

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. 59

Wednesday, June 10, 2009

Fifty-ninth Day

The House of Representatives meets at the State House in Providence, Wednesday, June 10, 2009 and is called to order at 4:24 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 73 members present and 2 members absent as follows:

PRESENT - 73: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Winfield.

ABSENT - 2: Representatives Flaherty, Williamson.

INVOCATION

The Honorable Speaker presents Representative Pacheco who delivers the Invocation and Representative Silva who will lead the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Tuesday, June 9, 2009 is approved as printed.

REPORTS OF COMMITTEES**TRANSFER OF BILL**

Representative Lally, for the Committee on Judiciary, reports back the following measures, with recommendation of transfer to the Committee on Finance:

House Bill No. 5667

BY Lally, Williams, Ajello

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES (would require the adoption of new regulations& impose new reporting requirements within DCYF to improve accountability relating to sexual abuse of children) {LC685/1}

06/10/2009 Committee transferred to House Finance

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. 5002 SUB A

BY Fox

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (act would create long-term contracting standards for the development of renewable energy.) {LC102/2/A}

06/10/2009 Placed on House Calendar

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}

06/10/2009 Placed on House Calendar

Senate Bill No. 352 SUB A (by request)

BY Sosnowski

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- DISEASES AND PARASITES (would establish the Asian Longhorn Beetle as a nuisance. It would also establish penalties for unlawful importation and transportation of said beetles.) {LC1209/2/A}

06/10/2009 Placed on House Calendar

Senate Bill No. 50

BY Felag, Paiva-Weed, Metts, Sosnowski, Pichardo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT {LC178/1}

06/10/2009 Placed on House Calendar

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

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

House Bill No. 5799 SUB A

BY Naughton, Rice M, McNamara

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE QUALITY PROGRAM {LC1265/1/A}

06/10/2009 Placed on House Calendar

Senate Bill No. 49

BY Pichardo, Miller, Metts, Perry, Jabour

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- CENTER FOR HEALTH PROFESSIONS ACT (would create a center for health professionals for the development of a healthcare workforce.) {LC193/1}

06/10/2009 Placed on House Calendar

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}

06/10/2009 Placed on House Calendar

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}

06/10/2009 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. 6232

BY Walsh

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Marcia Reback to join Maureen G. Martin and Kevin W. Ryan in marriage within the Town of Narragansett, Rhode Island on or about August 1, 2009) {LC2695/1}

06/10/2009 Placed on House Calendar

House Bill No. 6244**BY** Gallison

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Richard Wolberg to join Julie Wolfson and Jamison Moeser in marriage within the Town of Bristol, Rhode Island on or about October 11, 2009) {LC2751/1}
06/10/2009 Placed on House Calendar

House Bill No. 5136**BY** Ajello, Walsh, Rice A, Handy, Dennigan

ENTITLED, AN ACT RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS {LC345/1}
06/10/2009 Placed on House Calendar

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}
06/10/2009 Placed on House Calendar

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}
06/10/2009 Placed on House Calendar

Senate Bill No. 957**BY** Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2716/1}
06/10/2009 Placed on House Calendar

House Bill No. 5569**BY** Lally, Palumbo, Guthrie, Pacheco, Almeida

ENTITLED, AN ACT RELATING TO ELECTIONS (would make Rhode Island a member to an agreement with other states which would enact this agreement calling for the election of the president and vice president by national popular vote) {LC709/1}
06/10/2009 Placed on House Calendar

House Bill No. 5938**BY** Serpa, Silva

ENTITLED, AN ACT RELATING TO PROPERTY -- CONDOMINIUM LAW (would amend the condominium laws relative to notice and publication of public auctions and notice provided to the unit owners) {LC1889/1}
06/10/2009 Placed on House Calendar

House Bill No. 6103**BY** Williams, McNamara, Carnevale, Rice A, Kilmartin**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC2166/1}

06/10/2009 Placed on House Calendar

House Bill No. 6104 SUB A**BY** Segal, Williams**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES {LC1515/1/A}

06/10/2009 Placed on House Calendar

House Bill No. 6106**BY** Almeida**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES (would increase the amount of community service to be completed and the period of mandatory license suspensions, after the first offense, for an underage person in possession of alcoholic beverages.) {LC1516/1}

06/10/2009 Placed on House Calendar

House Bill No. 6107**BY** Almeida**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- REGULATION OF SALES {LC1513/1}

06/10/2009 Placed on House Calendar

COMMITTEE ON LABOR

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

House Bill No. 5813 (Labor & Training)**BY** Watson**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HOISTING ENGINEERS {LC1606/1}

06/10/2009 Placed on House Calendar

House Bill No. 5816 (Labor & Training)**BY** Watson**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS BY CONTRACTORS - PREVAILING WAGES {LC1614/1}

06/10/2009 Placed on House Calendar

House Bill No. 5675**BY** Carter, Lima**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - HOISTING ENGINEERS (would provide that the director of the department of labor and training appoint a hoisting engineer who meets the qualification as the chief investigator) {LC1872/1}

06/10/2009 Placed on House Calendar

Senate Bill No. 440 (Labor & Training)

BY Blais

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HOISTING ENGINEERS (would provide for a uniform appointing authority for all members of the board of 1 examiners for hoisting engineers and would add the director of the department of labor and training to the board) {LC1429/1}

06/10/2009 Placed on House Calendar

Senate Bill No. 639

BY Ruggerio, Doyle, McCaffrey, McBurney, Jabour

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - HOISTING ENGINEERS (provide that the director of the department of labor and training appoint a hoisting engineer who meets the qualification as the chief investigator) {LC1506/1}

06/10/2009 Placed on House Calendar

Senate Bill No. 641

BY Ruggerio, 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}

06/10/2009 Placed on House Calendar

NEW BUSINESS

House Resolution No. 6253

BY Naughton, Coderre E, McNamara

ENTITLED, HOUSE RESOLUTION PROCLAIMING JUNE 21, 2009 AS ASKING SAVES KIDS DAY {LC2768/1}

06/10/2009 Introduced, referred to House Constituent Services

House Bill No. 6254

BY Serpa, Melo, Carter, Silva

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL BUS SAFETY ENFORCEMENT {LC2774/1}

06/10/2009 Introduced, referred to House Finance

House Bill No. 6255

BY Caprio D

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2781/1}

06/10/2009 Introduced, referred to House Judiciary

House Bill No. 6256

BY Pollard, Pacheco, Winfield

ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER {LC2771/1}

06/10/2009 Introduced, referred to House Municipal Government

House Resolution No. 6257**BY** Gemma, McNamara, Rice M**ENTITLED**, HOUSE RESOLUTION PROCLAIMING THE FIFTH DAY OF JUNE AS MAJ-EN RESPECT FOR LIVING THINGS DAY {LC2744/1}

06/10/2009 Introduced, referred to House Constituent Services

House Resolution No. 6258**BY** Melo, Silva, Rice A, DaSilva, San Bento**ENTITLED**, HOUSE RESOLUTION PROCLAIMING JUNE 10, 2009 AS "DAY OF PORTUGAL" IN THE STATE OF RHODE ISLAND {LC2782/1}

Representative Melo requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Melo seconded by Representatives Silva, DaSilva, Pacheco, Fellela, Lima, Gallison, M. Rice, Pollard, Carter, Ucci and Almeida by unanimous consent, on a voice vote.

House Resolution No. 6259**BY** Silva, Vaudreuil, Williams, Almeida, Diaz**ENTITLED**, HOUSE RESOLUTION WELCOMING COLOMBIAN PRESIDENT -LVARO URIBE V+LEZ TO THE STATE OF RHODE ISLAND {LC2796/1}

Representative Silva requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6260**BY** Palumbo**ENTITLED**, HOUSE RESOLUTION CONGRATULATING LINDA IDE ON HER RETIREMENT FROM THE OFFICE OF THE AUDITOR GENERAL AFTER 33 YEARS OF DEDICATED SERVICE {LC2737/1}

Representative Palumbo requests unanimous consent for immediate consideration.

There is no objection.

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

COMMUNICATION

The Honorable Speaker announces the receipt of the following communication:

Speaker William J. Murphy
Rhode Island State House
Room 323
Providence, RI 02903

June 10, 2009

Re: absence from session

Dear Speaker Murphy:

Please be advised that I shall not be in attendance at the House session this afternoon. I have a conflict with scheduling as it relates to my preparation for an upcoming civil trial in the Kent County Superior Court and the House session.

Should you have any questions, please feel free to contact me at your convenience.

Thank you for your attention to this matter.

Very truly yours,
Representative Timothy A. Williamson
Senior Deputy Majority Leader

Received and placed on file.

COMMUNICATION FROM THE SENATE

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

Senate Resolution No. 700 as amended
BY Raptakis, Miller, Walaska, DaPonte, O'Neill E
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY THE CONSOLIDATION OF RETAIL BUSINESS PERMITS
AND FEE COLLECTION FORMS (would create a eighteen (18) member special legislative
commission whose purpose it would be to study the consolidation of retail business permits and
fee collection forms and who would report back to the General Assembly no later than June 30,
2009) {LC1884/1}
06/10/2009 Referred to House Constituent Services

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, JUNE 10, 2009:

1. **2009-H 5591**

BY Serpa

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
WORKERS' COMPENSATION -- PROCEDURE

Committee on Labor recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, June 17, 2009.

2. 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.

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

Representative Newberry requests to vote separately on page 5, lines 18-25. The Honorable Speaker Murphy rules it is divisible.

Representatives Driver and Watson discuss the act.

Page 5, Section 7, lines 16-28 prevails on a roll call vote, 59 members voting in the affirmative and 8 members voting in the negative as follows.

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Menard, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Schadone, Segal, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasyluk, Williams.

NAYS - 8: Representatives Carter, Driver, Loughlin, Newberry, Savage, Serpa, Trillo, Watson.

The balance of the bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 64 members voting in the affirmative and 5 members voting in the negative as follows.

YEAS - 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, 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, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Winfield.

NAYS - 5: Representatives Carter, Loughlin, Newberry, Trillo, Watson.

3. 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.

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

Representatives Driver, Corvese and Vaudreuil discuss the act.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 69: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Winfield.

NAYS - 0.

4. 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.

Read, and by unanimous consent, ordered to be placed on the bottom of the Calendar as item #9A.

5. 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 18, 2009.

6. 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.

Representative McNamara moves passage of the act, seconded by Representatives Naughton, Handy, Azzinaro, Silva, Diaz, M. Rice and Kilmartin.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 63: 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, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representative Trillo.

REQUESTS

Representatives Jacquard, Hearn, Gemma and Ucci request the journal to reflect that if they had voted on (09-H 5655), they would have voted in the affirmative.

7. 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.

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

Representatives Schadone, Ehrhardt, Menard, Watson and Trillo discuss the act.

Read and passed, on a roll call vote, 59 members voting in the affirmative and 10 members voting in the negative as follows.

YEAS - 59: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McNamara, Naughton, Newberry, Pacheco, Palumbo, Rice, A., Rice, M.,

Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson.

NAYS - 10: Representatives Baldelli-Hunt, Brien, Fierro, Malik, Menard, O'Neill, Petrarca, Pollard, Schadone, Winfield.

8. 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.

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

Representatives Corvese and Ehrhardt discuss the act.

Read and passed, on a roll call vote, 61 members voting in the affirmative and 8 members voting in the negative as follows.

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Naughton, Newberry, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams.

NAYS - 8: Representatives Baldelli-Hunt, Brien, Fierro, Menard, O'Neill, Petrarca, Schadone, Winfield.

9. 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.

Representative Gallison moves passage of the resolution, seconded by Representatives Baldelli-Hunt, Brien and many other members of the House.

Read and passed, on a roll call vote, 70 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 70: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison,

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

NAYS - 1: Representative Driver.

9A. 4. 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.

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

Representative Watson and Lima discuss the act.

Read and passed, on a roll call vote, 61 members voting in the affirmative and 9 members voting in the negative as follows.

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Edwards, Fellela, Ferri, Fierro, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, Malik, Martin, Mattiello, McNamara, Menard, Naughton, Newberry, 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.

NAYS - 9: Representatives Baldelli-Hunt, Driver, Ehrhardt, Gablinske, Hearn, MacBeth, Marcello, Watson, Winfield.

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 Costantino discusses the budget status.

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

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

Representative Handy announces that the Committee on Environment and Natural Resources will meet at the rise of the House, in Room 313 of the State House.

GUESTS

At 4:25 o'clock P.M. the Honorable Speaker yields the rostrum to Representative Helio Melo.

By unanimous consent, Representative Melo addresses the members of the House and welcomes to the House Pilar Coelho, President of the Day of Portugal Committee.

By unanimous consent, Pilar Coelho addresses the members of the House.

Representative Silva presents Pilar with a citation.

At 4:29 o'clock P.M. the Honorable Speaker returns to the rostrum.

Representative Pacheco welcomes to the House Chamber Margaret Holland McDuff, CEO and Stephen Hug, Vice President of Family Services.

Representative Martin wishes a Happy "49th" Anniversary to George and Evie Spiratos from District 75 of Newport. Representatives Martin and Watson welcome to the Chamber their son Anthony Spiratos.

ADJOURNMENT

At 5:10 o'clock P.M. on motion of Representative Marcello, and as a further mark of respect to the memory of Margaret Cotter; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE EDWIN R. PACHECO

Dear God, we ask you today to grant us the strength and confidence to make the decisions that will be of the greatest benefit to our citizens. We are eternally grateful to have the opportunity to serve the people of our state, and therefore, serve you. Amen.

APPENDIX

CALENDAR

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-H 6240**BY Lally****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
ETA ZETA OF LAMBDA CHI ALPHA

Committee on Corporations recommends passage.

7. 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.

8. 2009-S 127**BY DiPalma****ENTITLED,** AN ACT RELATING TO THE CITY OF NEWPORT

Committee on Municipal Government recommends passage in concurrence.

9. 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 AMENDEDCommittee on Municipal Government recommends indefinite postponement of the
original bill and passage of Substitute A in concurrence.**10. 2009-S 782****BY Levesque C****ENTITLED,** AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX -
BRISTOL

Committee on Municipal Government recommends passage in concurrence.

11. 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.

12. **2009-S 916**

BY Felag

ENTITLED, AN ACT RELATING TO THE TOWN OF TIVERTON

Committee on Municipal Government recommends passage in concurrence.

13. **2009-S 390 SUB A**

BY Lynch

ENTITLED, AN ACT RELATING TO INSURANCE - DENTAL SERVICE
CORPORATIONS

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

14. **2009-S 748 SUB A**

BY Lynch

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

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

IN ORDER FOR TUESDAY, JUNE 16, 2009:

1. **2009-H 5002 SUB A**

BY Fox

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

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

2. **2009-H 5970**

BY Lima

ENTITLED, AN ACT RELATING TO INSURANCE -- LIABILITY INSURANCE

Committee on Judiciary recommends passage.

3. **2009-H 5642**

BY Carnevale

ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES
AND SUPERINTENDENTS

Committee on Health, Education & Welfare recommends passage.

4. 2009-H 5644**BY Ucci****ENTITLED,** AN ACT RELATING TO EDUCATION - ELIGIBILITY FOR ATTENDANCE

Committee on Health, Education & Welfare recommends passage.

5. 2009-H 5650 SUB A**BY O'Neill JP****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS - VETERINARY DRUGS - VETERINARY PRESCRIPTIONS

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

6. 2009-H 6218**BY Shallcross Smith****ENTITLED,** AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE QUINNVILLE FIRE DISTRICT IN THE TOWN OF LINCOLN, AS AMENDED

Committee on Municipal Government recommends passage.

7. 2009-H 5611**BY Lally****ENTITLED,** AN ACT RELATING TO PUBLIC FINANCE -- STATE INVESTMENT COMMISSION

Committee on Corporations recommends passage.

8. 2009-H 5900 SUB A**BY Diaz****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS - SMALL LOAN LENDERS

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

9. 2009-H 5136**BY Ajello****ENTITLED,** AN ACT RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS

Committee on Judiciary recommends passage.

10. 2009-H 6232**BY Walsh****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

11. 2009-H 6244**BY Gallison****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

12. 2009-S 108**BY DiPalma****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
SOLICITATION BY CHARITABLE ORGANIZATIONS**

Committee on Corporations recommends passage in concurrence.

13. 2009-S 473 SUB A**BY Gallo****ENTITLED, AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE
RATINGS**

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

14. 2009-S 539 SUB A as amended**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO INSURANCE - SMALL EMPLOYER
HEALTH INSURANCE**

Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute A as amended in concurrence.

15. 2009-S 620**BY Algieri****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
LAND SURVEYORS**

Committee on Corporations recommends passage in concurrence.

16. 2009-S 140**BY Perry****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
STATE POLICE**

Committee on Health, Education & Welfare recommends passage in concurrence.

17. **2009-S 245 SUB B**

BY Levesque C

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

18. **2009-S 45**

BY Ciccone

ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE

Committee on Municipal Government recommends passage in concurrence.

19. **2009-S 131 as amended**

BY O'Neill E

ENTITLED, AN ACT IN AMENDMENT OF THE ACT, PASSED AT THE JANUARY SESSION, A.D. 1948, ENTITLED "AND ACT TO INCORPORATE THE LIME ROCK FIRE DISTRICT IN THE TOWN OF LINCOLN," AS AMENDED

Committee on Municipal Government recommends passage as amended in concurrence.

20. **2009-S 190**

BY Walaska

ENTITLED, AN ACT RELATING TO HIGHWAYS

Committee on Municipal Government recommends passage in concurrence.

21. **2009-S 562 SUB A**

BY Picard

ENTITLED, AN ACT RELATING TO VALIDATING AND RATIFYING CERTAIN AMENDMENTS TO THE HOME RULE CHARTER OF THE CUMBERLAND HILL FIRE DISTRICT

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

22. **2009-S 800**

BY Walaska

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY
-- DOGS

Committee on Municipal Government recommends passage in concurrence.

23. 2009-S 815**BY DiPalma****ENTITLED, AN ACT RELATING TO TAXATION**

Committee on Municipal Government recommends passage in concurrence.

24. 2009-S 107 SUB A**BY Jabour****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
LOCATION OF GAS REGULATORS AND GAS METERS**

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

25. 2009-S 472**BY Blais****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
REGULATORY POWERS OF ADMINISTRATION**

Committee on Corporations recommends passage in concurrence.

26. 2009-S 900**BY DiPalma****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

27. 2009-S 931**BY McCaffrey****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

28. 2009-S 957**BY Sosnowski****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

29. 2009-S 50**BY Felag****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL
PROPERTY REMEDIATION AND REUSE ACT**

Committee on Environment and Natural Resources recommends passage in concurrence.

30. 2009-S 352 SUB A**BY Sosnowski****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 in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 17, 2009:**1. 2009-H 5591****BY Serpa****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
WORKERS' COMPENSATION -- PROCEDURE

Committee on Labor recommends passage.

2. 2009-H 6028 SUB A**BY Malik****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
UNDERGROUND UTILITY FACILITIES

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

3. 2009-H 6243**BY Fox****ENTITLED,** AN ACT RELATING TO THE COMMUNITY COLLEGE OF
RHODE ISLAND FOUNDATION

Committee on Corporations recommends passage.

4. 2009-H 5675**BY Carter****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -
HOISTING ENGINEERS

Committee on Labor recommends passage.

5. 2009-H 5813**BY Watson****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
HOISTING ENGINEERS

Committee on Labor recommends passage.

6. 2009-H 5816**BY Watson****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS -
PREVAILING WAGES

Committee on Labor recommends passage.

7. 2009-H 5799 SUB A**BY Naughton****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH
CARE QUALITY PROGRAM

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

8. 2009-H 5569**BY Lally****ENTITLED,** AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

9. 2009-H 5938**BY Serpa****ENTITLED,** AN ACT RELATING TO PROPERTY -- CONDOMINIUM LAW

Committee on Judiciary recommends passage.

10. 2009-H 6103**BY Williams****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
LICENSES

Committee on Judiciary recommends passage.

11. 2009-H 6104 SUB A**BY Segal****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -
REGULATION OF SALES

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

12. 2009-H 6106**BY Almeida****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -

REGULATION OF SALES

Committee on Judiciary recommends passage.

13. 2009-H 6107**BY Almeida****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES --
REGULATION OF SALES

Committee on Judiciary recommends passage.

14. 2009-S 440**BY Blais****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
HOISTING ENGINEERS

Committee on Labor recommends passage in concurrence.

15. 2009-S 639**BY Ruggiero****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -
HOISTING ENGINEERS

Committee on Labor recommends passage in concurrence.

16. 2009-S 641**BY Ruggiero****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage in concurrence.

17. 2009-S 49**BY Pichardo****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- CENTER FOR
HEALTH PROFESSIONS ACT

Committee on Health, Education & Welfare recommends passage in concurrence.

18. 2009-S 546 as amended**BY Doyle****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT
OF HEALTH

Committee on Health, Education & Welfare recommends passage as amended in
concurrence.

19. 2009-S 552 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM
CONTROLLED SUBSTANCES ACT**

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

IN ORDER FOR THURSDAY, JUNE 18, 2009:**1. 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.

2. 2009-H 6241**BY Malik****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

Committee on Environment and Natural Resources recommends passage.

IN ORDER FOR TUESDAY, JUNE 23, 2009:**1. 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.

Francis P. McCabe
Clerk of the House

Wednesday, June 10, 2009