1760/3/A}

06/03/2009 Referred to House Corporations

Senate Bill No. 242 SUB A as amended

BY Perry, Miller, Sheehan, Crowley, Sosnowski

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE-- LONG-TERM CARE AND FINANCE REFORM (would amend certain provisions relative to medical assistance, long-term care service and finance reform.) {LC1087/1/A}

06/03/2009 Referred to House H.E.W.

Senate Bill No. 545 as amended (Lieutenant Governor)

BY Tassoni, DiPalma, Fogarty P, Picard

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY (would give authority to the director of health to certify out-of-state health care professionals in times of emergency.)

{LC1383/1}

06/03/2009 Referred to House H.E.W.

Senate Bill No. 546 as amended

BY Doyle

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH (would require the department of health to provide wallet license cards to health care professionals through its online license renewal service.) {LC1406/1}

06/03/2009 Referred to House H.E.W.

Senate Bill No. 552 SUB A

BY Perry, Miller, McCaffrey, McBurney, Picard

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT (would allow practitioners to write up to three (3) separate prescriptions in Schedule II for up to a one-month supply and allow for a ninety (90) day supply for prescriptions in Schedules IV and V.) {LC1470/1/A}

06/03/2009 Referred to House H.E.W.

Senate Bill No. 143

BY Miller, Connors, Metts, Tassoni, Levesque C

ENTITLED, AN ACT REALTING TO STATE AFFAIRS AND GOVERNMENT ELECTIONS - CONDUCT OF ELECTION (would make the state board of elections subject to the provisions of the administrative procedures act.) {LC630/1}

06/03/2009 Referred to House Judiciary

Senate Bill No. 148 as amended

BY Ciccone, Tassoni, Ruggiero

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- GENERAL OFFICERS {LC620/1}

06/03/2009 Referred to House Judiciary

Senate Bill No. 249 (Secretary of State)

BY Jabour, Perry, Paiva-Weed, Bates, McBurney

ENTITLED, AN ACT RELATING TO ELECTIONS - PARTY COMMITTEES AND CONVENTIONS (would require state committees of political parties to nominate candidates, when none had filed before the deadline, in the same location where the original declaration of candidacy should have filed) {LC1171/1}

06/03/2009 Referred to House Judiciary

Senate Bill No. 900**BY** DiPalma**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Rachel Gettys to join Ainsley Marie Sullivan and John Jay Perry in marriage on or about July 31, 2009 within the City of Newport, Rhode Island.) {LC2519/1}

06/03/2009 Referred to House Judiciary

Senate Bill No. 931**BY** McCaffrey, Lynch, Walaska**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Scott Avedisian, Mayor of the city of Warwick to join Stephanie Rose Picozzi and Paul Lawrence Kirchner in marriage within the city of Warwick, Rhode Island on or about April 24, 2010.) {LC2624/1}

06/03/2009 Referred to House Judiciary

Senate Bill No. 441 (Labor & Training)**BY** Blais**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS (amend the hearings mechanism for boiler/pressure vessel violations by repealing the provisions for hearings before compensated arbitration panels/permitting hearings before the Occupational Safety and Health Review Board) {LC1433/1}

06/03/2009 Referred to House Labor

Senate Bill No. 641**BY** Ruggiero, Miller, Goodwin, Gallo, Tassoni**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) {LC661/1}

06/03/2009 Referred to House Labor

Senate Bill No. 659 as amended**BY** Raptakis, Connors, Ruggiero, Tassoni, Ciccone**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- MINIMUM WAGES (adjust the minimum wage annually using the consumer price index and notify Rhode Island employers of any minimum wage increase by certified mail at least forty-five (45) days before its effective date) {LC174/1}

06/03/2009 Referred to House Labor

Senate Bill No. 133 SUB A**BY** Tassoni, DiPalma, McBurney, Maselli**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- PUBLIC BUILDINGS {LC689/2/A}

06/03/2009 Referred to House Municipal Government

Senate Bill No. 781**BY** Levesque C, DiPalma, Paiva-Weed, Bates, Felag**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES {LC1965/1}

06/03/2009 Referred to House Municipal Government

Senate Bill No. 926 (By Request)**BY** Algieri**ENTITLED**, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY (makes certain changes to the retirement system for police officers of the town of Westerly.) {LC2629/1}

06/03/2009 Referred to House Municipal Government

Senate Bill No. 927**BY** Algieri**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY (would reduce the membership of the housing board of review of the town of Westerly to three (3) members.) {LC2576/1}

06/03/2009 Referred to House Municipal Government

Senate Bill No. 414 SUB A as amended**BY** Sosnowski, Felag, Sheehan, Lenihan, McCaffrey**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - SEPARATION OF POWERS - COASTAL RESOURCES MANAGEMENT COUNCIL (would change how members to the Coastal Resource Management Council are appointed to comply with the Separation of Powers Constitutional Amendment) {LC614/3/A}

06/03/2009 Referred to House Separation of Powers and Oversight

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, JUNE 3, 2009:**1 2009-H 6231****BY** Menard**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Calendar

Representative Lally moves passage of the act, seconded by Representative Menard.

Read and passed, on a roll call vote, 60 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, 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, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross, Silva, Trillo, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 0.

2 2009-H 6144

BY Pacheco

ENTITLED, AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION

Committee on Municipal Government recommends passage.

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

By unanimous consent, Representative Gallison, seconded by Representative Newberry offers a written motion to amend.

**FLOOR AMENDMENT
TO
2009 -- H 6144**

AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION

Mr. Speaker:

I hereby move to amend 2009 -- H 6144, entitled "AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION", as follows:

1. On page 2, line 34, by deleting the word "construction" and inserting in place thereof the word "connection".
2. On page 3, line 2, by deleting the word "by".

Respectfully submitted,

REPRESENTATIVE GALLISON

=====
LC02417/2
=====

The motion to amend prevails 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, Carter, Coderre, Corvese, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gallison, Gemma, Giannini, Guthrie,

Handy, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross, Silva, Trillo, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 0.

REQUEST

Representative A. Rice requests the journal to reflect that if she had voted on (LC 02417/2), she would have voted in the affirmative.

Read and passed, as amended, on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, 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, Martin, Mattiello, McNamara, Melo, Menard, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 0.

3 2009-H 5730 SUB A

BY Marcello

ENTITLED, AN ACT RELATING TO ELECTIONS - VOTING DISTRICTS AND OFFICIALS

Committee on Judiciary 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 Thursday, June 4, 2009.

4 2009-H 5398

BY Ajello

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

Majority Leader Fox moves to recommit to the Committee on Corporations. There is no objection.

Read and recommitted to the Committee on Corporations.

5 2009-S 185 as amended**BY Perry****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 passage as amended in concurrence.

Representative McNamara moves passage of the act, as amended, seconded by Representatives Slater, Gallison, Ferri, M. Rice, Diaz, Martin, Handy, Ajello, Carter, Williams and many other members of the House.

By unanimous consent, Representative McNamara, seconded by Representative Slater offers a written motion to amend.

F L O O R A M E N D M E N T
T O
2009 -- S 185 AS AMENDED

AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT

Mr. Speaker:

I hereby move to amend 2009 -- S 185, AS AMENDED, entitled "AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT", as follows:

1. On page 2, line 26, by inserting a comma “,” after the word: “employee”.
2. On page 4, by deleting lines 20 through 25 and inserting in place thereof the following language: “(k) A registry identification card, or its equivalent, issued under the laws of another state, U.S. territory, or the District of Columbia to permit the medical use of marijuana by a patient with a debilitating medical condition, or to permit a person to assist with the medical use of marijuana by a patient with a debilitating medical condition, shall have the same force and effect as a registry identification card issued by the department.”
3. On page 5, line 7, by deleting the language: “21-28.6(14)” and by inserting in place thereof the following language: “21-28.6-3(14)”.
4. On page 10, line 14, by inserting a comma “,” after the word “revoked” and by deleting the comma “,” after the second appearance of the word “is” in the sentence.
5. On page 13, page 22, by deleting the word: “subdivison” and inserting in place thereof the word: “subdivision”.
6. On page 15, line 7, by deleting the word: “an”.
7. On page 15, line 29, by inserting after the word “other” the following language: “primary caregiver that the compassion”.
8. On page 16, line 25, by deleting the word: “subdivison” and inserting in place thereof the word: “subdivision”.

Respectfully submitted,

REPRESENTATIVE MCNAMARA

=====
LC00834/5
=====

The motion to amend prevails on a roll call vote 68 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Representatives Watson, McNamara and Trillo discuss the act, as amended.

Read and passed, as amended, on a roll call vote, 64 members voting in the affirmative and 4 members voting in the negative as follows.

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Segal, Serpa, Shallcross, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams.

NAYS - 4: Representatives Corvese, Loughlin, Menard, Pollard.

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 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 313 of the State House.

Representative Costantino announces that the Committee on Finance will not meet at the rise of the House, in Room 35 of the State House.

Representative Williams wishes Head Page, Alex Devers a Happy "21st" Birthday.

GUESTS

Representative Williams, Lima, Diaz, Giannini, Almeida and Kilmartin welcome to the House Chamber as guests the Class of 2009 Latina Leadership Women of Rhode Island as follows: Carolyn Beltran, Perla Benitez, Dora Carvajal, Dora Cooney, Alexandra Corona, Priscilla De La Cruz, Soani Delgado, Judith Ortiz, Osmar Rodriguez, Gloria Rubio, Cruz Zapata, Doris Dela Santos, Sandy Riojas and Ann Marie Reddy.

Representative Silva welcomes to the House as a guest former Representative Col. Joseph Moran.

ADJOURNMENT

At 4:48 o'clock P.M. on motion of Representative Mattiello, and as a further mark of respect to the memory of Carmeno P. Boscia; on motion of Representatives Diaz and Lima, and as a further mark of respect to the memory of David J. Cartagena; on motion of Representative DeSimone as a further mark of respect to the memory of Antonio Barletta; on motion of Representative DaSilva, and as a further mark of respect to the memory of Margaret Babbitt; seconded by Representatives Fox and Loughlin the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE ARTHUR HANDY

May we have a deeper understanding of the needs of the people of our State, may we be instrumental in serving those needs. Let us work to improve the lives of those who have no voice in their government. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JUNE 4, 2009:

1. **2009-H 5730 SUB A****BY Marcello****ENTITLED,** AN ACT RELATING TO ELECTIONS - VOTING DISTRICTS AND OFFICIALS

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

2. **2009-H 5616****BY Walsh****ENTITLED,** JOINT RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO DEVELOP RECOMMENDATIONS FOR ESTABLISHING A COMPREHENSIVE PRODUCT STEWARDSHIP APPROACH TO REDUCING ENVIRONMENTAL AND HEALTH RISKS POSED BY THE USE OR DISPOSAL OF PRODUCTS

Committee on Environment and Natural Resources recommends passage.

3. **2009-H 5690 SUB A****BY Rice M****ENTITLED,** AN ACT RELATING TO AGRICULTURE AND FORESTRY -- DISEASES AND PARASITES

Committee on Environment and Natural Resources recommends indefinite postponement of the original bill and passage of Substitute A.

4. **2009-H 5336 SUB A****BY Kilmartin****ENTITLED,** AN ACT RELATING TO WATER AND NAVIGATION - THE COASTAL RESOURCES MANAGEMENT COUNCIL

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

5. **2009-H 6007****BY Ruggiero****ENTITLED,** AN ACT RELATING TO TAXATION

Committee on Municipal Government recommends passage.

6. 2009-H 6013 SUB A**BY Azzinaro****ENTITLED,** AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY

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

7. 2009-H 6211**BY Lally****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

8. 2009-H 5897 as amended**BY Serpa****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CONSOLIDATION OF RETAIL BUSINESS PERMITS AND FEE COLLECTION FORMS

Committee on Constituent Services recommends passage as amended.

9. 2009-H 6184**BY Williams****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND DEVELOP A STRATEGY FOR IMPROVING TRADE RELATIONS WITH THE COUNTRIES OF THE CONTINENT OF AFRICA

Committee on Constituent Services recommends passage.

10. 2009-H 5896 SUB A**BY Fox****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ESTABLISHMENT OF A BLUEPRINT FOR A NEW GENERATION OF TEACHER EDUCATION IN RHODE ISLAND

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

11. 2009-H 5600 SUB A**BY Naughton****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES

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

12. 2009-H 5599 SUB A

BY Kennedy

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES -- BOSTON RED SOX/JIMMY
FUND LICENSE PLATES

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

13. 2009-H 5451 SUB A

BY Pacheco

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - NEW
ENGLAND PATRIOTS CHARITABLE FOUNDATION

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

14. 2009-H 5061 SUB A

BY Edwards

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - INDUSTRIAL
PROPERTY AND REMEDIATION REUSE

Committee on Environment and Natural Resources recommends indefinite postponement of the original bill and passage of Substitute A.

15. 2009-H 5461 SUB A

BY Segal

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS
-- RENEWABLE ENERGY STANDARD

Committee on Environment and Natural Resources recommends indefinite postponement of the original bill and passage of Substitute A.

16. 2009-H 5089

BY Carter

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
DESIGNERS OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

Committee on Environment and Natural Resources recommends passage.

17. 2009-H 5774

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE -- ADMINISTRATIVE
SUPERVISION

Committee on Corporations recommends passage.

18. 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.

19. 2009-H 5290**BY O'Neill JP****ENTITLED,** AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS

Committee on Judiciary recommends passage.

20. 2009-H 5345**BY McCauley****ENTITLED,** AN ACT RELATING TO SPORTS RACING AND ATHLETICS -- MIXED MARTIAL ARTS

Committee on Corporations recommends passage.

IN ORDER FOR TUESDAY, JUNE 9, 2009:**1. 2009-H 6235****BY Williams****ENTITLED,** HOUSE RESOLUTION CONGRATULATING PRESIDENT BARACK OBAMA ON THE NOMINATION OF JUDGE SONIA SOTOMAYOR TO THE UNITED STATES SUPREME COURT

Ordered on the Calendar

2. 2009-H 6236**BY Azzinaro****ENTITLED,** HOUSE RESOLUTION PROCLAIMING THE LAST WEEK IN MAY, 2009 AS "EHLERS-DANLOS SYNDROME AWARENESS WEEK" IN THE STATE OF RHODE ISLAND

Ordered on the Calendar

3. 2009-H 5794 SUB A**BY Malik****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT

Committee on Environment and Natural Resources recommends indefinite postponement of the original bill and passage of Substitute A.

4. 2009-H 6052**BY Fellela****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND RESOURCE RECOVERY CORPORATION

Committee on Environment and Natural Resources recommends passage.

5. 2009-H 5591**BY Serpa****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- PROCEDURE

Committee on Labor recommends passage.

6. 2009-H 5950**BY Diaz****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY EMPLOYEES

Committee on Labor recommends passage.

7. 2009-H 5970**BY Lima****ENTITLED,** AN ACT RELATING TO INSURANCE -- LIABILITY INSURANCE

Committee on Judiciary recommends passage.

8. 2009-H 6088**BY Lima****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Judiciary recommends passage.

9. 2009-H 6217**BY Ehrhardt****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

10. 2009-H 6216**BY Savage****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

11. 2009-H 6195 SUB A**BY Azzinaro****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM HOUSING STANDARDS -- TOWN OF WESTERLY

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

12. 2009-S 47**BY Felag****ENTITLED,** AN ACT RELATING TO THE TOWN OF WARREN

Committee on Municipal Government recommends passage in concurrence.

13. 2009-S 555**BY Felag****ENTITLED,** AN ACT RELATING TO THE NORTH TIVERTON FIRE DISTRICT

Committee on Municipal Government recommends passage in concurrence.

14. 2009-S 559**BY Felag****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 in concurrence.

15. 2009-S 561 as amended**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN

Committee on Municipal Government recommends passage as amended in concurrence.

16. 2009-S 602**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - JAMESTOWN JUVENILE HEARING BOARD

Committee on Municipal Government recommends passage in concurrence.

17. 2009-S 756**BY DiPalma****ENTITLED,** AN ACT RELATING TO LITTLE COMPTON AGRICULTURAL

CONSERVANCY TRUST

Committee on Municipal Government recommends passage in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 10, 2009:**1. 2009-H 5773 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.

2. 2009-H 5303 SUB A**BY Vaudreuil****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
TEMPORARY DISABILITY INSURANCE BENEFITS**

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

3. 2009-H 5969**BY Lima****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
PROCEDURE IN PARTICULAR ACTIONS - DEATH BY
WRONGFUL ACT**

Committee on Judiciary recommends passage.

4. 2009-H 6059 SUB A**BY Lima****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES**

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

IN ORDER FOR THURSDAY, JUNE 11, 2009:**1. 2009-H 5776 SUB A****BY Watson****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF BUSINESS REGULATION**

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

2. 2009-H 5738 SUB A**BY Caprio D****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURES -
PROCEDURE IN PARTICULAR ACTIONS - WRONGFUL DEATH

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

3. 2009-S 231 as amended**BY Bates****ENTITLED,** AN ACT RELATING TO INSURANCE - FIRE INSURANCE
POLICIES AND RESERVES

Committee on Corporations recommends passage as amended in concurrence.

Francis P. McCabe
Clerk of the House

Wednesday, June 3, 2009