

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. 57

Thursday, June 4, 2009

Fifty-seventh Day

The House of Representatives meets at the State House in Providence, Thursday, June 4, 2009 and is called to order at 4:16 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, 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, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson.

ABSENT - 4: Representatives Almeida, Gablinske, McCauley, Winfield.

INVOCATION

The Honorable Speaker presents Representative Coderre who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Wednesday, June 3, 2009 is approved as printed.

ANNOUNCEMENTS

Representative Douglas Gablinske will be unable to attend session Thursday, June 4, 2009.

Representative Thomas Winfield is out of town on business and will be unable to attend session Thursday, June 4, 2009.

REPORTS OF COMMITTEES**COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

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

House Bill No. 5828 SUB A

BY Ferri, Walsh, McNamara, Rice A, Handy

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER CONSERVATION {LC1040/1/A}

06/04/2009 Placed on House Calendar

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

Representative McNamara, for the Committee on Health, Education and Welfare, reports back the following measure, with recommendation of passage:

House Bill No. 5655

BY Naughton, Handy, Walsh, Jacquard

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - HEARING AID DEALERS AND FITTERS (would require that a receipt for a hearing aid includes language that the client has been informed about other technologies and services for the deaf and hard of hearing) {LC1863/1}

06/04/2009 Placed on House Calendar

COMMITTEE ON LABOR

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

House Bill No. 5383

BY Ehrhardt, Corvese, Williams, Newberry, Savage

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY -- BENEFITS (amend the availability for work requirement) {LC1026/1}

06/04/2009 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:

House Bill No. 6219

BY Ehrhardt, Lally, Carter

ENTITLED, AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF NORTH KINGSTOWN TO EXEMPT FROM TAXATION THE GILBERT STUART MEMORIAL, INC. {LC2679/1}

06/04/2009 Placed on House Calendar

House Bill No. 6220

BY Ehrhardt, Lally, Carter

ENTITLED, AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF NORTH KINGSTOWN TO EXEMPT FROM TAXATION THE COCUMCUSSOC ASSOCIATION (would increase the Cocumcusoc Association's property tax exemption to eight million dollars (\$8,000,000).) {LC2678/1}

06/04/2009 Placed on House Calendar

House Resolution No. 6228

BY Baldelli-Hunt

ENTITLED, HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT THE CITY OF WOONSOCKET, RHODE ISLAND, AMEND ITS CHARTER IN ORDER TO CHANGE ITS FISCAL YEAR FROM JULY 1 THROUGH JUNE 30 TO OCTOBER 1 THROUGH SEPTEMBER 30 {LC2700/1}

06/04/2009 Placed on House Calendar

Senate Bill No. 127

BY DiPalma, Paiva-Weed

ENTITLED, AN ACT RELATING TO THE CITY OF NEWPORT {LC499/1}

06/04/2009 Placed on House Calendar

Senate Bill No. 704 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO IN AMENDMENT OF AND IN ADDITION TO THE ACT, PASSED AT THE JANUARY SESSION, A.D. 1883,

ENTITLED "AN ACT TO INCORPORATE THE UNION FIRE DISTRICT OF SOUTH KINGSTOWN", AS AMENDED {LC829/1/A}

06/04/2009 Placed on House Calendar

Senate Bill No. 782

BY Levesque C, Felag, Bates

ENTITLED, AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX - BRISTOL (would permit the town of Bristol to list motor vehicle taxes due and owing on their municipal lien certificates.) {LC2137/1}

06/04/2009 Placed on House Calendar

Senate Bill No. 868**BY** Sheehan, Lenihan**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES FOR AN AMOUNT NOT EXCEEDING \$10,000,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES {LC2007/1}

06/04/2009 Placed on House Calendar

Senate Bill No. 916**BY** Felag, DiPalma**ENTITLED**, AN ACT RELATING TO THE TOWN OF TIVERTON (would ratify several amendments to the Home Rule Charter of the town of Tiverton.) {LC2441/1}

06/04/2009 Placed on House Calendar

NEW BUSINESS**House Bill No. 6240****BY** Lally**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF ETA ZETA OF LAMBDA CHI ALPHA {LC2663/1}

06/04/2009 Introduced, referred to House Corporations

House Bill No. 6241**BY** Malik, McNamara**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (would require the RIRRC to establish a municipal leaf & yard debris borrowing program that would allow municipalities to share portions of their unutilized cap tonnage with municipalities that are in excess of their cap tonnage.) {LC2503/1}

06/04/2009 Introduced, referred to House Environment and Natural Resources

House Bill No. 6242**BY** Mattiello, Marcello, Palumbo**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION {LC2714/1}

06/04/2009 Introduced, referred to House Judiciary

House Bill No. 6243**BY** Fox, Coderre E, Gemma, Petrarca, Pollard**ENTITLED**, AN ACT RELATING TO THE COMMUNITY COLLEGE OF RHODE ISLAND FOUNDATION {LC2732/1}

06/04/2009 Introduced, referred to House Corporations

House Bill No. 6244**BY** Gallison**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2751/1}

06/04/2009 Introduced, referred to House Judiciary

RULE 17

The following bills were received pursuant to Rule 17:

Representative Malik-An Act relating to Health & Safety

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 455

BY Paiva-Weed, Ciccone

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING THE DEPARTMENT OF CORRECTIONS INTAKE SERVICE CENTER (would rename the department of corrections intake service center as "The Anthony P. Trivisano Building.") {LC1897/1}

06/04/2009 Referred to House Constituent Services

Senate Bill No. 715

BY Maselli, Connors, Ruggiero

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND (would establish the position of historian laureate in Rhode Island) {LC1860/1}

06/04/2009 Referred to House Constituent Services

Senate Bill No. 356 SUB A as amended

BY McCaffrey

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES {LC1291/1/A}

06/04/2009 Referred to House Corporations

Senate Bill No. 471 SUB A as amended

BY Doyle

ENTITLED, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES (would make changes to health insurance contracts as it pertains to nurse practitioners.) {LC1896/1/A}

06/04/2009 Referred to House Corporations

Senate Bill No. 542 SUB A

BY Levesque C, Blais, Miller, Walaska

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - REVISED UNIFORM ANATOMICAL GIFT ACT (would prohibit any physician, hospital or other health care provider from charging the donor's estate or family for any cost incurred in testing or removing a human organ or tissue from a donor.) {LC1469/1/A}

06/04/2009 Referred to House Corporations

Senate Bill No. 560 SUB A**BY** Walaska**ENTITLED**, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS (would repeal the section of law imposing a sunset provision on mandated benefits for health plans.) {LC1829/1/A}

06/04/2009 Referred to House Corporations

Senate Bill No. 457 (by request)**BY** Algieri, Blais**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would make several technical amendments in the Rhode Island Uniform Commercial Driver's License Act in order to ensure state compliance with applicable federal regulations & to ensure the continued receipt of federal funds.) {LC1454/1}

06/04/2009 Referred to House Finance

Senate Bill No. 828 as amended**BY** Levesque C, Lenihan, Sosnowski, Blais, Sheehan**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES {LC2277/1}

06/04/2009 Referred to House Finance

Senate Bill No. 924 as amended**BY** Lenihan**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (would permit the agency, which is procuring a construction manager at risk, to consider and abide by an existing collective bargaining agreement.) {LC2635/1}

06/04/2009 Referred to House Finance

Senate Bill No. 710**BY** Gallo, DeVall, Crowley**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- RADIOLOGIC TECHNOLOGISTS LICENSING {LC1987/1}

06/04/2009 Referred to House H.E.W.

Senate Bill No. 195 SUB A**BY** Perry, Jabour, Miller, Levesque C, Pichardo**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER FUNERAL SERVICE ESTABLISHMENTS (would define "domestic partner" for the purpose of granting authority to domestic partners of deceased for funeral arrangements of deceased.) {LC823/1/A}

06/04/2009 Referred to House Judiciary

Senate Bill No. 371 SUB A**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO PROPERTY - MECHANICS' LIENS (require contractors to give notice to the owner, lessee or tenant, or owner of less than the fee simple in

writing, by certified mail return receipt requested, at least 10 business days prior to commencing work) {LC1126/2/A}
06/04/2009 Referred to House Judiciary

Senate Bill No. 375

BY Maselli, Walaska, Blais, McCaffrey, Jabour

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- BURGLARY AND BREAKING AND ENTERING (would expand the list of vehicles that would subject a person to a felony sentence of 10 years in prison if the person broke into any of the types of vehicles named with the intent to commit a larceny or other crime) {LC1182/1}

06/04/2009 Referred to House Judiciary

Senate Bill No. 537 (Children, Youth & Families)

BY Maher

ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION, AND HOSPITALS - MENTAL HEALTH LAW {LC1427/1}

06/04/2009 Referred to House Judiciary

Senate Bill No. 613 as amended

BY Ciccone, McCaffrey, Jabour, Bates, Felag

ENTITLED, AN ACT RELATING TO PROPERTY - RESIDENTIAL LANDLORD AND TENANT ACT (would provide that any property left by a tenant who abandons a dwelling unit would become abandoned property after thirty (30) days) {LC2047/1}

06/04/2009 Referred to House Judiciary

Senate Bill No. 875 SUB A

BY Ciccone, Blais, Pichardo, Lanzi, Tassoni

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRESPASS AND VANDALISM {LC2395/1/A}

06/04/2009 Referred to House Judiciary

Senate Bill No. 384 SUB A

BY DiPalma, DeVall, Crowley, Tassoni, Cote

ENTITLED, AN ACT RELATING TO EDUCATION (act would amend the provisions regarding the dismissal, suspension, or lay-off of red teachers) {LC1091/1/A}

06/04/2009 Referred to House Labor

Senate Bill No. 395 SUB A

BY DiPalma

ENTITLED, AN ACT RELATING TO EDUCATION {LC1783/4/A}

06/04/2009 Referred to House Labor

Senate Bill No. 440 (Labor & Training)

BY Blais

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HOISTING ENGINEERS {LC1429/1}

06/04/2009 Referred to House Labor

Senate Bill No. 639**BY** Ruggerio, Doyle, McCaffrey, McBurney, Jabour**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - HOISTING ENGINEERS {LC1506/1}

06/04/2009 Referred to House Labor

Senate Bill No. 874**BY** Picard, Connors**ENTITLED**, AN ACT RELATING TO TAXATION - TAX SALES {LC2472/1}

06/04/2009 Referred to House Municipal Government

Senate Bill No. 957**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2716/1}

06/04/2009 Referred to House Judiciary

Senate Bill No. 967**BY** Felag, DiPalma**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2677/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on a motion of Representative Fox seconded by Representative Watson, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows.

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

NAYS - 0.

CALENDAR

From the Calendar are taken:

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.

Representative Lally moves passage of the act, seconded by Representatives Marcello, Driver, Fierro, Edwards, Hearn, Carnevale, MacBeth, M. Rice, Walsh, Ruggiero, Pollard and Gallison.

By unanimous consent, Representative Marcello seconded by the entire freshman class offers a written motion to amend.

**FLOOR AMENDMENT
TO
2009 -- H 5730 SUBSTITUTE A**

AN ACT RELATING TO ELECTIONS - VOTING DISTRICTS AND OFFICIALS

Mr. Speaker:

I hereby move to amend 2009 -- H 5730 SUBSTITUTE A, entitled "AN ACT RELATING TO ELECTIONS - VOTING DISTRICTS AND OFFICIALS", as follows:

- (1) On page 2, line 23, by deleting the language "cities and".
- (2) On page 2, lines 26 and 27, by deleting the language "at least three (3) but not more than five (5)" and inserting in place thereof the language "not less than ten (10)".
- (3) On page 2, line 28, by deleting the language "city or" and the language "city and", and inserting the word "chairperson" after the word "committee".
- (4) On page 2, line 31, by deleting the language "city or".

Respectfully submitted,

REPRESENTATIVE MARCELLO

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LC02022/3
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The motion to amend prevails 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, 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, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh.

NAYS - 0.

The bill marked Substitute "A" is read and passed, as amended and the original bill indefinitely postponed, 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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Trillo, Ucci, Vaudreuil.

NAYS - 0.

REQUESTS

Representatives A. Rice and DaSilva request the journal to reflect that if they had voted on (09-H5730 SUB A, aa), they would have voted in the affirmative.

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.

Representative Malik moves passage of the resolution, seconded by Representative Walsh.

Read and passed, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, 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, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 0.

REQUEST

Representative DaSilva requests the journal to reflect that if he had voted on (09-H 5616), he would have voted in the affirmative.

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.

Representative Malik moves passage of the act, seconded by Representatives M. Rice, Flaherty, Naughton and the Entire Freshman Class.

Representative M. Rice discusses the act

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, 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, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Williams.

NAYS - 0.

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.

Representative Gallison moves passage of the act, seconded by Representatives Kilmartin, Naughton, Coderre, M. Rice, Ehrhardt, Lally, McNamara, Palumbo, and Williams.

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

FLOOR AMENDMENT
TO
2009 -- H 5336 SUBSTITUTE A

AN ACT RELATING TO WATER AND NAVIGATION - THE COASTAL RESOURCES
MANAGEMENT COUNCIL

Mr. Speaker:

I hereby move to amend 2009 -- H 5336 SUBSTITUTE A, entitled "AN ACT RELATING TO WATER AND NAVIGATION - THE COASTAL RESOURCES MANAGEMENT COUNCIL", as follows:

(1) On page 8, line 16, after the word "designated", by adding the words "and stipulated".

Respectfully submitted,

REPRESENTATIVE GALLISON

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LC00514/2
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The motion to amend prevails on a roll call vote 65 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, 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, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams.

NAYS - 1: Representative Azzinaro.

Representatives Loughlin, Kilmartin, Ucci, Trillo, McNamara, Palumbo, Mattiello, Caprio, Ferri, and M. Rice discuss the act as amended.

The bill marked Substitute "A" is read and passed, as amended and the original bill indefinitely postponed, on a roll call vote, 60 members voting in the affirmative and 8 members voting in the negative as follows.

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, Malik, Marcello, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross-Smith, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 8: Representatives Azzinaro, Hearn, MacBeth, Martin, Petrarca, Trillo, Ucci, Watson.

5. 2009-H 6007

BY Ruggiero

ENTITLED, AN ACT RELATING TO TAXATION

Committee on Municipal Government recommends passage.

Representative Gallison moves passage of the act, seconded by Representatives Ruggiero, Martin, Edwards, Guthrie, Williams, Hearn, Shallcross-Smith, MacBeth, DaSilva, Carnevale, Williamson, Marcello and M. Rice.

Representatives Watson, Driver, Trillo, and Ruggiero discuss the act.

Read and passed, on a roll call vote, 65 members voting in the affirmative and 4 members voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, 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, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 4: Representatives Driver, Newberry, Trillo, Watson.

REQUEST

Representative Palumbo requests the journal to reflect that if he had voted on (09-H 6007), he would have voted in the affirmative.

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.

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

Representatives Gallison and Jacquard discuss the act.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Coderre, Corvese, 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, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 1: Representative Trillo.

REQUEST

Representative Palumbo requests the journal to reflect that if he had voted on (09-H 6013 SUB A), he would have voted in the affirmative.

7. 2009-H 6211

BY Lally

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives O'Neill and Corvese.

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

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, 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, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 0.

REQUESTS

Representatives Palumbo, Mattiello and Carnevale request the journal to reflect that if they had voted on (09-H 6211), they would have voted in the affirmative.

NOW PRESIDING

At 4:56 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

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.

Representative Giannini moves passage of the resolution, as amended, seconded by Representatives Serpa, Handy, and Walsh.

Representative Watson discusses the act.

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

YEAS - 68: Representatives Ajello, 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, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 0.

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.

Representative Giannini moves passage of the resolution, seconded by Representatives Williams and M. Rice.

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

YEAS - 68: Representatives Ajello, 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, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson.

NAYS - 0.

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.

Representative Giannini moves passage of the resolution, seconded by Representative Pacheco.

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: Representatives Ajello, 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, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams.

NAYS - 0.

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.

Representative Giannini moves passage of the act, seconded by Representatives Naughton, Carter, and M. Rice.

Representatives Watson, Trillo, Kilmartin, Menard, Giannini, Azzinaro, Fox, and Caprio discuss the act.

NOW PRESIDING

At 5:11 o'clock P.M. the Honorable Speaker Pro Tempore Lima yields the rostrum to the Honorable Speaker Murphy

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 3 members voting in the negative as follows.

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

NAYS - 3: Representatives Newberry, Trillo, Watson.

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.

Representative Giannini moves passage of the act, seconded by Representatives Kennedy, Guthrie, Baldelli-Hunt, and Kilmartin.

Representatives Lima, Menard, Trillo, Lally, Kennedy, and Ucci discuss the act.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 3 members voting in the negative as follows.

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan,

DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 3: Representatives Newberry, Trillo, Watson.

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.

Representative Giannini moves passage of the act, seconded by Representatives Pacheco, Kilmartin, Lima, Naughton, Kennedy 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, 67 members voting in the affirmative and 3 members voting in the negative as follows.

YEAS - 67: The Honorable Speaker Murphy and Representatives Ajello, 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, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 3: Representatives Newberry, Trillo, Watson.

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.

Representative Malik moves passage of the act, seconded by Representatives Edwards, Gallison, Pollard, Loughlin, Azzinaro, MacBeth, Hearn, Carnevale, Shallcross-Smith, Handy, Sullivan, Fierro, McNamara, Marcello, Williamson, M. Rice, Giannini, San Bento, Ferri, Ruggiero, Walsh, Guthrie and Brien.

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, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, 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, Rice, A., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Williamson.

NAYS - 0.

REQUEST

Representative M. Rice requests the journal to reflect that if he had voted on (09-H 5061 SUB A), he would have voted in the affirmative.

TATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Stephen R. Ucci, State Representative, District 42, 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 5461 SUB A)
2. (Nature of the potential conflict) I have the following interest in the matter:
It may impact my employer.
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.

STEPHEN R. UCCI
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 4th day of June 2009.

ALFRED GEMMA
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

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.

Representative Malik moves passage of the act, seconded by Representative Segal and many other members of the House.

Representatives Palumbo, Segal, Gallison, Driver, Ruggiero, Trillo, Watson, Handy, A. Rice, Fox and Ehrhardt discuss the act.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 2 members voting in the negative as follows.

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gallison, 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, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Sullivan, Trillo, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 2: Representatives Gemma, Watson.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, John G. Edwards, State Representative, District 70, 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 5089)

2. (Nature of the potential conflict) I have the following interest in the matter:

I am a licensed ISDS installer & this could enhance that license.

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.

JOHN G. EDWARDS
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 4th day of June, 2009.

AGOSTINHO F. SILVA
NOTARY PUBLIC

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

CHARLENE LIMA
SPEAKER PRO TEMPORE

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.

Representative Malik moves passage of the act, seconded by Representative Carter and many other members of the House.

Read and passed, on a roll call vote, 66 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Ehrhardt, Fellela, Ferri, Fierro, 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, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 1: Representative Sullivan.

17. 2009-H 5774

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE -- ADMINISTRATIVE SUPERVISION

Committee on Corporations recommends passage.

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

Read and passed, on a roll call vote, 66 members voting in the affirmative and 2 members voting in the negative as follows.

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, 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, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS - 2: Representatives DaSilva, Kilmartin.

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.

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

Representatives Newberry, Watson and Wasylyk discuss the act.

The bill marked Substitute "A" is read and fails and the original bill indefinitely postponed, on a roll call vote, 15 members voting in the affirmative and 54 members voting in the negative as follows.

YEAS - 15: Representatives Ajello, Baldelli-Hunt, Costantino, Fox, Gemma, Handy, Hearn, Kennedy, Kilmartin, Marcello, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS - 54: The Honorable Speaker Murphy and Representatives Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gallison, Giannini, Guthrie, Jackson, Jacquard, Lally, Lima,

Loughlin, MacBeth, Malik, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Sullivan, Trillo, Ucci, Watson.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, David A. Segal, State Representative, District 2, 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 5290)
2. (Nature of the potential conflict) I have the following interest in the matter:
Employment by Fairvote
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.

DAVID A. SEGAL
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 4th day of June, 2009.

J. RUSSELL JACKSON
NOTARY PUBLIC

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

WILLIAM J. MURPHY
SPEAKER OF THE HOUSE OF REPRESENTATIVES

NOW PRESIDING

At 5:43 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

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

Committee on Judiciary recommends passage.

Representative O'Neill moves passage of the act, seconded by Representatives Lally and Pollard.

Representatives Watson, A. Rice, Trillo, Corvese, Williamson, Diaz and Brien discuss the act.

Read and passed, on a roll call vote, 46 members voting in the affirmative and 21 members voting in the negative as follows.

YEAS - 46: Representatives Azzinaro, Brien, Carnevale, Carter, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Edwards, Ehrhardt, Fellela, Ferri, Gallison, Giannini, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, McNamara, Melo, Newberry, O'Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Shallcross-Smith, Silva, Ucci, Vaudreuil, Williams, Williamson.

NAYS - 21: Representatives Ajello, Baldelli-Hunt, Caprio, Coderre, Diaz, Fierro, Fox, Gemma, Guthrie, Handy, Loughlin, Mattiello, Menard, Naughton, Pacheco, Serpa, Sullivan, Trillo, Walsh, Wasyluk, Watson.

20. 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 11, 2009.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor and the Honorable Senate forthwith.

ANNOUNCEMENTS

The Honorable Speaker Murphy wishes Representative Helio Melo and his wife Nancy a Happy Anniversary.

The Honorable Speaker Murphy wishes Representative David Caprio a Happy 35th Birthday on June 5th.

The Honorable Speaker Murphy wishes Representative Rene Menard and his wife Linda a Happy Anniversary on June 6, 2009.

Representative Handy announces that the Committee on Environment and Natural Resources will meet at the rise of the House, in Room 203 of the State House

Representative Diaz announces Representative Joseph Almeida has a new grandson.

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

Representative Azzinaro announces that the Committee on Municipal Government will meet at the rise of the House, in Room 201 of the State House.

GUEST

Representative Ehrhardt welcomes to the House Chamber as a guest his constituent from North Kingstown, Sandra J. DeLack, RN. Representative Ehrhardt announces that Sandra is about to assume the position of President of the National Association of School Nurses.

Representative Fellela also welcomes Sandra DeLack, RN to the House.

ADJOURNMENT

At 5:56 o'clock P.M. on motion of Representative Savage, and as a further mark of respect to the memory of Ida A. Reynolds-Glines; on motion of Representative Fox, and as a further mark of respect to the memory of James N. Adams, Jr.; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE ELAINE A. CODERRE

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

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 967

BY Felag, DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2677/1}

APPENDIX

CALENDAR

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 DEVICESCommittee on Judiciary recommends indefinite postponement of the original bill and
passage of Substitute A.**5. 2009-H 5655****BY Naughton****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
HEARING AID DEALERS AND FITTERS

Committee on Health, Education & Welfare recommends passage.

6. 2009-H 6219**BY Ehrhardt****ENTITLED,** AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN
OF NORTH KINGSTOWN TO EXEMPT FROM TAXATION THE
GILBERT STUART MEMORIAL, INC.

Committee on Municipal Government recommends passage.

7. 2009-H 6220**BY Ehrhardt****ENTITLED,** AN ACT AUTHORIZING THE TOWN COUNCIL OF THE TOWN
OF NORTH KINGSTOWN TO EXEMPT FROM TAXATION THE
COCUMCUSSOC ASSOCIATION

Committee on Municipal Government recommends passage.

8. 2009-H 6228**BY Baldelli-Hunt****ENTITLED,** HOUSE RESOLUTION RESPECTFULLY REQUESTING THAT THE
CITY OF WOONSOCKET, RHODE ISLAND, AMEND ITS CHARTER
IN ORDER TO CHANGE ITS FISCAL YEAR FROM JULY 1
THROUGH JUNE 30 TO OCTOBER 1 THROUGH SEPTEMBER 30

Committee on Municipal Government recommends passage.

IN ORDER FOR THURSDAY, JUNE 11, 2009:**1. 2009-H 5345****BY McCauley****ENTITLED,** AN ACT RELATING TO SPORTS RACING AND ATHLETICS --
MIXED MARTIAL ARTS

Committee on Corporations recommends passage.

2. 2009-H 5776 SUB A**BY Watson****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF BUSINESS REGULATIONCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A.**3. 2009-H 5738 SUB A****BY Caprio D****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURES -
PROCEDURE IN PARTICULAR ACTIONS - WRONGFUL DEATHCommittee on Judiciary recommends indefinite postponement of the original bill and
passage of Substitute A.**4. 2009-H 5828 SUB A****BY Ferri****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- WATER
CONSERVATIONCommittee on Environment and Natural Resources recommends indefinite postponement
of the original bill and passage of Substitute A.**5. 2009-H 5383****BY Ehrhardt****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
EMPLOYMENT SECURITY -- BENEFITS

Committee on Labor recommends passage.

6. 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.

7. 2009-S 127**BY DiPalma****ENTITLED,** AN ACT RELATING TO THE CITY OF NEWPORT

Committee on Municipal Government recommends passage in concurrence.

8. 2009-S 704 SUB A**BY Sosnowski****ENTITLED,** AN ACT RELATING TO IN AMENDMENT OF AND IN ADDITION TO THE ACT, PASSED AT THE JANUARY SESSION, A.D. 1883, ENTITLED "AN ACT TO INCORPORATE THE UNION FIRE DISTRICT OF SOUTH KINGSTOWN", AS AMENDED

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

9. 2009-S 782**BY Levesque C****ENTITLED,** AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX - BRISTOL

Committee on Municipal Government recommends passage in concurrence.

10. 2009-S 868**BY Sheehan****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES FOR AN AMOUNT NOT EXCEEDING \$10,000,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND SERVICE FEES

Committee on Municipal Government recommends passage in concurrence.

11. 2009-S 916**BY Felag****ENTITLED,** AN ACT RELATING TO THE TOWN OF TIVERTON

Committee on Municipal Government recommends passage in concurrence.

Francis P. McCabe
Clerk of the House