

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. 63

Tuesday, June 23, 2009

Sixty-third Day

The House of Representatives meets at the State House in Providence, Tuesday, June 23, 2009 and is called to order at 4:23 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 75 members present and 0 members absent as follows:

PRESENT - 75: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, 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, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 0.

INVOCATION

The Honorable Speaker presents Representative Gallison. 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 Journals of Tuesday, June 16, 2009 and Thursday, June 18, 2009 are approved as printed.

REPORTS OF COMMITTEES**COMMITTEE ON CORPORATIONS**

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

House Bill No. 5127 SUB A

BY Pacheco, Guthrie, Sullivan, Ruggiero, Newberry

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOBILE AND MANUFACTURED HOMES {LC285/2/A}

06/23/2009 Placed on House Calendar

House Bill No. 6213

BY Shallcross Smith, Carnevale, Mattiello, Almeida

ENTITLED, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- MENTAL HEALTH FACILITIES (would revise the definition of facility under RI health law to establish uniformity in the licensing and regulation of facilities by the RI dept. of mental health, retardation & hospitals.) {LC2600/1}

06/23/2009 Placed on House Calendar

House Bill No. 6096

BY Almeida, DaSilva, Carnevale, Shallcross Smith, Guthrie

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE (would create the interoperable communications committee (ICC) which would deal with statewide communications interoperability) {LC2367/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 996

BY Lenihan

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF OPPORTUNITIES INDUSTRIALIZATION CENTER OF RHODE ISLAND INCORPORATED {LC2852/1}

06/23/2009 Placed on House Calendar

COMMITTEE ON FINANCE

Representative Costantino, for the Committee on Finance, reports back the following measures, with recommendation of passage:

House Bill No. 5356

BY Dennigan, Ferri, Ruggiero

ENTITLED, AN ACT RELATING TO LIBRARIES (would place the office of library and information services under the direction of a chief library officer rather than a chief information officer.) {LC854/1}

06/23/2009 Placed on House Calendar

House Bill No. 5636**BY** Dennigan, Melo, Costantino, Mattiello**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE EXPENDITURES FOR NON-STATE EMPLOYEE SERVICES (require the dir. of the depart. of administration to ensure the required quarterly reports from state departments regarding non-state employee services have the necessary information prior to submission to the chairs of the house/senate finance committee {LC1574/1})

06/23/2009 Placed on House Calendar

House Bill No. 5786 SUB A (Transportation)**BY** Watson**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CHILD RESTRAINTS {LC1550/1/A}

06/23/2009 Placed on House Calendar

House Bill No. 5831 (Revenue)**BY** Ehrhardt, Newberry**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES {LC1654/1}

06/23/2009 Placed on House Calendar

COMMITTEE ON HEALTH, EDUCATION AND WELFARE

Representative McNamara, for the Committee on Health, Education and Welfare, reports back the following

House Bill No. 5360 SUB A**BY** Gallison, Guthrie, Menard, Jacquard, Carter**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- PROGRAMS FOR FIRE DEPARTMENTS (would transfer the responsibility for enforcement of safety and health programs for the fire departments from the director of labor and training to the department of attorney general.) {LC1116/2/A}

06/23/2009 Placed on House Calendar

House Bill No. 5653 SUB A**BY** McNamara**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - ASSISTED LIVING RESIDENCE LICENSING ACT (would establish minimum standards for the licensing of "assisted living residences- adult foster care") {LC1902/1/A}

06/23/2009 Placed on House Calendar

House Bill No. 6278 SUB A**BY** Gablinske, Corvese, Brien, Malik**ENTITLED**, AN ACT RELATING TO EDUCATION -- COOPERATIVE SERVICE AMONG SCHOOL DISTRICTS {LC2799/1/A}

06/23/2009 Placed on House Calendar

Senate Bill No. 459**BY** Tassoni, McBurney, Miller, Ciccone**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES (would provide for a voluntary course of instruction for parents or guardian relative to the content of the driver education curriculum.) {LC1340/1}

06/23/2009 Placed on House Calendar

COMMITTEE ON JUDICIARY

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

Senate Bill No. 162**BY** Connors, Perry, Goodwin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE CIVIL RIGHTS ACT OF 1990 (would set a three (3) year statute of limitations on any alleged violation of this chapter.) {LC322/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 211 as amended**BY** Ciccone, Tassoni, Ruggiero, Jabour**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES (would restrict the use of radio frequency identification devices for the purpose of tracking the movement or identity of a student while on school grounds, at school functions or while being transported to and from school grounds or functions.) {LC323/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 256**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS {LC727/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 257**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - INSURANCE {LC729/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 378**BY** Sosnowski, Felag, Walaska**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - REAL ESTATE SALES DISCLOSURES (would clarify sellers disclosure requirements regarding conservation easements) {LC953/1}

06/23/2009 Placed on House Calendar

House Bill No. 5074 SUB A**BY** Gemma, Flaherty, Ferri, Trillo**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES AND OTHER VEHICLES -- PASSING, USE OF LANES, AND RULES OF THE ROAD {LC98/3/A}

06/23/2009 Placed on House Calendar

House Bill No. 5007**BY** Almeida**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT (would reduce the minimum sentences for crimes involving controlled substances.) {LC101/1}

06/23/2009 Placed on House Calendar

House Bill No. 5174**BY** Flaherty, Winfield**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR ACTIONS (would permit parents of a deceased child who are divorced, separated, living apart or never married to file a motion requesting the judge to apportion fairly any amount awarded in a wrongful death action. {LC361/1}

06/23/2009 Placed on House Calendar

House Resolution No. 5291**BY** Almeida, Williams, Diaz**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (CHANGE THE NAME OF THE STATE) {LC912/1}

06/23/2009 Placed on House Calendar

House Bill No. 5566 SUB A**BY** Lally**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- COMMUNITY OBLIGATIONS AND BANKING OFFENSES {LC1684/1/A}

06/23/2009 Placed on House Calendar

House Bill No. 5567**BY** Lally**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - JUDICIAL SELECTION {LC1946/1}

06/23/2009 Placed on House Calendar

House Bill No. 6279**BY** Martin, Ruggiero, Jackson**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2791/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 221**BY** Sosnowski**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF WHALE ROCK LAND COMPANY {LC835/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 274**BY** McCaffrey, Gallo**ENTITLED**, AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS (would change the title of the ðexecutive secretaryö of the parole board to ðadministratorö) {LC744/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 460 (by request)**BY** Felag, Paiva-Weed**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC1188/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 760 SUB A (Governor)**BY** Blais**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - JUDICIAL SELECTION (would make any individual whose name was publicly submitted to the governor by the judicial nominating commission, eligible for subsequent nomination by the governor until June 30, 2010) {LC1312/1/A}

06/23/2009 Placed on House Calendar

COMMITTEE ON MUNICIPAL GOVERNMENT

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

Senate Bill No. 64**BY** Fogarty P, Gallo, Goodwin**ENTITLED**, AN ACT RELATING TO THE TOWN OF GLOCESTER (would ratify amendments to the town charter by the electors in the town of Gloucester on November 4, 2008.) {LC548/1}

06/23/2009 Placed on House Calendar

House Bill No. 5083**BY** Azzinaro, Guthrie, Pollard, Kennedy, Walsh**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- DIVISION OF MOTOR VEHICLES (would require the administrator of the division of motor vehicles to maintain an office in Westerly.) {LC151/1}

06/23/2009 Placed on House Calendar

House Bill No. 5267 SUB A as amended

BY Ruggiero

ENTITLED, AN ACT RELATING TO EDUCATION -- COMPULSORY ATTENDANCE (would allow the town of Jamestown to establish a juvenile hearing board) {LC911/1/A}
06/23/2009 Placed on House Calendar

House Bill No. 5683 SUB A

BY Lally

ENTITLED, AN ACT RELATING TO AUTHORIZATION FOR SANITARY SEWER LINE FROM BONNET SHORES BEACH CLUB CONDOMINIUM TO TOWN OF NARRAGANSETT WASTEWATER TREATMENT SYSTEM (would allow the Bonnet Shores Beach Club Condo Association to construct, use, operate, maintain & repair a sanitary sewer line located at 175 Bonnet Point Road in Narragansett) {LC1869/2/A}
06/23/2009 Placed on House Calendar

House Bill No. 6267

BY Azzinaro, Carnevale, Walsh

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC2747/1}
06/23/2009 Placed on House Calendar

House Bill No. 6281

BY Pacheco, Newberry

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS {LC2750/1}
06/23/2009 Placed on House Calendar

House Bill No. 6291

BY Martin, Rice A

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--COURTS -- NEWPORT PROBATE COURT {LC2790/1}
06/23/2009 Placed on House Calendar

House Bill No. 6256

BY Pollard, Pacheco, Winfield

ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER {LC2771/1}
06/23/2009 Placed on House Calendar

House Bill No. 6058 SUB A

BY Lally, Caprio D, Malik

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING {LC2345/1/A}
06/23/2009 Placed on House Calendar

Senate Bill No. 246 SUB A**BY** Maher, Algieri**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (would permit the town of Exeter to assess and tax new real estate construction as completed after the assessment date on a pro rata basis.) {LC965/1/A}

06/23/2009 Placed on House Calendar

Senate Bill No. 366**BY** Crowley, Maher, McCaffrey, Pichardo**ENTITLED**, AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING (would change the time that Richmond polls open from 6:00 a.m. to 7:00 a.m) {LC1700/1}

06/23/2009 Placed on House Calendar

Senate Bill No. 906 SUB A**BY** Fogarty P, Gallo**ENTITLED**, AN ACT RELATING TO THE BURRILLVILLE SEWER COMMISSION {LC2512/1/A}

06/23/2009 Placed on House Calendar

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

06/23/2009 Placed on House Calendar

Senate Bill No. 955**BY** Connors**ENTITLED**, AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE QUINNVILLE FIRE DISTRICT IN THE TOWN OF LINCOLN, AS AMENDED (would establish a permanent education foundation aid formula for calculating state aid to public education) {LC2686/1}

06/23/2009 Placed on House Calendar

COMMITTEE ON VETERANS AFFAIRS

Representative Carter, for the Committee on Veterans Affairs, reports back the following measures, with recommendation of passage:

House Bill No. 5082 SUB A**BY** Carter, Gemma, Jacquard, Gallison, Almeida**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF VETERANS' AFFAIRS {LC209/1/A}

06/23/2009 Placed on House Calendar

NEW BUSINESS**House Bill No. 6301****BY** Kilmartin, Ehrhardt**ENTITLED**, AN ACT RELATING TO HIGHWAYS - ABANDONMENT**BY** TOWNS {LC2835/1}

06/23/2009 Introduced, referred to House Municipal Government

House Bill No. 6302**BY** DaSilva, Kilmartin**ENTITLED**, AN ACT RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC

RECORDS {LC2831/1}

06/23/2009 Introduced, referred to House Judiciary

With the agreement of the Majority and the Minority, Representative Ruggiero requests to place (09-H 6303) on the Calendar for Thursday, June 25th. There is no objection.

House Bill No. 6303**BY** Ruggiero**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE {LC2875/1}

06/23/2009 Placed on House Calendar

With the agreement of the Majority and the Minority, Representative Sullivan requests to place (09-H 6304) on the Calendar for Thursday, June 25th. There is no objection.

House Bill No. 6304**BY** Sullivan, Watson, Guthrie**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - BIG RIVER RESERVOIR MORATORIUM {LC2836/1}

06/23/2009 Placed on House Calendar

House Bill No. 6305**BY** O'Neill JP, Melo, Sullivan, Petrarca**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL BUS SAFETY ENFORCEMENT {LC2855/1}

06/23/2009 Introduced, referred to House Finance

House Resolution No. 6306**BY** Fox, Watson**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2884/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6307

BY Fox, Watson

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2885/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6308

BY Murphy, Williamson, Carter, Fox, Watson

ENTITLED, HOUSE RESOLUTION HONORING COMMANDER SEAN P. HENSELER, ESQ. ON HIS RETIREMENT FROM THE UNITED STATES NAVY, JUDGE ADVOCATE GENERAL'S CORPS, AFTER TWENTY YEARS OF HONORABLE, DISTINGUISHED AND DEDICATED SERVICE TO THE UNITED STATES OF AMERICA AND THE UNITED STATES NAVY {LC2871/1}

Representative Fox requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Fox seconded by Representatives Watson, Williamson, Ehrhardt, Coderre, Lima, Carter, Naughton, Kennedy and many other members of the House by unanimous consent, on a voice vote.

House Bill No. 6309

BY Kennedy

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING {LC2858/1}

Representative Kennedy requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Kennedy seconded by Representatives Carter, Williams, Lally and many other members of the House, 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, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie,

Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

House Resolution No. 6310

BY Newberry, Ehrhardt

ENTITLED, HOUSE RESOLUTION EXPRESSING OUR DEEPEST SYMPATHY ON THE UNTIMELY PASSING OF KAITLYN M. FERRA AND PROCLAIMING WEDNESDAY, JUNE 24, 2009 TO BE "KAITLYN M. FERRA MEMORIAL DAY" IN THE STATE OF RHODE ISLAND {LC2859/1}

Representative Newberry requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 6311

BY Corvese, Schadone, Menard, Carnevale

ENTITLED, HOUSE RESOLUTION EXTENDING SINCERE BEST WISHES TO KENNETH E. ARNOLD, ESQ. ON THE OCCASION OF HIS 60TH BIRTHDAY {LC2840/1}

Representative Corvese requests unanimous consent for immediate consideration.

There is no objection.

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

With the agreement of the Majority and the Minority, Representative Fellela requests to place (09-H 6312) on the Calendar for Thursday, June 25th. There is no objection.

House Resolution No. 6312

BY Fellela, Ucci, Corvese, Schadone

ENTITLED, HOUSE RESOLUTION CONGRATULATING DENISE TURCOTTE ON WINNING THE 2009 MRS. RHODE ISLAND AMERICA PAGEANT {LC2877/1}

RULE 17

The following bills were received pursuant to Rule 17:

Representative Kilmartin-An Act relating to Highways

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 996**BY** Lenihan

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF OPPORTUNITIES INDUSTRIALIZATION CENTER OF RHODE ISLAND INCORPORATED {LC2852/1}

06/23/2009 Referred to House Corporations

Senate Bill No. 948**BY** DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Jay Tanzman to join Jodie Paglia and Glenn Tanzman in marriage within the City of Newport, Rhode Island on or about August 1, 2009.) {LC2664/1}

06/23/2009 Referred to House Judiciary

Senate Bill No. 949**BY** Miller

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Sarah Elisabeth Paquet to join Lee Ann Scotto and Robert G. Adams, Jr. in marriage within the Town of Tiverton, Rhode Island on or about August 1, 2009.) {LC2656/1}

06/23/2009 Referred to House Judiciary

Senate Bill No. 950**BY** Maher, Blais, Algieri

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Benjamin Joseph Reddish, III to join Karen Grimes and Craig Carrigan in marriage within the Town of Narragansett, Rhode Island on or about June 27, 2009.) {LC2661/1}

06/23/2009 Referred to House Judiciary

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, JUNE 23, 2009:**1. Nomination of Paul A. Suttell (appointment) VICE Chief Justice Frank J. Williams as Chief Justice of the Rhode Island Supreme Court.**

Committee on Judiciary recommends that the House give its Advice and Consent to this nomination.

Representative Lally moves that the Advice and Consent of the House be given this nomination, seconded by Representatives Williamson, O'Neill, Loughlin, Newberry, Trillo, Sullivan, Jackson, Driver, Palumbo, Caprio, Pollard, Watson, M. Rice, Dennigan, Corvese, Coderre, Fox, Kilmartin, Lima, Wasyluk, A. Rice, Ajello, Giannini, Mattiello, Marcello, Menard, San Bento, Shallcross-Smith, DeSimone, and Williams.

Representatives Watson and Gemma discuss the nomination. Minority Leader Watson rises on a point of order for Representative Gemma to speak germane to the nomination before us. The Honorable Speaker Murphy rules for Representative Gemma to speak to the nomination before us. Representatives Fox and Costantino continue discussion on the nomination.

The Advice and Consent of the House is given this nomination, on a roll call vote, 75 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS – 75: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, 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, Williamson, Winfield.

NAYS – 0.

At 4:44 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to Judge Paul A. Suttell.

By unanimous consent, Judge Suttell addresses the members of the House.

At 4:49 o'clock P.M. the Honorable Speaker Murphy returns to the rostrum and congratulates Judge Suttell.

STATE 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-S 0111 SUB Aaa)
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 23rd day of June, 2009.

TIMOTHY A. WILLIAMSON
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

2 2009-S 111 SUB A as amended

BY Miller

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

Ordered on the Calendar

Representative Fox moves passage of the act, as amended, seconded by Representatives Dennigan, Sullivan, Kennedy, Costantino, M. Rice, Gablinske, O'Neill, and many other members of the House.

The bill marked Substitute "A" is read and passed, as amended, in concurrence and the original bill indefinitely postponed, on a roll call vote, 72 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 72: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, 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, Silva, Slater, Sullivan, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

3 2009-H 6293**BY Melo****ENTITLED,** HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE STRUCTURE AND WORKINGS OF THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION (DOT)

Ordered on the Calendar

Representative Melo moves passage of the resolution, seconded by Representatives Almeida, Serpa, Petrarca, Naughton, and Williams.

Read and passed, 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, Almeida, Baldelli-Hunt, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Pacheco, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS – 1: Representative Martin.

4 2009-H 5136**BY Ajello****ENTITLED,** AN ACT RELATING TO PUBLIC RECORDS – ACCESS TO PUBLIC RECORDS

Committee on Judiciary recommends passage.

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

By unanimous consent, Representative Ajello, seconded by Representatives Lally, Almeida, and many other members of the House offer a written motion to amend.

F L O O R A M E N D M E N T
T O
2009 – H 5136

AN ACT RELATING TO PUBLIC RECORDS – ACCESS TO PUBLIC RECORDS

Mr. Speaker:

I hereby move to amend 2009 – H 5136, entitled “AN ACT RELATING TO PUBLIC

RECORDS – ACCESS TO PUBLIC RECORDS”, as follows:

1. By deleting all of the language following the enactment clause and inserting in place thereof the following language:

“SECTION 1. Sections 38-2-2, 38-2-3, 38-2-4, 38-2-6, 38-2-7, 38-2-8 and 38-2-9 of the General Laws in Chapter 38-2 entitled “Access to Public Records” are hereby amended to read as follows:

38-2-2. Definitions. – As used in this chapter:

(1) “Agency” or “public body” shall mean any executive, legislative, judicial, regulatory, or administrative body of the state, or any political subdivision thereof; including, but not limited to, any department, division, agency, commission, board, office, bureau, authority, any school, fire, or water district, or other agency of Rhode Island state or local government which exercises governmental functions, any authority as defined in section 42-35-1(b), or any other public or private agency, person, partnership, corporation, or business entity acting on behalf of and/or in place of any public agency.

(2) “Chief administrative officer” means the highest authority of the public body as defined in subsection (a) of this section.

(3) “Public business” means any matter over which the public body has supervision, control, jurisdiction, or advisory power.

(4) (i) “Public record” or “public records” shall mean all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, magnetic or other tapes, electronic data processing records, computer stored data (including electronic mail messages, except specifically for any electronic mail messages of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities) or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. For the purposes of this chapter, the following records shall not be deemed public:

(A) (I) All records which are identifiable to an individual applicant for benefits, client, patient, student, or employee, including, but not limited to, personnel, medical treatment, welfare, employment security, pupil records, all records relating to a client/attorney relationship and to a doctor/patient relationship, and all personal or medical information relating to an individual in any files, including information relating to medical or psychological facts, personal finances, welfare, employment security, student performance, or information in personnel files maintained to hire, evaluate, promote, or discipline any employee of a public body; provided, however, with respect to employees, the name, gross salary, salary range, total cost of paid fringe benefits, gross amount received in overtime, and other remuneration in addition to salary, job title, job description, dates of employment and positions held with the state or municipality, work location, business telephone number, the city or town of residence, and date of termination shall be public. For the purposes of this section, “remuneration” shall include any payments received by an employee as a result of termination, or otherwise leaving employment.

(II) Notwithstanding the provisions of this section, or any other provision of the general laws to the contrary, the pension records of all persons who are either current or retired members of the retirement systems established by the general laws as well as all persons who become members of those retirement systems after June 17, 1991 shall be open for public inspection. “Pension records” as used in this section shall include all records containing information concerning pension and retirement benefits of current and retired members of the retirement systems established in title 8, title 36, title 42, and title 45 and future members of said systems,

including all records concerning retirement credits purchased and the ability of any member of the retirement system to purchase retirement credits, but excluding all information regarding the medical condition of any person and all information identifying the member's designated beneficiary or beneficiaries.

(B) Trade secrets and commercial or financial information obtained from a person, firm, or corporation which is of a privileged or confidential nature.

I Child custody and adoption records, records of illegitimate births, and records of juvenile proceedings before the family court.

(D) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information (a) could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (d) could reasonably be expected to disclose the identity of a confidential source, including a state, local, or foreign agency or authority, or any private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual. Records relating to management and direction of a law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult, including the initial narrative report shall be public.

(E) Any records which would not be available by law or rule of court to an opposing party in litigation.

(F) Scientific and technological secrets and the security plans of military and law enforcement agencies, the disclosure of which would endanger the public welfare and security.

(G) Any records which disclose the identity of the contributor of a bona fide and lawful charitable contribution to the public body whenever public anonymity has been requested of the public body with respect to the contribution by the contributor.

(H) Reports and statements of strategy or negotiation involving labor negotiations or collective bargaining.

(I) Reports and statements of strategy or negotiation with respect to the investment or borrowing of public funds, until such time as those transactions are entered into.

(J) Any minutes of a meeting of a public body which are not required to be disclosed pursuant to chapter 46 of title 42.

(K) Preliminary drafts, notes, impressions, memoranda, working papers, and work products; provided, however, any documents submitted at a public meeting of a public body shall be deemed public.

(L) Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment or promotion, or academic examinations; provided, however, that a person shall have the right to review the results of his or her examination.

(M) Correspondence of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities.

(N) The contents of real estate appraisals, engineering, or feasibility estimates and evaluations made for or by an agency relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all proceedings or transactions have been terminated or abandoned; provided the law of eminent domain shall not be affected by this provision.

(O) All tax returns.

(P) All investigatory records of public bodies, with the exception of law enforcement agencies, pertaining to possible violations of statute, rule, or regulation other than records of final actions taken provided that all records prior to formal notification of violations or noncompliance shall not be deemed to be public.

(Q) Records of individual test scores on professional certification and licensing examinations; provided, however, that a person shall have the right to review the results of his or her examination.

I Requests for advisory opinions until such time as the public body issues its opinion.

(S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state law, or rule of court.

(T) Judicial bodies are included in the definition only in respect to their administrative function provided that records kept pursuant to the provisions of chapter 16 of title 8 are exempt from the operation of this chapter.

(U) Library records which by themselves or when examined with other public records, would reveal the identity of the library user requesting, checking out, or using any library materials.

(V) Printouts from TELE – TEXT devices used by people who are deaf or hard of hearing or speech impaired.

(W) All records received by the insurance division of the department of business regulation from other states, either directly or through the National Association of Insurance Commissioners, if those records are accorded confidential treatment in that state. Nothing contained in this title or any other provision of law shall prevent or be construed as prohibiting the commissioner of insurance from disclosing otherwise confidential information to the insurance department of this or any other state or country, at any time, so long as the agency or office receiving the records agrees in writing to hold it confidential in a manner consistent with the laws of this state.

(X) Credit card account numbers in the possession of state or local government are confidential and shall not be deemed public records.

(Y) Any documentary material, answers to written interrogatories, or oral testimony provided under any subpoena issued under Rhode Island general law section 9-1.1-6.

(ii) However, any reasonably segregable portion of a public record excluded by this section shall be available for public inspections after the deletion of the information which is the basis of the exclusion, if disclosure of the segregable portion does not violate the intent of this section.

~~(5) “Supervisor of the regulatory body” means the chief or head of a section having enforcement responsibility for a particular statute or set of rules and regulations within a regulatory agency.~~

~~(6)~~(5) “Prevailing plaintiff” means and shall include those persons and entities deemed prevailing parties pursuant to 42 U.S.C. section 1988- ; provided, however, that a judgment in the plaintiff’s favor shall not be a prerequisite to a plaintiff obtaining an award of attorneys’ fees

from the court.

38-2-3. Right to inspect and copy records – Duty to maintain minutes of meetings – Procedures for access. – (a) Except as provided in section 38-2-2(4), all records maintained or kept on file by any public body, whether or not those records are required by any law or by any rule or regulation, shall be public records and every person or entity shall have the right to inspect and/or copy those records at such reasonable time as may be determined by the custodian thereof.

(b) Each public body shall make, keep, and maintain written or recorded minutes of all meetings.

I Each public body shall establish procedures regarding access to public records but shall not require written requests for public information available pursuant to R.I.G.L. section 42-35-2 or for other documents prepared for or readily available to the public. These procedures must include, but need not be limited to, the identification of a designated public records officer, how to make a public records request, and where a public records request should be made, and a copy of these procedures shall be posted on the public body's website if such a website is maintained and be made otherwise readily available to the public. The unavailability of a designated public records officer shall not be deemed good cause for failure to timely comply with a request to inspect and/or copy public records pursuant to subsection (d). A written request for public records need not be made on a form or in a specified format established by a public body if the request is otherwise readily identifiable as a request for public records.

(d) A public body receiving a request shall permit the inspection or copying within seven (7) business days after receiving a request. If the inspection or copying is not permitted within seven (7) business days, the public body shall forthwith explain in writing the need for additional time to comply with the request. Any such explanation must be particularized to the specific request made. In such case, the public body may have up to twenty (20) business days to respond to the request if it can demonstrate that the voluminous nature of the request, the number of requests for records pending, or the difficulty in searching for and retrieving or copying the requested records, is such that additional time is necessary to avoid imposing an undue burden on the public body. If a request is so voluminous that search and retrieval is reasonable expected to exceed twenty (20) business days, a public body may apply to a justice of the superior court to further extend the time to comply.

~~(d)~~(e) If a public record is in active use or in storage and, therefore, not available at the time a person or entity requests access, the custodian shall so inform the person or entity and make an appointment for the ~~citizen~~ person or entity to examine such records as expeditiously as they may be made available.

~~(e)~~(f) Any person or entity requesting copies of public records may elect to obtain them in any and all media in which the public agency is capable of providing them. Any public body which maintains its records in a computer storage system shall provide any data properly identified in a printout or other reasonable format, as requested.

~~(f)~~(g) Nothing in this section shall be construed as requiring a public body to reorganize, consolidate, or compile data not maintained by the public body in the form requested at the time the request to inspect the public records was made except to the extent that such records are in an electronic format and the public body would not be unduly burdened in providing such data.

~~(g)~~(h) Nothing in this section is intended to affect the public record status of information merely because it is stored in a computer.

~~(h)~~(i) No public records shall be withheld based on the purpose for which the records are

sought-, nor shall a public body require, as a condition of fulfilling a public records request, that a person or entity provide a reason for the request or provide personally identifiable information about him/herself.

(j) At the election of the person or entity requesting the public records, the public body shall provide copies of the public records electronically, by fax, or by mail unless doing so would be unduly burdensome due to the volume of the records requested and the costs that would be incurred.

(k) Notwithstanding the provisions of subsection (d), the following information reflecting the initial arrest of an adult and charge or charges shall be made available within twenty-four (24) hours after receipt of a request and may not be redacted except as provided in this subsection.

(1) Full name of the arrested adult;

(10) Home address of the arrested adult unless doing so would identify a minor crime victim as prohibited in sections 11-2708.5 or 9-1-44;

(3) Date of birth of the arrested adult;

(4) Charge or charges;

(5) Date of the arrest;

(6) Time of the arrest;

(7) Gender of the arrested adult;

(8) Race of the arrested adult;

(9) Name of the arresting officer.

38-2-4. Cost. – (a) Subject to the provisions of section 38-2-3, a public body must allow copies to be made or provide copies of public records. The cost per copied page of written documents provided to the public shall not exceed fifteen cents (\$.15) per page for documents copyable on common business or legal size paper. A public body may not charge more than the reasonable actual cost for providing electronic records, or retrieving records from storage where the public body is assessed a retrieval fee.

(b) A reasonable charge may be made for the search or retrieval of documents. Hourly costs for a search and retrieval shall not exceed fifteen dollars (\$15.00) per hour and no costs shall be charged for the first hour of a search or retrieval. A public body may also charge the reasonable actual cost of mailing records to a requester.

I Copies of documents shall be provided and the search and retrieval of documents accomplished within a reasonable time after a request. A public body shall, upon request, provide an estimate of the costs of a request for documents prior to providing copies.

(d) Upon request, the public body shall provide a detailed itemization of the costs charged for search and retrieval.

(e) A court may reduce or waive the fees for costs charged for search or retrieval if it determines that the information requested is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

38-2-6. Commercial use of public records. – No person or business entity shall use information obtained from public records pursuant to this chapter to solicit for commercial purposes or to obtain a commercial advantage over the party furnishing that information to the public body. Anyone who knowingly and willfully violates the provision of this section shall, in addition to any civil liability, be punished by a fine of not more than five hundred dollars (\$500) and/or imprisonment for no longer than one year.

38-2-7. Denial of access. – (a) Any denial of the right to inspect or copy records, in whole or in part, provided for under this chapter shall be made to the person or entity requesting the right ~~by the public body official who has custody or control of the public record~~ in writing giving the specific reasons for the denial within ~~ten (10)~~ seven (7) business days of the request and indicating the procedures for appealing the denial. Except for good cause shown, any reason not specifically set forth in the denial shall be deemed waived by the public body.

(b) Failure to timely comply with a request to inspect or copy the public record ~~within the ten (10) business day period~~ within the seven (7) business day period shall be deemed to be a denial. Except that for good cause, this limit may be extended ~~for a period not to exceed thirty (30) business days~~. In accordance with the provisions of subsection 38-2-3(d) of this chapter. All copying and search and retrieval fees shall be waived if a public body fails to produce requested records in a timely manner; provided, however, that the production of records shall not be deemed untimely if the public body is awaiting receipt of payment for costs properly charged under 38-2-4.

I A public body that receives a request to inspect or copy records not within its custody or control shall respond to the request in accordance with this chapter and indicate that it does not maintain such requested records.

38-2-8. Administrative appeals. – (a) Any person or entity denied the right to inspect a record of a public body ~~by the custodian of the record~~ may petition the chief administrative officer of that public body for a review of the determinations made by his or her subordinate. The chief administrative officer shall make a final determination whether or not to allow public inspection within ten (10) business days after the submission of the review petition.

(b) If the custodian of the records or the chief administrative officer determines that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the attorney general. The attorney general shall investigate the complaint and if the attorney general shall determine that the allegations of the complaint are meritorious, he or she may institute proceedings for injunctive or declaratory relief on behalf of the complainant in the superior court of the county where the record is maintained. Nothing within this section shall prohibit any individual or entity from retaining private counsel for the purpose of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained.

I The attorney general shall consider all complaints filed under this chapter to have also been filed pursuant to the provisions of section 42-46-8(a), if applicable.

(d) Nothing within this section shall prohibit the attorney general from initiating a complaint on behalf of the public interest.

38-2-9. Jurisdiction of superior court. – (a) Jurisdiction to hear and determine civil actions brought under this chapter is hereby vested in the superior court.

(b) The court may examine any record which is the subject of a suit in camera to determine whether the record or any part thereof may be withheld from public inspection under the terms of this chapter.

I Actions brought under this chapter may be advanced on the calendar upon motion of. Any party, or sua sponte by the court made in accordance with the rules of civil procedure of the superior court.

(d) The court shall impose a civil fine not exceeding ~~one thousand dollars (\$1,000)~~ five thousand dollars (\$5,000) against a public body or official found to have committed a knowing and willful violation of this chapter, and a civil fine not to exceed two thousand dollars (\$2000)

against a public body or official found to have recklessly violated this chapter, and shall award reasonable attorney fees and costs to the prevailing plaintiff. The court shall further order a public body found to have wrongfully denied access to public records to provide the records at no cost to the prevailing party; provided, further, that in the event that the court, having found in favor of the defendant, finds further that the plaintiff's case lacked a grounding in fact or in existing law or in good faith argument for the extension, modification, or reversal of existing law, the court may award attorneys fees and costs to the prevailing defendant.

SECTION 2. Chapter 38-2 of the General Laws entitled "Access to Public Records" is hereby amended by adding thereto the following section:

38-2-16. ~~Compliance by state agencies~~ Compliance by agencies and public bodies. – No later than January 1, 2010, and annually thereafter, the chief administrator of each agency and each public body shall certify in writing to the attorney general that all officers and employees who have the authority to grant or deny persons or entities access to records under this chapter have been provided orientation and training regarding this chapter. The attorney general may, in accordance with the provisions of chapter 35 of title 42, promulgate rules and regulations necessary to implement the requirements of this section.

SECTION 3. This act shall take effect on September 1, 2009."

Respectfully submitted,

REPRESENTATIVE AJELLO

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LC00345/3
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Representatives Ajello, Corvese, Watson, DaSilva, Williams, Gablinske, Kilmartin, Trillo, Marcello, Walsh and Ehrhardt discuss the amendment.

Representative Ehrhardt requests to vote page 5, lines 18-21 separately. The Honorable Speaker rules it is divisible.

Representative Caprio requests to vote page 3, line 2, Section D separately. The Honorable Speaker rules it is divisible.

Representatives Driver, Giannini, Carnevale, Baldelli- Hunt, Palumbo, A. Rice, Williamson, Gemma, and Handy discuss the amendment.

Page 3, Section D, line 18 fails on a roll call vote 31 members voting in the affirmative and 37 members voting in the negative as follows:

YEAS – 31: The Honorable Speaker Murphy and Representatives Ajello, Coderre, Costantino, Dennigan, Driver, Edwards, Ferri, Fox, Gallison, Handy, Hearn, Jackson, Jacquard, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Mattiello, McNamara, Naughton, O'Neill, Pollard, Rice, A., Rice, M., Ruggiero, Segal, Walsh, Wasyluk.

NAYS – 37: Representatives Almeida, Azzinaro, Brien, Caprio, Carnevale, Carter, Corvese, DaSilva, Ehrhardt, Fellela, Fierro, Gablinske, Gemma, Giannini, Guthrie, Kilmartin, Loughlin,

Martin, McCauley, Melo, Menard, Newberry, Palumbo, Petrarca, San Bento, Savage, Schadone, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Watson, Williams, Williamson, Winfield.

Page 5, Section 5, lines 19-21 fails on a roll call vote 30 members voting in the affirmative and 39 members voting in the negative as follows:

YEAS – 30: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Coderre, Costantino, Dennigan, Driver, Edwards, Ferri, Fox, Gallison, Handy, Hearn, Jackson, Jacquard, Kennedy, Lally, Lima, MacBeth, Marcello, Mattiello, McNamara, Naughton, O’Neill, Pollard, Rice, A., Ruggiero, Segal, Walsh, Wasylyk.

NAYS – 39: Representatives Almeida, Brien, Caprio, Carnevale, Carter, Corvese, DaSilva, Ehrhardt, Fellela, Fierro, Gablinske, Gemma, Giannini, Guthrie, Kilmartin, Malik, Martin, McCauley, Melo, Menard, Newberry, Pacheco, Palumbo, Petrarca, Rice, M., San Bento, Savage, Schadone, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Watson, Williams, Williamson, Winfield.

The balance of the amendment prevails on a roll call vote 41 members voting in the affirmative and 29 members voting in the negative as follows:

YEAS – 41: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Caprio, Coderre, Costantino, DaSilva, Dennigan, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Handy, Hearn, Jackson, Jacquard, Kennedy, Lally, Lima, Loughlin, MacBeth, Marcello, Mattiello, McNamara, Melo, Naughton, O’Neill, Pacheco, Pollard, Rice, A., Rice, M., Ruggiero, Segal, Serpa, Slater, Walsh, Wasylyk.

NAYS – 29: Representatives Almeida, Brien, Carnevale, Carter, Corvese, Ehrhardt, Gemma, Giannini, Guthrie, Kilmartin, Malik, Martin, McCauley, Menard, Newberry, Palumbo, Petrarca, San Bento, Savage, Schadone, Shallcross-Smith, Silva, Trillo, Ucci, Vaudreuil, Watson, Williams, Williamson, Winfield.

By unanimous consent, Representative DaSilva seconded by Representatives Ajello offers a written motion to amend.

**FLOOR AMENDMENT
TO
2009 – H 5136**

AN ACT RELATING TO PUBLIC RECORDS – ACCESS TO PUBLIC RECORDS

Mr. Speaker:

I hereby move to amend 2009 – H 5136, entitled “AN ACT RELATING TO PUBLIC RECORDS – ACCESS TO PUBLIC RECORDS”, as follows:

(1) On page 2, line 15, after the language “public.” By adding the language “The provisions of public employee employment contracts in their entirety shall be public.”

Respectfully submitted,

REPRESENTATIVE DASILVA

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LC00345/4
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Representatives Watson, DaSilva and Fox discuss the amendment.

By unanimous consent, Representative DaSilva seconded by Representative Trillo offers an oral motion to amend the amendment.

The oral motion to amend the amendment prevails on a roll call vote 67 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS – 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

NAYS – 1: Representative Carter.

The amendment, as amended, prevails on a roll call vote 67 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS – 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

NAYS – 1: Representative Carter.

Read and passed, as amended, on a roll call vote, 46 members voting in the affirmative and 22 members voting in the negative as follows.

YEAS – 46: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Coderre, Costantino, DaSilva, Dennigan, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Handy, Hearn, Kennedy, Lally, Lima, Loughlin, MacBeth, Marcello, Mattiello, McCauley, McNamara, Melo, Naughton, Newberry, O’Neill,

Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Segal, Serpa, Slater, Trillo, Walsh, Wasyluk.

NAYS – 22: Representatives Brien, Carnevale, Carter, Corvese, Ehrhardt, Guthrie, Kilmartin, Malik, Martin, Menard, Palumbo, San Bento, Savage, Schadone, Shallcross-Smith, Silva, Ucci, Vaudreuil, Watson, Williams, Williamson, Winfield.

5 2009-H 6299

BY Kilmartin

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY POTENTIAL ECONOMIC OPPORTUNITIES IN THE DEVELOPMENT OF PORT FACILITIES IN THE STATE OF RHODE ISLAND

Ordered on the Calendar

Representative Kilmartin moves passage of the resolution, seconded by Representatives Pacheco, Almeida, and many other members of the House.

Read and passed, on a roll call vote, 71 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 71: 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, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

6 2009-H 6300

BY Ruggiero

ENTITLED, HOUSE RESOLUTION RECOGNIZING AUGUST 8, 2009 “NATIONAL MARINA DAY” IN THE STATE OF RHODE ISLAND IN HONOR OF RHODE ISLAND MARINA TRADE ASSOCIATION (RIMTA)

Ordered on the Calendar

Representative Ruggiero moves passage of the resolution, seconded by Representatives Lima and Naughton.

By unanimous consent, Representative Ruggiero seconded by Representatives Lima, Loughlin, Naughton, and many other members of the House offer a written motion to amend.

F L O O R A M E N D M E N T
TO
2009 – H 6300

HOUSE RESOLUTION RECOGNIZING AUGUST 8, 2009 “NATIONAL MARINA DAY” IN
THE STATE OF RHODE ISLAND IN HONOR OF RHODE ISLAND MARINA TRADE
ASSOCIATION (RIMTA)

Mr. Speaker:

I hereby move to amend 2009 – H 6300, entitled “HOUSE RESOLUTION RECOGNIZING AUGUST 8, 2009 “NATIONAL MARINA DAY” IN THE STATE OF RHODE ISLAND IN HONOR OF RHODE ISLAND MARINA TRADE ASSOCIATION (RIMTA)”, as follows:

1.) On page 1, in the title of the bill, by deleting the word “Marina”, and by inserting in place thereof the word “Marine”.

2.) On page 1, line 5, by deleting the word “Marina”, and by inserting in place thereof the word “Marine”.

3.) On page 2, line 3, by deleting the word “Marina”, and by inserting in place thereof the word “Marine”.

Respectfully submitted,

REPRESENTATIVE RUGGIERO

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LC02843/2

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The motion to amend prevails 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 Almeida, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Slater, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Winfield.

NAYS – 0.

Read and passed, as amended, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 66: Representatives 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, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Winfield.

NAYS – 0.

7 2009-H 5828 SUB A

BY Ferri

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION – WATER CONSERVATION

Committee on Environment and Natural Resources 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 25, 2009.

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.

Representative Kennedy moves passage of the act, seconded by Representatives Diaz, Almeida, Gemma, Carnevale, and Handy.

Representatives Diaz, Watson, Petrarca, Schadone, and Kennedy discuss the act.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 25, 2009.

9 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 25, 2009.

10 009-H 5598 SUB A**BY Gallison****ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE –
RHODE ISLAND VETERANS' HOME

Committee on Veterans' Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

Representative Gallison moves passage of the act, seconded by Representatives Naughton, Carter, Gablinske, Pacheco, Ucci, and Gemma.

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

YEAS – 63: The Honorable Speaker Murphy and Representatives Ajello, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, 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, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson.

NAYS – 0.

REQUEST

Representative Winfield requests the journal to reflect that if he had voted on (09-H 5598 SUB A), he would have voted in the affirmative.

11 009-H 6036**BY Naughton****ENTITLED,** AN ACT RELATING TO PROPERTY – RECORDING OF
INSTRUMENTS

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Naughton, O'Neill, and many other members of the House.

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, Almeida, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, 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, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

12 009-H 6173

BY Jackson

**ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE
PRACTICE IN PROBATE COURTS**

Committee on Judiciary recommends passage.

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

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: 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, Handy, Hearn, Jackson, Kennedy, 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, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

13 009-H 6209

BY Lally

**ENTITLED, AN ACT RELATING TO PUBLIC OFFICIALS, CITY AND TOWN
EMPLOYEES AND ELECTED OR APPOINTED OFFICIALS**

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Melo, Carter, Martin, and Fierro.

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: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, 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, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

14 009-H 6255

BY Caprio D

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Caprio, and Carter.

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, 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, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

15 009-H 6263

BY Marcello

ENTITLED, AN ACT RELATING TO INSURANCE – RHODE ISLAND TITLE INSURERS

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 25, 2009.

16 009-H 6264

BY Ehrhardt

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE SOPHIA LITTLE HOME

Committee on Corporations recommends passage.

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

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, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

NAYS – 0.

17 009-S 440

BY Blais

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS –
HOISTING ENGINEERS**

Committee on Labor recommends passage in concurrence.

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

Read and passed, in concurrence, on a roll call vote, 63 members voting in the affirmative and 2 members voting in the negative as follows.

YEAS – 63: The Honorable Speaker Murphy and Representatives Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Slater, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS – 2: Representatives Ferri, Trillo.

18 009-S 639

BY Ruggiero

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS –
HOISTING ENGINEERS**

Committee on Labor recommends passage in concurrence.

Representative Corvese moves passage of the act, seconded by Representatives San Bento, and Carter.

Read and passed, in concurrence, 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 Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Pacheco, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Vaudreuil, Walsh, Wasylyk, Watson, Williamson, Winfield.

NAYS – 1: Representative Trillo.

19 009-S 641

BY Ruggerio

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS –
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage in concurrence.

Representative Corvese moves passage of the act, seconded by Representatives Carter and San Bento.

Read and passed, in concurrence, on a roll call vote, 62 members voting in the affirmative and 3 members voting in the negative as follows.

YEAS – 62: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Driver, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 3: Representatives Edwards, Pollard, Trillo.

REQUEST

Representative Ucci requests the journal to reflect that if he had voted on (09-S 641), he would have voted in the affirmative.

20 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.

Representative McNamara moves passage of the act, seconded by Representatives Slater and Almeida.

Read and passed, in concurrence, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 67: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

21 09-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.

Representative McNamara moves passage of the act, as amended, seconded by Representatives Almeida and many other members of the House.

Read and passed, as amended, in concurrence, 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, 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, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Pacheco, Palumbo, Petrarca, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williamson, Winfield.

NAYS – 0.

22 009-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.

Representative McNamara moves passage of the act, seconded by Representatives Slater.

The bill marked Substitute "A" is read and passed, in concurrence and the original bill indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

23 009-S 20

BY Picard

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

Committee on Municipal Government recommends passage in concurrence.

Representative Gallison moves passage of the act, seconded by Representatives Martin, Brien, Fierro, Corvese, and Carter.

Representatives Marcello, Gallison, Watson, Trillo, Baldelli- Hunt, and Fox discuss the act.

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

YEAS – 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, 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, Slater, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson.

NAYS – 4: Representatives Marcello, Trillo, Watson, Winfield.

24 009-S 247**BY Crowley****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES – SEWER CHARGES**

Committee on Municipal Government recommends passage in concurrence.

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

Read and passed, in concurrence, 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, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

25 009-S 781**BY Levesque C****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

Committee on Municipal Government recommends passage in concurrence.

Representative Gallison moves passage of the act, seconded by Representatives Martin, A. Rice and Jackson.

Read and passed, in concurrence, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 67: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Martin, Mattiello, McCauley, 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, Slater, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Winfield.

NAYS – 0.

26 009-S 810**BY Walaska****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES – GENERAL POWERS

Committee on Municipal Government recommends passage in concurrence.

Representative Gallison moves passage of the act, seconded by Representatives Ferri and Gemma.

Read and passed, in concurrence, 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, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, 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, Slater, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

NAYS – 2: Representatives Trillo, Watson.

27 009-S 874**BY Picard****ENTITLED,** AN ACT RELATING TO TAXATION – TAX SALES

Committee on Municipal Government recommends passage in concurrence.

Representative Gallison moves passage of the act, seconded by Representatives Menard and Palumbo.

Representatives Watson discusses the act.

Representative Menard rises on a point of order for Minority Leader Watson to speak germane to the act. The Honorable Speaker Murphy rules for Minority Leader Watson to speak germane to the act.

Representatives Menard, Driver, Gallison, Lally, Watson and Schadone continue discussion on the act.

Read and passed, in concurrence, on a roll call vote, 63 members voting in the affirmative and 3 members voting in the negative as follows.

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

NAYS – 3: Representatives Driver, Trillo, Watson.

28 009-S 926

BY Algieri

ENTITLED, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS OF THE TOWN OF WESTERLY

Committee on Municipal Government recommends passage in concurrence.

Representative Gallison moves passage of the act, seconded by Representatives Azzinaro, Kennedy, Walsh, and Carter.

Representative Watson discusses the act.

Read and passed, in concurrence, on a roll call vote, 64 members voting in the affirmative and 2 members voting in the negative as follows.

YEAS – 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS – 2: Representatives Trillo, Watson.

29 009-S 558

BY Algieri

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

Committee on Corporations recommends passage in concurrence.

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

Read and passed, in concurrence, 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, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS – 1: Representative Watson.

30 009-S 716

BY Doyle

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL JOINT
COMMISSION TO STUDY THE EDUCATION OF CHILDREN WITH
AUTISM IN THE STATE OF RHODE ISLAND

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

Representative McNamara moves passage of the resolution, seconded by Representatives Palumbo, Naughton, and Corvese.

Read and passed, in concurrence, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS – 0.

31 009-S 954

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO EDUCATION

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

Representative McNamara moves passage of the act, seconded by Representatives Fox, Savage, Palumbo, and Gemma.

Representatives Watson, M. Rice, and Corvese discuss the act.

Read and passed, in concurrence, on a roll call vote, 64 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS – 64: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O’Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Silva, Slater, Trillo, Vaudreuil, Walsh, Wasyluk, Williams, Williamson, Winfield.

NAYS – 1: Representative Watson.

32 009-S 51

BY Pichardo

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS – LICENSED ACTIVITIES

Committee on Corporations recommends passage in concurrence.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 25, 2009.

33 009-S 474 SUB A as amended

BY DeVall

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 as amended in concurrence.

Representative Kennedy moves passage of the act, as amended, seconded by Representatives Malik and Gemma.

The bill marked Substitute “A” is read and passed, as amended, in concurrence and the original bill indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini,

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

NAYS – 0.

34 009-S 560 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO INSURANCE – MANDATED BENEFITS

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, June 25, 2009.

HOLD ON DESK

Majority Leader Fox requests to hold item #4 (09-H 5136, as amended) on the desk. There is no objection.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith with the exception of (09-H 5136, as amended).

ANNOUNCEMENTS

Majority Leader Fox announces session will convene tomorrow at 2 o'clock P.M.

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

Representative Silva congratulates his sister Connie and his brother-in-law John Gonzalves on their 25th wedding anniversary.

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

Representative Ferri wishes his nephew Frank Santilli a Happy 16th Birthday.

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

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 Carter congratulates his granddaughter Amanda Carter on graduating from North Kingstown High School.

Representative Giannini congratulates her niece Brianna on graduating from Cranston West High School with honors.

GUESTS

The Honorable Speaker Murphy welcomes to the Chamber General Treasurer Frank Caprio.

Representative Ucci welcomes to the House Chamber as guests The RI Reds Baseball Club 12u Super Division Roster as follows: Zachary Coro, Liam O'Regan, Gian Martellini, Stephen Pennacchia, Joseph Bongiovanni, James Picchi, Tyler Duquette, Zachary DeSimone, Matthew Alofsin, Stephen DeLeo, Anthony Cofone, Christopher Vizzacco, Frank Caprio, son of Treasurer Frank Caprio and Jacob Coro; Coaches-Jerry Coro, Paul Martellini, Joe Bongiovanni and Frank DeSimone.

Representative Carter welcomes to the House as guests John P. O'Gorman, USMC (retired) and his son Jonathan M. O' Gorman, USMC. Representative Carter congratulates Jonathan on his promotion to Major. Representative Slater presents Major O'Gorman with a citation from the House of Representatives.

ADJOURNMENT

At 7:17 o'clock P.M. on motion of Representative Azzinaro, and as a further mark of respect to the memory of Josephine Serra; on motion of Representative Gallison, and as a further mark of respect to the memory of Commander Virgil B. Melvin, (USN retired); on motion of Representative A. Rice and as a further mark of respect to the memory of Lydia J. Medeiros; on motion of Representative Vaudreuil, and as a further mark of respect to the memory of William F. Burke; on motion of Representative Giannini, and as a further mark of respect to the memory of Edward Renzulli seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE RAYMOND E. GALLISON JR.

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

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 108**BY** DiPalma, Connors, Sosnowski, Algieri**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- SOLICITATION BY CHARITABLE ORGANIZATIONS (would provide that charitable land trusts organized under the laws of this state would be exempt from filing a registration statement with the department of business regulation.) {LC795/1}**Senate Bill No. 190****BY** Walaska, Lynch, McCaffrey**ENTITLED**, AN ACT RELATING TO HIGHWAYS (would authorize the city council of the city of Warwick to sell an abandoned highway or driftway located within the city to an abutting owner at fair market value.) {LC679/1}**Senate Bill No. 390** SUB A**BY** Lynch, Goodwin**ENTITLED**, AN ACT RELATING TO INSURANCE - DENTAL SERVICE CORPORATIONS (would prohibit a dental insurance company from requiring a dentist who provides services to its subscribers to accept a fee set by the company unless it compensates the dentist for such services) {LC1713/2/A}**Senate Bill No. 472** (Public Utilities)**BY** Blais**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF ADMINISTRATION (would add two (2) months to the time prescribed for adjudicating rate filings.) {LC1331/1}**Senate Bill No. 473** SUB A**BY** Gallo, DiPalma**ENTITLED**, AN ACT RELATING TO INSURANCE -- CASUALTY INSURANCE RATINGS {LC985/1/A}**Senate Bill No. 539** SUB A as amended**BY** Paiva-Weed, Perry, Miller, Sosnowski, Pichardo**ENTITLED**, AN ACT RELATING TO INSURANCE - SMALL EMPLOYER HEALTH INSURANCE (would limit any increased adjustments to premium rates based on age and gender, to twenty percent (20%). It would also allow for differences in rates based on age and gender in otherwise identical groups.) {LC882/1/A}**Senate Bill No. 748** SUB A (Lieutenant Governor)**BY** Lynch, Gallo, DiPalma, Miller, Levesque C**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - LONG TERM CARE COORDINATING COUNCIL (would change the composition of the long-term care

coordinating council and would designate the lieutenant governor as its chairperson)
{LC1760/3/A}

Senate Bill No. 815

BY DiPalma

ENTITLED, AN ACT RELATING TO TAXATION {LC2170/1}

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}

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}

Senate Bill No. 781

BY Levesque C, DiPalma, Paiva-Weed, Bates, Felag

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES {LC1965/1}

Senate Bill No. 810

BY Walaska, Lynch, McCaffrey

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS (would increase the amount of the fine the municipal court can impose from three hundred (\$300) to five hundred (\$500) dollars.) {LC2220/1}

Senate Bill No. 874

BY Picard, Connors

ENTITLED, AN ACT RELATING TO TAXATION - TAX SALES {LC2472/1}

APPENDIX

CALENDAR

SPECIAL ORDER OF BUSINESS FOR WEDNESDAY, JUNE 24, 2009 AT 2:00 PM:**1 2009-H 5983 SUB A****BY Watson****ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010****ARTICLE 1 ARTICLE 2 ARTICLE 3 ARTICLE 4****ARTICLE 5 ARTICLE 6 ARTICLE 7 ARTICLE 8****ARTICLE 9 ARTICLE 10 ARTICLE 11 ARTICLE 12****ARTICLE 13 ARTICLE 14 ARTICLE 15 ARTICLE 16****ARTICLE 17 ARTICLE 18 ARTICLE 19 ARTICLE 20****ARTICLE 21 ARTICLE 22 ARTICLE 23 ARTICLE 24**

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

IN ORDER FOR WEDNESDAY, JUNE 24, 2009:**1 2009-H 5480 SUB A****BY Segal****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PUBLIC HEALTH AND WORKPLACE SAFETY ACT**

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

2 2009-H 5582**BY Lally****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS**

Committee on Labor recommends passage.

3 2009-H 5135**BY Walsh****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE CIVIL RIGHTS ACT OF 1990**

Committee on Judiciary recommends passage.

4 2009-H 5115 SUB A**BY Lima****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES**

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

5 2009-S 85

BY Perry

ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Committee on Judiciary recommends passage in concurrence.

6 2009-S 161

BY Connors

ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage in concurrence.

IN ORDER FOR THURSDAY, JUNE 25, 2009:

1 2009-H 5828 SUB A

BY Ferri

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER CONSERVATION

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

2 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.

3 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.

4 2009-H 6263

BY Marcello

ENTITLED, AN ACT RELATING TO INSURANCE -- RHODE ISLAND TITLE INSURERS

Committee on Corporations 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 5661 SUB A

BY Giannini

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRAFFICKING
OF PERSONS AND INVOLUNTARY SERVITUDE

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

7 2009-H 5383 SUB A

BY Ehrhardt

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
EMPLOYMENT SECURITY -- BENEFITS

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

8 2009-H 5509 SUB A

BY Gallison

ENTITLED, AN ACT RELATING TO EDUCATION

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

9 2009-H 5585

BY Carter

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
HOISTING ENGINEERS

Committee on Labor recommends passage.

10 2009-H 6073 SUB A as amended

BY Gemma

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - REGISTRATION OF
MOTOR VEHICLES - BREAST CANCER SUPPORT LICENSE
PLATES

Committee on Constituent Services recommends indefinite postponement of the original

bill and passage of Substitute A as amended.

11 2009-H 6253

BY Naughton

ENTITLED, HOUSE RESOLUTION PROCLAIMING JUNE 21, 2009 AS ASKING SAVES KIDS DAY

Committee on Constituent Services recommends passage.

12 2009-H 6261 SUB A

BY Lima

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.

13 2009-H 6303

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Ordered on the Calendar

14 2009-H 6304

BY Sullivan

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - BIG RIVER RESERVOIR MORATORIUM

Ordered on the Calendar

15 2009-H 5356

BY Dennigan

ENTITLED, AN ACT RELATING TO LIBRARIES

Committee on Finance recommends passage.

16 2009-H 5636

BY Dennigan

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE EXPENDITURES FOR NON-STATE EMPLOYEE SERVICES

Committee on Finance recommends passage.

17 2009-H 5786 SUB A

BY Watson

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - CHILD RESTRAINTS

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

18 2009-H 5831

BY Ehrhardt

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Finance recommends passage.

19 2009-H 5074 SUB A

BY Gemma

**ENTITLED, AN ACT RELATING TO MOTOR VEHICLES AND OTHER
VEHICLES-- PASSING, USE OF LANES, AND RULES OF THE
ROAD**

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

20 2009-H 5082 SUB A

BY Carter

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF VETERANS' AFFAIRS**

Committee on Veterans' Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

21 2009-H 5360 SUB A

BY Gallison

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PROGRAMS
FOR FIRE DEPARTMENTS**

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

22 2009-H 5653 SUB A

BY McNamara

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - ASSISTED
LIVING RESIDENCE LICENSING ACT**

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

23 2009-H 6278 SUB A

BY Gablinske

**ENTITLED, AN ACT RELATING TO EDUCATION -- COOPERATIVE
SERVICE AMONG SCHOOL DISTRICTS**

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

24 2009-H 5007

BY Almeida

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT

Committee on Judiciary recommends passage.

25 2009-H 5174

BY Flaherty

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR ACTIONS

Committee on Judiciary recommends passage.

26 2009-H 5291

BY Almeida

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH, AND SUBMIT THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (CHANGE THE NAME OF THE STATE)

Committee on Judiciary recommends passage.

27 2009-H 5566 SUB A

BY Lally

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- COMMUNITY OBLIGATIONS AND BANKING OFFENSES

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

28 2009-H 5567

BY Lally

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - JUDICIAL SELECTION

Committee on Judiciary recommends passage.

29 2009-H 6279

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

30 2009-H 5127 SUB A**BY Pacheco****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOBILE AND MANUFACTURED HOMES

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

31 2009-H 6096**BY Almeida****ENTITLED,** AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

Committee on Corporations recommends passage.

32 2009-H 6213**BY Shallcross Smith****ENTITLED,** AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND
HOSPITALS -- MENTAL HEALTH FACILITIES

Committee on Corporations recommends passage.

33 2009-H 5083**BY Azzinaro****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
DIVISION OF MOTOR VEHICLES

Committee on Municipal Government recommends passage.

34 2009-H 5267 SUB A as amended**BY Ruggiero****ENTITLED,** AN ACT RELATING TO EDUCATION -- COMPULSORY
ATTENDANCE

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

35 2009-H 5683 SUB A**BY Lally****ENTITLED,** AN ACT RELATING TO AUTHORIZATION FOR SANITARY
SEWER LINE FROM BONNET SHORES BEACH CLUB
CONDOMINIUM TO TOWN OF NARRAGANSETT WASTEWATER
TREATMENT SYSTEM

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

36 2009-H 6267**BY Azzinaro****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Municipal Government recommends passage.

37 2009-H 6281**BY Pacheco****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- HAWKERS AND PEDDLERS

Committee on Municipal Government recommends passage.

38 2009-H 6291**BY Martin****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--COURTS -- NEWPORT PROBATE COURT

Committee on Municipal Government recommends passage.

39 2009-H 6256**BY Pollard****ENTITLED,** AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Municipal Government recommends passage.

40 2009-H 6058 SUB A**BY Lally****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING

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

41 2009-H 6312**BY Fellela****ENTITLED,** HOUSE RESOLUTION CONGRATULATING DENISE TURCOTTE ON WINNING THE 2009 MRS. RHODE ISLAND AMERICA PAGEANT

Ordered on the Calendar

42 2009-S 51**BY Pichardo****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS -- LICENSED ACTIVITIES

Committee on Corporations recommends passage in concurrence.

43 2009-S 560 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO INSURANCE - MANDATED BENEFITS

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

44 2009-S 346

BY Sheehan

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
REGISTRATION OF VEHICLES

Committee on Constituent Services recommends passage in concurrence.

45 2009-S 700 as amended

BY Raptakis

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 in concurrence.

46 2009-S 64

BY Fogarty P

ENTITLED, AN ACT RELATING TO THE TOWN OF GLOCESTER

Committee on Municipal Government recommends passage in concurrence.

47 2009-S 162

BY Connors

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
THE CIVIL RIGHTS ACT OF 1990

Committee on Judiciary recommends passage in concurrence.

48 2009-S 211 as amended

BY Ciccone

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES

Committee on Judiciary recommends passage as amended in concurrence.

49 2009-S 256**BY McCaffrey****ENTITLED, AN ACT RELATING TO PROPERTY -- RECORDING OF INSTRUMENTS**

Committee on Judiciary recommends passage in concurrence.

50 2009-S 257**BY McCaffrey****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - INSURANCE**

Committee on Judiciary recommends passage in concurrence.

51 2009-S 378**BY Sosnowski****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - REAL ESTATE SALES DISCLOSURES**

Committee on Judiciary recommends passage in concurrence.

52 2009-S 459**BY Tassoni****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES**

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

53 2009-S 221**BY Sosnowski****ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF WHALE ROCK LAND COMPANY**

Committee on Judiciary recommends passage in concurrence.

54 2009-S 274**BY McCaffrey****ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS**

Committee on Judiciary recommends passage in concurrence.

55 2009-S 460**BY Felag****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES**

Committee on Judiciary recommends passage in concurrence.

56 2009-S 760 SUB A

BY Blais

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
JUDICIAL SELECTION

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

57 2009-S 996

BY Lenihan

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF OPPORTUNITIES INDUSTRIALIZATION
CENTER OF RHODE ISLAND INCORPORATED

Committee on Corporations recommends passage in concurrence.

58 2009-S 246 SUB A

BY Maher

ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT
OF LOCAL TAXES

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

59 2009-S 366

BY Crowley

ENTITLED, AN ACT RELATING TO ELECTIONS - ELECTIVE MEETING

Committee on Municipal Government recommends passage in concurrence.

60 2009-S 906 SUB A

BY Fogarty P

ENTITLED, AN ACT RELATING TO THE BURRILLVILLE SEWER
COMMISSION

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

61 2009-S 927

BY Algieri

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- MINIMUM
HOUSING STANDARDS -- TOWN OF WESTERLY

Committee on Municipal Government recommends passage in concurrence.

62 2009-S 955

BY Connors

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 in concurrence.

Francis P. McCabe
Clerk of the House

Tuesday, June 23, 2009