

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 first day of January in the year of Our Lord two thousand and eight.

Volume 135, No. 53

Tuesday, May 27, 2008

Fifty-third Day

The House of Representatives meets at the State House in Providence, Tuesday, May 27, 2008 and is called to order at 4:29 o'clock P.M., by the Honorable William J. Murphy, Speaker.

The roll is called and a quorum is declared present with 71 members present and 3 members absent as follows:

PRESENT - 71: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Amaral, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gablinske, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasyluk, Watson, Williams, Winfield.

ABSENT - 3: Representatives Church, Singleton, Williamson.

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

APPROVAL OF RECORD

By unanimous consent, the House Journal of Wednesday, May 21, 2008 is approved as printed.

ANNOUNCEMENT

Representative Raymond Church will be unable to attend session on Tuesday, May 27, 2008.

REPORTS OF COMMITTEES**COMMITTEE ON CORPORATIONS**

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

Senate Bill No. 2604 SUB A

BY Goodwin

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- RHODE ISLAND NONPROFIT CORPORATION ACT (allow nonprofit corporations to file incorporation papers electronically with the secretary of state's office) {LC1638/1/A}

05/27/2008 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. 7051

BY Kennedy, Walsh, Lewiss

ENTITLED, AN ACT RELATING TO TAXATION - VETERANS' BENEFITS - WESTERLY {LC263/1}

05/27/2008 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. 8314

BY McNamara

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Scott Avedisian to join Suzanne O. Fry and William A. Manchester, Jr. in marriage within the Town of North Kingstown, Rhode Island) {LC2949/1}

05/27/2008 Placed on House Calendar

House Bill No. 8299

BY Handy

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Edward M. Cardoza to join Kately n Keaveney and Matthew Malin in marriage) {LC2928/1}

05/27/2008 Placed on House Calendar

House Bill No. 7662

BY Diaz, Slater, Almeida

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

(remove the fine of (\$500) that the bureau of licenses of Providence is authorized to impose as a fine upon any person, firm, or corp for the violation of any law, ordinance, condition, rule, or regulation applicable to the license) {LC1996/1}

05/27/2008 Placed on House Calendar

Senate Bill No. 2964

BY Bates, Felag, Levesque C

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2694/1}

05/27/2008 Placed on House Calendar

Senate Bill No. 2373 (Human Services)

BY Gibbs

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT

ENFORCEMENT (keep a child support order in full force and effect by wage withholding after the youngest child is emancipated to pay arrearage and automatically terminate said order when the arrearage is paid) {LC1751/1}

05/27/2008 Placed on House Calendar

Senate Bill No. 2336

BY McCaffrey

ENTITLED, AN ACT RELATING TO PROPERTY -- MECHANICS' LIENS (would provide notice of a mechanics' lien effective as to any retainage earned but not paid, for work furnished pursuant to section 34-28-1 et. seq.) {LC1373/1}

05/27/2008 Placed on House Calendar

Senate Bill No. 2027 as amended

BY Bates, Sosnowski, Lenihan, Walaska, McCaffrey

ENTITLED, AN ACT RELATING TO PROPERTY (provide that any land held or preserved by a nonprofit corporation for purposes of conservation or open space is not subject to adverse possession or prescription) {LC46/1}

05/27/2008 Placed on House Calendar

Senate Bill No. 2232

BY Metts, Issa, Pichardo, Jabour, Levesque C

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT (reduce the minimum sentences for crimes involving controlled substances) {LC860/1}

05/27/2008 Placed on House Calendar

Senate Bill No. 2317**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- SOLEMNIZATION OF MARRIAGES (would empower administrative clerks of the district court to join persons in marriage.) {LC1128/1}

05/27/2008 Placed on House Calendar

COMMITTEE ON MUNICIPAL GOVERNMENT

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

House Bill No. 7149 SUB A**BY** Kilmartin, Coderre E, Rose, Dennigan, San Bento**ENTITLED**, AN ACT RELATING TO PROPERTY - MORTGAGE FORECLOSURE AND SALE {LC524/2/A}

05/27/2008 Placed on House Calendar

NEW BUSINESS**House Bill No. 8321****BY** Corvese, Schadone, Wasylyk, San Bento**ENTITLED**, AN ACT TO AUTHORIZE THE TOWN OF NORTH PROVIDENCE TO TAKE LAND BY EMINENT DOMAIN {LC2980/1}

05/27/2008 Introduced, referred to House Corporations

House Resolution No. 8322**BY** Fox**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC3002/1}

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. 8323**BY** Fox**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC3003/1}

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. 8324

BY Vaudreuil, Menard

ENTITLED, HOUSE RESOLUTION CONGRATULATING THE CUMBERLAND HIGH SCHOOL BOYS HOCKEY TEAM ON WINNING THE DIVISION II STATE CHAMPIONSHIP {LC2865/1}

Representative Vaudreuil requests unanimous consent for immediate consideration.

There is no objection.

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

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, MAY 27, 2008:

1 2008-H 7523 SUB A as amended

BY Walsh

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

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

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

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

2008 -- H 7523 SUBSTITUTE A, As Amended

AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Mr. Speaker:

I hereby move to amend 2008 -- H 7523 SUBSTITUTE A, As Amended entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES", as follows:

(1) On page 1, line 6, after the word "Definitions." by inserting in place thereof the following language:

"For the purposes of this chapter, the following definitions shall apply:".

(2) On page 1, line 6, before the word "passenger" by inserting in place thereof the word "new".

(3) On page 1, line 6, before the word "light-duty" by inserting in place thereof the word "new".

(4) On page 1, line 8, before the words "vehicle determined" by inserting in place thereof the word "new".

(5) On page 1, line 14, after the word "sold" by inserting in place thereof the words "or leased".

Respectfully submitted,

REPRESENTATIVE MALIK

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LC00184/4
=====

Representative Gorham discusses the amendment.

Read, and by unanimous consent, ordered to be placed on the bottom of the Calendar after item # 11 as # 11A.

2 2008-H 7512

BY Serpa

ENTITLED, AN ACT RELATING TO PROPERTY -- CONDOMINIUM LAW

Committee on Corporations recommends passage.

By unanimous consent, Majority Leader Fox moves to recommit to the Committee on Corporations. There is so objection.

Read and recommitted to the Committee on Corporations.

3 2008-H 7354 SUB A

BY Fellela

**ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -
PERMIT PROGRAM FOR CATS**

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

By unanimous consent, Majority Leader Fox moves to recommit to the Committee on Health, Education and Welfare.. There is so objection.

Read and recommitted to the Committee on Health, Education and Welfare.

4 2008-H 7975**BY Lewiss****ENTITLED,** AN ACT RELATING TO TAXATION -- ESTATE AND TRANSFER TAXES -- LIABILITY AND COMPUTATION

Committee on Judiciary recommends passage.

Representative Lally moves passage of the act, seconded by Representatives Scott and Lewiss.

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, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Winfield.

NAYS - 0.

REQUEST

Representative Lima requests the journal to reflect that if she had voted on (08-H 7975), she would have voted in the affirmative.

5 2008-H 8160**BY Corvese****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS

Committee on Corporations recommends passage.

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

Read and passed, 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, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Watson, Winfield.

NAYS - 0.

REQUEST

Representative Lima requests the journal to reflect that if she had voted on (08-H 8160), she would have voted in the affirmative.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HOUSE OF REPRESENTATIVES

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

I, Peter Petrarca, State Representative, District 44, 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: (08-H 8247)
2. (Nature of the potential conflict) I have the following interest in the matter:
Potential Legal Conflict
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.

PETER PETRARCA
REPRESENTATIVE

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

Subscribed and sworn to under the penalties for perjury before me this 27th day of May, 2008.

ALISA SARKISIAN
NOTARY PUBLIC

Representative Petrarca 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

6 2008-H 8247

BY Schadone

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL
LICENSES

Committee on Corporations recommends passage.

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

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, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Winfield.

NAYS - 0.

REQUEST

Representative Lima requests the journal to reflect that if she had voted on (08-H 8247), she would have voted in the affirmative.

7 2008-S 2068 as amended

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage as amended in concurrence.

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

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

YEAS - 61: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Petrarca, Rice, Rose, San Bento, Savage, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Winfield.

NAYS - 0.

REQUEST

Representative Lima requests the journal to reflect that if she had voted on (08-S 2068, as amended, in concurrence), she would have voted in the affirmative.

8 2008-S 2444**BY Breene****ENTITLED, AN ACT RELATING TO INSURANCE**

Committee on Corporations recommends passage in concurrence.

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

Read and passed, in concurrence, 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, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Kilmartin, Lally, Lewiss, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Watson, Winfield.

NAYS - 0.

9 2008-S 2446 SUB A**BY Walaska****ENTITLED, AN ACT RELATING TO INSURANCE**

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

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

By unanimous consent, Representative Kennedy, seconded by Representative Kilmartin offers a written motion to amend.

F L O O R A M E N D M E N T
TO
2008 -- S 2446 SUBSTITUTE A

AN ACT RELATING TO INSURANCE

Mr. Speaker:

I hereby move to amend 2008 -- S 2446 SUBSTITUTE A, entitled "AN ACT RELATING TO INSURANCE", as follows:

- (1) On page 14, line 2, by inserting the following punctuation and language following the word "examined" ", including the total cost of all persons contracted by the commissioner pursuant to this chapter to supplement in-house staff,".

(2) On page 14, line 2 by adding the following language before the period "(.)" " or in subsection 27-13.1-4(d) as applicable".

Respectfully submitted,

REPRESENTATIVE KENNEDY

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LC01829/4
=====

Representatives Kennedy, Watson, Fox, Mumford and Gorham discuss the amendment.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, May 28, 2008.

10 2008-S 2599 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- PRODUCER LICENSING ACT

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

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

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

YEAS - 65: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Giannini, Gorham, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Story, Sullivan, Trillo, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 2: Representatives Loughlin, Watson.

11 2008-S 2835 SUB A

BY Connors

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS

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

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

Representatives Trillo, Watson, Loughlin, Kennedy, Gorham and Menard discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 58 members voting in the affirmative and 10 members voting in the negative as follows.

YEAS - 58: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jackson, Jacquard, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Malik, Mattiello, McCauley, McNamara, Melo, Menard, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Schadone, Scott, Segal, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 10: Representatives Coaty, Ehrhardt, Gorham, Loughlin, McManus, Moffitt, Savage, Story, Trillo, Watson.

11A. 2008-H 7523 SUB A as amended

BY Walsh

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

The act has been moved and seconded supra. The amendment has been moved and seconded supra. Representative Malik withdraws his amendment (LC00184/4).

By unanimous consent, Representative Malik, seconded by Representatives Kilmartin, Caprio, Walsh and Fox offers a written motion to amend.

**F L O O R A M E N D M E N T
T O
2008 -- H 7523 SUBSTITUTE A AS AMENDED**

AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Mr. Speaker:

I hereby move to amend 2008 -- H 7523 SUBSTITUTE A AS AMENDED, entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES", as follows:

(1) On page 1, line 6, after the word "Definitions." by inserting the following language:
"For the purposes of this chapter, the following definitions shall apply:".

- (2) On page 1, line 6, before the word "passenger" by inserting the word "new".
- (3) On page 1, line 6, before the word "light-duty" by inserting the word "new".
- (4) On page 1, line 8, before the words "vehicle determined" by inserting the word "new".
- (5) On page 1, line 14, after the word "sold" by inserting the words "or leased".

Respectfully submitted,

REPRESENTATIVE MALIK

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LC00184/5

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Representatives Malik and Watson discuss the amendment. Representative Malik rises on a point of order for Minority Leader Watson to speak germane to the amendment and not to make personal attacks. The Honorable Speaker Murphy rules for Minority Leader Watson to speak germane to the amendment and not to make any personal attacks on any members of the House.

Representatives Gorham, Fox, Walsh, and Kilmartin continue discussion on the amendment.

Representative Kilmartin moves the question, seconded by Representative San Bento.

The motion prevails on a roll call vote 48 members voting in the affirmative and 20 members voting in the negative as follows:

YEAS - 48: The Honorable Speaker Murphy and Representatives Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Fellela, Ferri, Fox, Gallison, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Malik, Mattiello, McCauley, McNamara, Melo, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Vaudreuil, Walsh, Williams.

NAYS - 20: Representatives Ajello, Ehrhardt, Flaherty, Gemma, Giannini, Gorham, Long, Loughlin, McManus, Menard, Moffitt, Mumford, Naughton, Savage, Story, Trillo, Ucci, Wasylyk, Watson, Winfield.

Minority Leader Watson continues discussion on the amendment. Representative Malik rises on a point of order for Minority Leader Watson to speak germane to the amendment and not to make personal attacks. The Honorable Speaker Murphy rules for Minority Leader Watson to speak germane to the amendment and not to make any personal attacks on any members of the House.

Minority Leader Watson and Representative Gorham continue discussion on the amendment.

The motion to amend prevails on a roll call vote 63 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 63: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Coaty, Coderre, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Giannini, Gorham, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Mumford, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Savage, Schadone, Scott, Segal, Serpa, Slater, Smith, Story, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 1: Representative Watson.

Representatives Gorham and Lima discuss the act, as amended.

The bill marked Substitute "A" is read and passed, as amended and the original bill indefinitely postponed, on a roll call vote, 60 members voting in the affirmative and 7 members voting in the negative as follows.

YEAS - 60: The Honorable Speaker Murphy and Representatives Ajello, Almeida, Baldelli-Hunt, Brien, Caprio, Carter, Corvese, Costantino, Dennigan, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Fox, Gallison, Gemma, Giannini, Handy, Jackson, Kennedy, Kilmartin, Lally, Lewiss, Lima, Long, Loughlin, Malik, Mattiello, McCauley, McManus, McNamara, Melo, Menard, Moffitt, Naughton, O'Neill, Pacheco, Palumbo, Petrarca, Rice, Rose, San Bento, Schadone, Scott, Segal, Serpa, Shanley, Silva, Slater, Smith, Sullivan, Ucci, Vaudreuil, Walsh, Wasylyk, Williams, Winfield.

NAYS - 7: Representatives Coaty, Gorham, Mumford, Savage, Story, Trillo, Watson.

REQUEST

Representative Coderre requests the journal to reflect that if she had voted on (08-H 7523 SUB A, as amended), she would have voted in the affirmative.

TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to the Honorable Secretary of State, the Honorable Senate and certain bills to His Excellency the Governor forthwith.

ANNOUNCEMENTS

Representative Sullivan congratulates Steve Peoples from the Providence Journal on receiving his NPA from Brown University.

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

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

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

GUESTS

Representative Naughton introduces to the House Chamber her intern for 2007-2008, Courtney Coan.

Representatives Vaudreuil and Menard welcome to the House as guests the Cumberland High School Hockey Team, Rhode Island Interscholastic Division 2 Champions-“the Clippers” as follows: Head Coach-Mark Andreozzi; Assistant Coaches-Adam Gilbert, John Paquin, Michael Hosney; along with the players: Andrew Barlow, Andrew Bouchard, Ryan Chopy, Jonathan Cox, Michael Darlington, Zack Dohring, Nicholas Donnelly, Joshua Engels, Michalangelo Federici, Nicholas Haase, Matthew Hayes, Jake Howard, Matthew Jones, Kyle McLaughlin, Eric Meunier, Greg Miller, Edward Norberg, John Partington, Aaron Poisson, Joshua Pora, Josh Pora, Jonathan Pora, Michael Ray, Thomas Salisbury and Zack Scuncio.

ADJOURNMENT

At 5:28 o'clock P.M. on motion of Representative Gemma, and as a further mark of respect to the memory of Vincent “Jim” Recchio; on motion of Representative Shanley, and as a further mark of respect to the memory of Bruno DiCecco seconded by Representatives Fox and Watson the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX**INVOCATION****REPRESENTATIVE AL GEMMA**

Lord, we have been sent to these positions of responsibility by the people. Make us mindful that we are their servants. Give us the wisdom and energy to serve them honestly and well. Amen.

**APPENDIX
TRANSMITTED TO THE GOVERNOR**

Senate Bill No. 2847

BY Algieri

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE NICK VUONO CHARITY FUND, INC. {LC2310/1}

Senate Bill No. 2880

BY Goodwin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2564/1}

Senate Bill No. 2918

BY Cote

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF KATHMANDU, LTD. {LC2645/1}

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, MAY 28, 2008:

1 2008-H 7222 SUB A**BY Malik****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.

2 2008-H 7301 SUB A**BY McCauley****ENTITLED,** AN ACT RELATING TO SPORTS RACING AND ATHLETICS --
MIXED MARTIAL ARTS

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

3 2008-H 7457 SUB A**BY Ajello****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
STATE POLICE

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

4 2008-H 7809 SUB A**BY Segal****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
RENEWABLE ENERGY STANDARD

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

5 2008-H 7916 SUB A**BY Fox****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

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

6 2008-S 2446 SUB A**BY Walaska****ENTITLED,** AN ACT RELATING TO INSURANCE

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

7 2008-S 2700**BY Maselli**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF JOHNSTON TO FINANCE THE DESIGN AND CONSTRUCTION OF SANITARY SEWERS FOR THE MEMORIAL PLAT SEWER PROJECT WHICH INCLUDES ALL OR A PORTION OF MILLS DRIVE, POCOTTE DRIVE, ANROLD DRIVE, MONGONE DRIVE, RICHARDSON DRIVE, HARRINGTON DRIVE, CORRINE DRIVE, PINWOOD AVENUE AND CENTRAL AVENUE; AND FOR THE CHERRY HILL SEWER PROJECT WHICH INCLUDES ALL OR A PORTION OF CHERRY HILL ROAD, OLD CHERRY HILL ROAD, CHRYSANTHY COURT, SETIAN CIRCLE, KERN ACRE DRIVE, CAVALCADE BOULEVARD, BALSAM COURT, HEMLOCK COURT, WOODCREST DRIVE, CYNTHIA DRIVE, WORCESTER AVENUE, PRESCOTT AVENUE, HOLLAND AVENUE, ROWENA DRIVE, BIRCHWOOD DRIVE AND TO ISSUE NOT MORE THAN \$7,100,000 BONDS AND NOTES THEREFOR

Committee on Municipal Government recommends passage in concurrence.

8 2008-S 2929**BY Levesque C**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF BRISTOL TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN ANTICIPATION THEREOF IN AN AMOUNT NOT TO EXCEED \$2,000,000 FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF AN ANIMAL SHELTER IN BRISTOL, RHODE ISLAND, INCLUDING THE FURNISHING AND EQUIPPING THEREOF, AND THE PROVISION OF ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER SERVICES NECESSARY OR APPROPRIATE THEREFORE

Committee on Municipal Government recommends passage in concurrence.

9 2008-S 2369 SUB B**BY Fogarty P**

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - - GENERAL PROVISIONS

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

10 2008-S 2881 SUB B

BY Gibbs

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES

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

IN ORDER FOR THURSDAY, MAY 29, 2008:

1 2008-H 8027

BY Lima

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

Committee on Judiciary recommends passage.

2 2008-H 7437 SUB A

BY Caprio D

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

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

3 2008-H 7149 SUB A

BY Kilmartin

ENTITLED, AN ACT RELATING TO PROPERTY - MORTGAGE
FORECLOSURE AND SALE

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

4 2008-H 7051

BY Kennedy

ENTITLED, AN ACT RELATING TO TAXATION - VETERANS' BENEFITS -
WESTERLY

Committee on Finance recommends passage.

5 2008-H 8314

BY McNamara

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

6 2008-H 8299**BY Handy****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

7 2008-H 7662**BY Diaz****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Judiciary recommends passage.

8 2008-S 2964**BY Bates****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

9 2008-S 2373**BY Gibbs****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT

Committee on Judiciary recommends passage in concurrence.

10 2008-S 2336**BY McCaffrey****ENTITLED,** AN ACT RELATING TO PROPERTY -- MECHANICS' LIENS

Committee on Judiciary recommends passage in concurrence.

11 2008-S 2027 as amended**BY Bates****ENTITLED,** AN ACT RELATING TO PROPERTY

Committee on Judiciary recommends passage as amended in concurrence.

12 2008-S 2232**BY Metts****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT

Committee on Judiciary recommends passage in concurrence.

13 2008-S 2317

BY McCaffrey

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS --
SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

14 2008-S 2604 SUB A

BY Goodwin

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS -- RHODE ISLAND NONPROFIT CORPORATION
ACT

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

Francis P. McCabe
Clerk of the House

Tuesday, May 27, 2008