

# State of Rhode Island and Providence Plantations

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# JOURNAL

-OF THE-

# HOUSE OF REPRESENTATIVES

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**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.

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Volume 136, No. 62

Thursday, June 18, 2009

Sixty-second Day

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The House of Representatives meets at the State House in Providence, Thursday, June 18, 2009 and is called to order at 4:37 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, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, A. Rice, M. Rice, Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT – 0.

## INVOCATION

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

(For Invocation, see Appendix, this Journal.)

## REPORTS OF COMMITTEES

### COMMITTEE ON CONSTITUENT SERVICES

Representative Giannini, for the Committee on Constituent Services, reports back the following measures, with recommendation of passage:

**House Bill No. 6073** SUB A as amended  
**BY** Gemma, Schadone, Diaz, Ferri, Baldelli-Hunt  
**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLES - REGISTRATION OF MOTOR VEHICLES - BREAST CANCER SUPPORT LICENSE PLATES {LC2369/1/A}  
06/18/2009 Placed on House Calendar

**House Resolution No. 6253**  
**BY** Naughton, Coderre E, McNamara  
**ENTITLED**, HOUSE RESOLUTION PROCLAIMING JUNE 21, 2009 AS ASKING SAVES KIDS DAY {LC2768/1}  
06/18/2009 Placed on House Calendar

**House Bill No. 6261** SUB A  
**BY** Lima, Ucci, Pacheco, MacBeth, Fox  
**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES {LC2762/1/A}  
06/18/2009 Placed on House Calendar

**Senate Bill No. 346**  
**BY** Sheehan, Lenihan, Sosnowski  
**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (would allow the registry to issue special license plates for the Friends of Plum Beach Lighthouse, Inc.) {LC1697/1}  
06/18/2009 Placed on House Calendar

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

#### COMMITTEE ON JUDICIARY

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

**House Bill No. 5661** SUB A  
**BY** Giannini, DaSilva, Corvese, Petrarca, Gablinske  
**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE (would mandate a fine of no less than forty thousand dollars (\$40,000) and imprisonment for up to life for anyone found guilty of sex trafficking of a minor) {LC1936/2/A}  
06/18/2009 Placed on House Calendar

**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.

**COMMITTEE ON LABOR**

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

**House Bill No. 5585**

**BY** Carter, Lima

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HOISTING ENGINEERS (would add the requirement that any person operating hoisting or excavation equipment which can lift more than five hundred pounds (500 lbs.) must have a license to do so as provided in this chapter) {LC1871/1}

06/18/2009 Placed on House Calendar

**House Bill No. 5509 SUB A**

**BY** Gallison, Corvese

**ENTITLED**, AN ACT RELATING TO EDUCATION (would repeal certain provisions regarding the dismissal of teachers in Woonsocket and Cumberland) {LC1296/1/A}

06/18/2009 Placed on House Calendar

**House Bill No. 5383 SUB A**

**BY** Ehrhardt, Corvese, Williams, Newberry, Savage

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

06/18/2009 Placed on House Calendar

**NEW BUSINESS**

**With the agreement of the Majority and the Minority, Representative Melo requests to place (09-H 6293) on the Calendar for Tuesday, June 23, 2009. There is no objection.**

**House Resolution No. 6293**

**BY** Melo, Almeida, Dennigan, Silva, Trillo

**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY THE STRUCTURE AND WORKINGS OF THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION (DOT) {LC2826/1}

06/18/2009 Placed on House Calendar

**House Bill No. 6294**

**BY** Silva, Vaudreuil

**ENTITLED**, AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO PROVIDE FOR THE RENOVATION, REHABILITATION, REPLACEMENT, IMPROVEMENT, AND

EQUIPPING OF PUBLIC SCHOOL BUILDINGS AND SCHOOL FACILITIES IN THE CITY OF CENTRAL FALLS AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$5,000,000 BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS THEREFOR {LC2846/1}  
06/18/2009 Introduced, referred to House Finance

**House Resolution No. 6295**

**BY** Pacheco, Lima, Serpa, Rice A, Fellela

**ENTITLED**, HOUSE RESOLUTION CONGRATULATING MARVIN AND DR. E. J. FINOCCHIO ON BEING SELECTED AS NATIONAL WINNERS IN THE "PET PARTNERS" RESCUE CATEGORY ON THE DELTA SOCIETY'S 2009 BEYOND LIMITS AWARDS {LC2705/1}

Representative Pacheco requests unanimous consent for immediate consideration.

There is no objection.

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

**House Resolution No. 6296**

**BY** Naughton, Ferri, McNamara, Flaherty, Trillo

**ENTITLED**, HOUSE RESOLUTION CONGRATULATING THE WARWICK VETERANS MEMORIAL HIGH SCHOOL CLASS OF 2009 ON THEIR GRADUATION {LC2839/1}

Representative Naughton requests unanimous consent for immediate consideration.

There is no objection.

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

**House Resolution No. 6297**

**BY** Azzinaro

**ENTITLED**, HOUSE RESOLUTION RECOGNIZING AND COMMENDING PAUL AZZINARO, JR. UPON ACHIEVING SCOUTING'S MOST DISTINGUISHED HONOR, THE RANK OF EAGLE SCOUT {LC2850/1}

Representative Azzinaro requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Azzinaro seconded by Representatives Menard, Ucci, M. Rice, Pollard, Edwards, Gallison, Kennedy and Carter by unanimous consent, on a voice vote.

**House Bill No. 6298****BY Slater****ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2827/1}

Representative Slater requests unanimous consent for immediate consideration.

There is no objection.

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

**With the agreement of the Majority and the Minority, Representative Kilmartin requests to place (09-H 6299) on the Calendar for Tuesday, June 23, 2009. There is no objection.**

**House Resolution No. 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 {LC2842/1}

06/18/2009 Placed on House Calendar

**With the agreement of the Majority and the Minority, Representative Ruggiero requests to place (09-H 6300) on the Calendar for Tuesday, June 23, 2009. There is no objection.**

**House Resolution No. 6300****BY Ruggiero, Martin, Trillo, Watson, Gallison****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) {LC2843/1}

06/18/2009 Placed on House Calendar

**COMMUNICATION FROM THE SENATE**

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

**Senate Bill No. 869****BY Lenihan, Sosnowski, Miller, DiPalma****ENTITLED**, AN ACT RELATING TO HIGHWAYS - OUTDOOR ADVERTISING ( prevents the director of transportation from regulating any on-premise or off- premise non-commercial speech contained within any outdoor advertising along state highways.) {LC2407/1}

06/18/2009 Referred to House Corporations

**Senate Bill No. 86** SUB A as amended

**BY** Perry, Miller, Sosnowski, Metts, Levesque C

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE AND EXECUTION {LC315/2/A}

06/18/2009 Referred to House Judiciary

**Senate Bill No. 374** SUB A as amended

**BY** Lenihan, Cote, Sosnowski, Sheehan, Connors

**ENTITLED**, AN ACT RELATING TO PUBLIC RECORDS -- ACCESS TO PUBLIC RECORDS (would mandate that a public body receiving a request for access to public records comply within seven (7) business days) {LC316/5/A}

06/18/2009 Referred to House Judiciary

**Senate Bill No. 111** SUB A as amended

**BY** Miller, Paiva-Weed, Sosnowski, Picard, Connors

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS ( would create long-term contracting standards for the development of renewable energy.) {LC299/2/A}

06/18/2009 Placed on House Calendar

## CALENDAR

From the Calendar are taken:

### IN ORDER FOR THURSDAY, JUNE 18, 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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 23, 2009.

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.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 23, 2009.

**3. 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 Representatives Ajello and Walsh.

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

**F L O O R   A M E N D M E N T**  
**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. 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.

(C) 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.

(R) 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.

(c) 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 reasonably 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;

(2) Home address of the arrested adult unless doing so would identify a minor crime victim as prohibited in sections 11-37-8.5 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.

(c) 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.

(c) 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.

(c) 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.

(c) 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 (\$2,000) 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

=====  
LC00345/3  
=====

Representatives Ajello, Driver, and Watson discuss the amendment.

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, June 23, 2009.

**4. 2009-H 5591**

**BY Serpa**

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

Committee on Labor recommends passage.

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

**5. 2009-H 6028 SUB A**

**BY Malik**

**ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --  
UNDERGROUND UTILITY FACILITIES

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

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

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 66 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 66: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, 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, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Winfield.

NAYS - 1: Representative Watson.

**NOW PRESIDING**

At 4:45 o'clock P.M. the Honorable Speaker Murphy yields the rostrum to the Honorable Speaker Pro Tempore Lima.

**REQUEST**

Representatives Palumbo request the journal to reflect that if he had voted on (09-H 6028 SUB A), he would have voted in the affirmative.

**6. 2009-H 6243****BY Fox****ENTITLED,** AN ACT RELATING TO THE COMMUNITY COLLEGE OF RHODE ISLAND FOUNDATION

Committee on Corporations recommends passage.

Representative Kennedy moves passage of the act, seconded by Representatives O'Neill and Gemma.

Read and passed, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 62: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., Ruggiero, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Winfield.

NAYS - 0.

**7. 2009-H 5675****BY Carter****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS - HOISTING ENGINEERS

Committee on Labor recommends passage.

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

Read and passed, on a roll call vote, 69 members voting in the affirmative and 1 member voting in the negative as follows.1

YEAS - 69: 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, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Winfield.

NAYS - 1: Representative Trillo.

**8. 2009-H 5813****BY Watson****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
HOISTING ENGINEERS

Committee on Labor recommends passage.

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

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: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, 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, Melo, Naughton, Newberry, O'Neill, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Segal, Serpa, Shallcross-Smith, Silva, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Winfield.

NAYS - 0.

**REQUEST**

Representative Diaz requests the journal to reflect that if she had voted on (09-H 5813), she would have voted in the affirmative.

**9. 2009-H 5816****BY Watson****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS -  
PREVAILING WAGES

Committee on Labor recommends passage.

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

Read and passed, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 69: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, 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, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Winfield.



NAYS - 0.

**10. 2009-H 5799 SUB A**

**BY Naughton**

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE QUALITY PROGRAM**

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

Representative McNamara moves passage of the act, seconded by Representatives Naughton, Wasylyk, Gallison and M. Rice.

Representatives Watson and Coderre discuss the act.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows.

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

NAYS - 0.

**REQUEST**

Representative Corvese requests the journal to reflect that if he had voted on (09-H 5799 SUB A), he would have voted in the affirmative.

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
HOUSE OF REPRESENTATIVES

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

I, David Segal, State Representative, District 2, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (09-H 5569)
2. (Nature of the potential conflict) I have the following interest in the matter:

## Employment by FairVote

3. (Complete and (A.) or (B.) and cross out whichever does not apply  
B. In compliance with Section 36-14-6(1) & (2)A of the General laws, I hereby request the Speaker of the House of Representatives to excuse me from voting on or participating in the consideration of the matter described in paragraph 1 above.

DAVID SEGAL  
REPRESENTATIVE

STATE OF RHODE ISLAND  
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 18<sup>th</sup> day of June, 2009.

MICHAEL EGAN  
NOTARY PUBLIC

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

CHARLENE LIMA  
SPEAKER PRO TEMPORE

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**11. 2009-H 5569**

**BY Lally**

**ENTITLED, AN ACT RELATING TO ELECTIONS**

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Palumbo, Guthrie, Almeida, Driver and Ajello.

By unanimous consent, Representative Lally seconded by Representative Guthrie offers a written motion to amend.

**FLOOR AMENDMENT  
TO  
2009 -- H 5569**

**AN ACT RELATING TO ELECTIONS**

Mr. Speaker:

I hereby move to amend 2009 -- H 5569, entitled "AN ACT RELATING TO ELECTIONS", as follows:

On page 2, line 24, by deleting the word "article" and inserting in place thereof the word "agreement".

Respectfully submitted,

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REPRESENTATIVE LALLY

=====  
LC00709/2  
=====

The motion to amend prevails on a roll call vote 60 members voting in the affirmative and 3 members voting in the negative as follows.

YEAS - 60: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Giannini, Guthrie, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Martin, Mattiello, McCauley, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Schadone, Serpa, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Williams, Winfield.

NAYS - 3: Representatives Gablinske, Gemma, Jacquard.

### REQUESTS

Representatives A. Rice, Hearn, Shallcross- Smith and Carnevale request the journal to reflect that if they had voted on (LC00709/2), they would have voted in the affirmative.

Representatives Newberry, Gemma, Ajello, Watson, Almeida, Marcello, Loughlin, Brien, Jackson, Ucci, Mattiello, Handy, Corvese, Driver, M. Rice, McNamara, Pacheco, DeSimone, Schadone, and Lally discuss the act as amended.

Read and failed, on a roll call vote, 28 members voting in the affirmative and 45 members voting in the negative as follows.

YEAS - 28: Representatives Ajello, Almeida, Caprio, Coderre, Costantino, DaSilva, Dennigan, Driver, Ferri, Fierro, Fox, Giannini, Guthrie, Handy, Kilmartin, Lally, Lima, McCauley, Naughton, O'Neill, Pacheco, Palumbo, Rice, A., Shallcross-Smith, Slater, Sullivan, Wasyluk, Williamson.

NAYS - 45: Representatives Azzinaro, Baldelli-Hunt, Brien, Carnevale, Carter, Corvese, DeSimone, Diaz, Edwards, Ehrhardt, Fellela, Flaherty, Gablinske, Gallison, Gemma, Hearn, Jackson, Jacquard, Kennedy, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Newberry, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Trillo, Ucci, Vaudreuil, Walsh, Watson, Williams, Winfield.

#### 12. **2009-H 5938**

**BY Serpa**

**ENTITLED, AN ACT RELATING TO PROPERTY -- CONDOMINIUM LAW**

Committee on Judiciary recommends passage.

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

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

YEAS - 67: Representatives Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Flaherty, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, McNamara, Melo, Menard, Naughton, Newberry, O'Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Schadone, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

### REQUESTS

Representatives Vaudreuil, Gablinske and Pacheco request the journal to reflect that if they had voted on (09-H 5938) they would have voted in the affirmative.

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#### STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS HOUSE OF REPRESENTATIVES

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

I, Gordon Fox, State Representative, District 4, hereby under oath depose and say:

1. (Matter requiring action) I expect to be called upon, in my capacity as State Representative, to participate in the consideration of, and to vote upon: (09- H 6103)

2. (Nature of the potential conflict) I have the following interest in the matter:  
I serve on a local licensing board.

3. (Complete and (A.) or (B.) and cross out whichever does not apply

A. In compliance with Section 36-14-6(1) of the General Laws I hereby state that, despite the potential conflict state above, I am able to vote and otherwise participate fairly, objectively, and in the public interest regarding the matter described in paragraph 1 above for the following reason(s):

GORDON FOX  
REPRESENTATIVE

STATE OF RHODE ISLAND  
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 18<sup>th</sup> day of June, 2009.

MICHAEL EGAN  
NOTARY PUBLIC

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

CHARLENE LIMA  
SPEAKER PRO TEMPORE

---

**13. 2009-H 6103**

**BY Williams**

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL  
LICENSES**

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Williams, Ajello, Almeida, Martin, Slater, Diaz, and Carnevale.

Read and passed, 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, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, 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, M., Ruggiero, San Bento, Savage, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 0.

**Majority Leader Fox moves to recommit items 14 (09-H 6104 SUB A), 15 (09-H 6106) and 16 (09-H 6107). There is no objection.**

**14. 2009-H 6104 SUB A**

**BY Segal**

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -  
REGULATION OF SALES**

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

Read and recommitted to the Committee on Judiciary.

**15. 2009-H 6106**

**BY Almeida**

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -**

## REGULATION OF SALES

Committee on Judiciary recommends passage.

Read and recommitted to the Committee on Judiciary.

**16. 2009-H 6107**

**BY Almeida**

**ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES --  
REGULATION OF SALES

Committee on Judiciary recommends passage.

Read and recommitted to the Committee on Judiciary.

**17. 2009-H 6059 SUB A**

**BY Lima**

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

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

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

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

YEAS - 64: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gallison, Gemma, Giannini, Guthrie, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 5: Representatives Gablinske, Hearn, Loughlin, Trillo, Watson.

**REQUEST**

Representative A. Rice requests the journal to reflect that if she had voted on (09-H 6059 SUB A), she would have voted in the affirmative.

**18. 2009-H 6241**

**BY Malik**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

Committee on Environment and Natural Resources recommends passage.

Representative Malik moves passage of the act, seconded by Representatives Fox, Gallison, and Ucci.

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

**FLOOR AMENDMENT  
TO  
2009 -- H 6241**

**AN ACT RELATING TO HEALTH AND SAFETY**

Mr. Speaker:

I hereby move to amend 2009 -- H 6241, entitled "AN ACT RELATING TO HEALTH AND SAFETY", as follows:

1. On page 3, line 28, by inserting the language "their choosing of" after the word "of".

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE MALIK

=====  
LC02503/2  
=====

The motion to amend prevails on a roll call vote 69 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Read and passed, as amended, 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, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, Melo, Menard, Naughton, Newberry, O'Neill, Palumbo, Petrarca, Pollard,

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

NAYS - 0.

**19. 2009-H 5338**

**BY Menard**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- SEWER CHARGES

Committee on Municipal Government recommends passage.

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

Representative Driver discusses the act.

Read and passed, 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, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, Melo, Menard, Naughton, Newberry, O'Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Winfield.

NAYS - 0.

**20. 2009-H 5409 SUB A**

**BY Ehrhardt**

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

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

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

Representatives Watson, Palumbo, Costantino, and Ehrhardt discuss the act.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, on a roll call vote, 56 members voting in the affirmative and 9 members voting in the negative as follows.



YEAS - 56: Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, Melo, Menard, Naughton, Palumbo, Rice, A., Rice, M., Ruggiero, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 9: Representatives Brien, Loughlin, Newberry, O'Neill, Petrarca, Pollard, San Bento, Trillo, Watson.

**21. 2009-H 6141**

**BY Kilmartin**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLE  
OFFENSES - YIELDING TO EMERGENCY VEHICLES

Committee on Finance recommends passage.

Representative Costantino moves passage of the act, seconded by Representatives Kilmartin, Almeida, and Wasylyk.

Representative Watson discusses the act.

Read and passed, on a roll call vote, 67 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 67: Representatives Ajello, Almeida, Azzinaro, Baldelli-Hunt, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, Melo, Menard, Naughton, Newberry, O'Neill, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Williamson, Winfield.

NAYS - 1: Representative Watson.

**22. 2009-H 6226**

**BY Kilmartin**

**ENTITLED,** AN ACT RELATING TO FISH AND WILDLIFE

Committee on Finance recommends passage.

Representative Costantino moves passage of the act, seconded by Representatives Kilmartin, Malik, Gallison, and M. Rice.

Representatives Newberry, Ucci, and Watson discuss the act.

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

**F L O O R   A M E N D M E N T**  
**TO**  
**2009 -- H 6226**

AN ACT RELATING TO FISH AND WILDLIFE

Mr. Speaker:

I hereby move to amend 2009 -- H 6226, entitled "AN ACT RELATING TO FISH AND WILDLIFE", as follows:

(1) On page 3, line 26, after the word and semicolon "chapter," by inserting the word "or".

(2) On page 4, line 3, by deleting the words, "leave from".

Respectfully submitted,

\_\_\_\_\_  
REPRESENTATIVE EHRHARDT

=====  
LC02693/2  
=====

Representative Ehrhardt discusses the amendment.

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

The motion to amend the amendment prevails, 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, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, MacBeth, Malik, Marcello, Martin, Mattiello, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williamson, Winfield.

NAYS - 0.

Representatives Ehrhardt, Watson, Kilmartin and Loughlin discuss the amendment, as amended.

The amendment, as amended, prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: Representatives Ajello, Almeida, Azzinaro, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Diaz, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Hearn, Jackson,

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

NAYS - 0.

Representatives Trillo, Kilmartin, M. Rice, Palumbo, Carnevale, Lally, Walsh, Jacquard and Watson continue discussion on the act, as amended.

Majority Leader Fox moves the question seconded by Representatives Carter and Gallison.

The motion prevails on a roll call vote, 38 members voting in the affirmative and 26 members voting in the negative as follows.

YEAS - 38: Representatives Ajello, Almeida, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Edwards, Ferri, Fox, Gallison, Handy, Hearn, Jackson, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Mattiello, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, M., San Bento, Segal, Shallcross-Smith, Silva, Sullivan.

NAYS - 26: Representatives Azzinaro, Driver, Ehrhardt, Fellela, Fierro, Gablinske, Gemma, Giannini, Guthrie, Jacquard, Kilmartin, Loughlin, Martin, Melo, Menard, Newberry, Rice, A., Ruggiero, Savage, Serpa, Trillo, Ucci, Vaudreuil, Walsh, Watson, Winfield.

### REQUEST

Representative Brien requests the journal to reflect that he had voted incorrectly on the previous motion, he should have voted in the negative.

Representatives A. Rice, Gemma, Costantino, Menard, Trillo, Martin and Kilmartin continue discussion.

Representative Trillo requests to vote in sections, page 4, lines 10-28. The Honorable Speaker Pro Tempore rules it is not divisible.

Representative Trillo appeals the ruling of the Chair.

The ruling of the Chair is upheld, on a roll call vote, 51 members voting in the affirmative and 15 members voting in the negative as follows.

YEAS - 51: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Edwards, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Giannini, Guthrie, Handy, Hearn, Kennedy, Kilmartin, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, A., Rice, M., San Bento, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil, Wasylyk.

NAYS - 15: Representatives Brien, Ehrhardt, Gemma, Jackson, Jacquard, Loughlin, Menard, Petrarca, Ruggiero, Savage, Trillo, Ucci, Walsh, Watson, Winfield.

Read and passed, as amended, on a roll call vote, 42 members voting in the affirmative and 26 members voting in the negative as follows.

YEAS - 42: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Azzinaro, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Fellela, Ferri, Fox, Gallison, Giannini, Handy, Hearn, Kennedy, Kilmartin, Lally, Lima, Malik, Marcello, Mattiello, Melo, Naughton, O'Neill, Pacheco, Palumbo, Pollard, Rice, M., San Bento, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Vaudreuil.

NAYS - 26: Representatives Brien, Edwards, Ehrhardt, Fierro, Gablinske, Gemma, Guthrie, Jackson, Jacquard, Loughlin, MacBeth, Martin, Menard, Newberry, Petrarca, Rice, A., Ruggiero, Savage, Segal, Trillo, Ucci, Walsh, Wasylyk, Watson, Williams, Winfield.

**Majority Leader Fox moves to take up item 35 (09-S984) on today's Calendar next. There is no objection.**

**35. 2009-S 984**

**BY Maher**

**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Ordered on the Calendar

Representative Fox moves passage of the act, seconded by Representatives Marcello and Lally.

Read and passed, 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, Brien, Caprio, Carnevale, Carter, Coderre, Corvese, Costantino, DaSilva, Dennigan, DeSimone, Driver, Edwards, Ehrhardt, Fellela, Ferri, Fierro, Fox, Gablinske, Gallison, Gemma, Giannini, Guthrie, Handy, Hearn, Jackson, Kennedy, Kilmartin, Lally, Lima, Loughlin, Marcello, Martin, Mattiello, Melo, Menard, Naughton, Newberry, O'Neill, Pacheco, Palumbo, Petrarca, Pollard, Rice, A., Rice, M., Ruggiero, San Bento, Savage, Segal, Serpa, Shallcross-Smith, Silva, Slater, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Williams, Winfield.

NAYS - 0.

On suggestion of Majority Leader Fox, and by unanimous consent, the remainder of the Calendar for today is continued to Tuesday, June 23, 2009.

**23. 2009-S 440**

**BY Blais**

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --**

## HOISTING ENGINEERS

Committee on Labor recommends passage in concurrence.

24. **2009-S 639**

**BY Ruggiero**

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

Committee on Labor recommends passage in concurrence.

25. **2009-S 641**

**BY Ruggiero**

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

Committee on Labor recommends passage in concurrence.

26. **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.

27. **2009-S 546 as amended**

**BY Doyle**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT  
OF HEALTH

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

28. **2009-S 552 SUB A**

**BY Perry**

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

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

29. **2009-S 20**

**BY Picard**

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

Committee on Municipal Government recommends passage in concurrence.

**30. 2009-S 247****BY Crowley****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- SEWER CHARGES

Committee on Municipal Government recommends passage in concurrence.

**31. 2009-S 781****BY Levesque C****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES

Committee on Municipal Government recommends passage in concurrence.

**32. 2009-S 810****BY Walaska****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS

Committee on Municipal Government recommends passage in concurrence.

**33. 2009-S 874****BY Picard****ENTITLED,** AN ACT RELATING TO TAXATION - TAX SALES

Committee on Municipal Government recommends passage in concurrence.

**34. 2009-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.

Read and placed on the Calendar for Tuesday, June 23, 2009.

**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.

**ANNOUNCEMENTS**

The Honorable Speaker Murphy congratulates Representative Stephen Ucci and his wife Dina on their wedding anniversary.

The Honorable Speaker Murphy congratulates Representative Peter Wasyluk and his wife Sharon on their wedding anniversary.

The Honorable Speaker Murphy congratulates Representative Joseph Trillo and his wife Marilyn on their wedding anniversary.

The Honorable Speaker Murphy congratulates Representative John Loughlin and his wife Susan on their wedding anniversary on June 20<sup>th</sup>.

Majority Leader Fox announces the session on Wednesday will begin at 2 o'clock P.M. for the budget. Also, Leader Fox announces the amendments must be in to Legislative Council by 4 o'clock P.M. on Monday, June 22nd and Council staff will be in on Saturday, from 9-12 P.M.

Representative Kilmartin announces John Joseph McCauley, son of Representative John McCauley and his wife Marge is featured in the Phoenix newspaper regarding the band "Deer Tick" in which John Joseph is the lead singer.

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

Representative Costantino announces there are two documents on everyone's desk the budget bill and the Fiscal year 2010 Budget at a Glance.

Representative Giannini announces that the Committee on Constituent Services will meet at the rise of the House, in Room 135 of the State House.

Representative Carter announces that the Committee on Finance will meet at the rise of the House, in Room 35 of the State House.

#### **PERSONAL PRIVILEGE**

Representative M. Rice rises on a point of personal privilege.

#### **ADJOURNMENT**

At 7:25 o'clock P.M. on motion of Representatives Gablinske and Gallison, and as a further mark of respect to the memory of Salvatore P. Parella; on motion of Representative Ruggiero, and as a further mark of respect to the memory of Alice Fitzgerald; on motion of Representative Gallison and as a further mark of respect to the memory of Gilbert Almeida; seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
**Recording Clerk**

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE JOSEPH S. ALMEIDA**

Dear God, we thank Thee for the gift of this new day with its opportunities for growth in nobility of character and in service to others. Amen



APPENDIX

TRANSMITTED TO THE GOVERNOR

**Senate Bill No. 984**

**BY** Maher

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2807/1}

## APPENDIX

## CALENDAR

## 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.

**2 2009-S 111 SUB A as amended****BY Miller****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS**

Ordered on the Calendar

**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

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

Committee on Judiciary recommends passage.

**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

**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

**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.

**8 2009-H 5900 SUB A****BY Diaz**

**ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS - SMALL  
LOAN LENDERS

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

**9 2009-H 6052****BY Fellela**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - RHODE  
ISLAND RESOURCE RECOVERY CORPORATION

Committee on Environment and Natural Resources recommends passage.

**10 2009-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.

**11 2009-H 6036****BY Naughton**

**ENTITLED,** AN ACT RELATING TO PROPERTY -- RECORDING OF  
INSTRUMENTS

Committee on Judiciary recommends passage.

**12 2009-H 6173****BY Jackson****ENTITLED,** AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE  
-- PRACTICE IN PROBATE COURTS

Committee on Judiciary recommends passage.

**13 2009-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.

**14 2009-H 6255****BY Caprio D****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

**15 2009-H 6263****BY Marcello****ENTITLED,** AN ACT RELATING TO INSURANCE -- RHODE ISLAND TITLE  
INSURERS

Committee on Corporations recommends passage.

**16 2009-H 6264****BY Ehrhardt****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE SOPHIA LITTLE HOME

Committee on Corporations recommends passage.

**17 2009-S 440****BY Blais****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
HOISTING ENGINEERS

Committee on Labor recommends passage in concurrence.

**18 2009-S 639****BY Ruggerio****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -  
HOISTING ENGINEERS

Committee on Labor recommends passage in concurrence.

**19 2009-S 641**

**BY Ruggiero**

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

Committee on Labor recommends passage in concurrence.

**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.

**21 2009-S 546 as amended**

**BY Doyle**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT  
OF HEALTH

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

**22 2009-S 552 SUB A**

**BY Perry**

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

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

**23 2009-S 20**

**BY Picard**

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

Committee on Municipal Government recommends passage in concurrence.

**24 2009-S 247**

**BY Crowley**

**ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- SEWER CHARGES

Committee on Municipal Government recommends passage in concurrence.

**25 2009-S 781****BY Levesque C****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES

Committee on Municipal Government recommends passage in concurrence.

**26 2009-S 810****BY Walaska****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS

Committee on Municipal Government recommends passage in concurrence.

**27 2009-S 874****BY Picard****ENTITLED,** AN ACT RELATING TO TAXATION - TAX SALES

Committee on Municipal Government recommends passage in concurrence.

**28 2009-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.

**29 2009-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.

**30 2009-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 &amp; Welfare recommends passage in concurrence.

**31 2009-S 954****BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO EDUCATION

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

**32 2009-S 51****BY Pichardo****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- LICENSED ACTIVITIES**

Committee on Corporations recommends passage in concurrence.

**33 2009-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.

**34 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.

**SPECIAL ORDER OF BUSINESS FOR WEDNESDAY, JUNE 24, 2009 AT 2:00 PM:****1 2009-H 5983 SUB A****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****BY Watson****ENTITLED, AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2010**

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 &amp; 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 5591****BY Serpa****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
WORKERS' COMPENSATION -- PROCEDURE**

Committee on Labor recommends passage.

**2 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.

**3 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.

**4 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.

**5 2009-H 5585****BY Carter****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
HOISTING ENGINEERS**

Committee on Labor recommends passage.

**6 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.

**7 2009-H 6253****BY Naughton****ENTITLED, HOUSE RESOLUTION PROCLAIMING JUNE 21, 2009 AS ASKING  
SAVES KIDS DAY**

Committee on Constituent Services recommends passage.

**8 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.

**9 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.

**10 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.

**Francis P. McCabe**  
**Clerk of the House**

**Thursday, June 18, 2009**