

**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 third day of January in the year of Our Lord two thousand and twelve.

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Volume 139, No. 3

Thursday, January 5, 2012

Third Day

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The House of Representatives meets at the State House in Providence, Thursday, January 5, 2012 and is called to order at 4:19 o'clock P.M., by the Honorable Gordon D. Fox, Speaker.

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

**PRESENT - 70:** The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, DeSimone, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jacquard, Johnston, Keable, Kennedy, Lally, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Phillips, Reilly, Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Slater, Tarro, Tomasso, Trillo, Ucci, Valencia, Watson, Williams, Winfield.

**ABSENT - 5:** Representatives Jackson, Lima, Petrarca, Tanzi, Walsh.

**INVOCATION**

The Honorable Speaker presents Representative Azzinaro 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, January 4, 2012 is approved.

**ANNOUNCEMENTS**

Please be informed that Representative Teresa Tanzi will be unable to attend session January 5<sup>th</sup>.

Please be informed that Representative Donna Walsh will be unable to attend session January 5<sup>th</sup>.

**NEW BUSINESS****House Bill No. 7026**

**BY** Kennedy, San Bento, Marcello, Coderre, Naughton

**ENTITLED**, AN ACT RELATING TO INSURANCE -- MOTOR VEHICLE DAMAGE

APPRAISERS {LC266/1}

01/05/2012 Introduced, referred to House Corporations

**House Resolution No. 7027**

**BY** Walsh, Handy, Tanzi, Ruggiero, Valencia

**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL HOUSE COMMISSION TO STUDY PRODUCER RESPONSIBILITY MODELS FOR PAPER AND PACKAGING

{LC68/1}

01/05/2012 Introduced, referred to House Environment and Natural Resources

**House Bill No. 7028**

**BY** O'Grady, Bennett, Ruggiero, Walsh, Morrison

**ENTITLED**, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS - RIGHTS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES {LC61/1}

01/05/2012 Introduced, referred to House Finance

**House Bill No. 7029**

**BY** Brien, Phillips, Edwards, Baldelli-Hunt

**ENTITLED**, AN ACT RELATING TO TAXATION {LC264/1}

01/05/2012 Introduced, referred to House Finance

**House Bill No. 7030**

**BY** Ajello, Walsh, Hearn, Naughton, Cimini

**ENTITLED**, AN ACT RELATING TO TAXATION {LC149/1}

01/05/2012 Introduced, referred to House Finance

**House Bill No. 7031**

**BY** Edwards, Reilly

**ENTITLED**, AN ACT RELATING TO EDUCATION - FOUNDATION LEVEL SCHOOL SUPPORT {LC86/1}

01/05/2012 Introduced, referred to House Finance

**House Bill No. 7032****BY** Hull, Serpa, Slater, Bennett, McLaughlin**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- DEVELOPMENTAL DISABILITIES FUNDING {LC297/1}

01/05/2012 Introduced, referred to House Finance

**House Resolution No. 7033****BY** McNamara, Malik, Messier, Ferri, Morrison**ENTITLED**, JOINT RESOLUTION RELATING TO MAKING APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE FISCAL YEAR ENDING JUNE 30, 2012 {LC94/1}

01/05/2012 Introduced, referred to House Finance

**House Resolution No. 7034****BY** O`Grady, Bennett, Morrison, Walsh, Cimini**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$15,000,000 FOR SERVICES FOR THE DEVELOPMENTALLY DISABLED {LC37/1}

01/05/2012 Introduced, referred to House Finance

**House Bill No. 7035****BY** Guthrie, Bennett, O`Grady, Johnston, Phillips**ENTITLED**, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS - RIGHTS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES {LC221/1}

01/05/2012 Introduced, referred to House Finance

**House Bill No. 7036****BY** Edwards, Gallison, Reilly**ENTITLED**, AN ACT RELATING TO HIGHWAYS - CONSTRUCTION AND MAINTENANCE OF STATE ROADS {LC90/1}

01/05/2012 Introduced, referred to House Finance

**House Bill No. 7037****BY** Medina, Chippendale, Nunes, Carnevale, Hull**ENTITLED**, AN ACT RELATING TO TAXATION - MOTOR VEHICLE AND TRAILER EXCISE TAX ELIMINATION ACT OF 1998 {LC164/1}

01/05/2012 Introduced, referred to House Finance

**House Bill No. 7038****BY** McNamara, Ferri**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC16/1}

01/05/2012 Introduced, referred to House Judiciary

**House Bill No. 7039****BY** Corvese**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES--PURCHASING {LC11/1}

01/05/2012 Introduced, referred to House Judiciary

**House Bill No. 7040****BY** Menard**ENTITLED**, AN ACT RELATING CERTIFICATION OF CIVIL UNIONS {LC278/1}

01/05/2012 Introduced, referred to House Judiciary

**House Bill No. 7041****BY** Ajello, Tanzi, Walsh, Naughton, Ruggiero**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- REPRODUCTIVE HEALTH CARE {LC150/1}

01/05/2012 Introduced, referred to House Judiciary

**House Bill No. 7042**

(Attorney General)

**BY** Martin, DaSilva**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - COMPUTER CRIME {LC125/1}

01/05/2012 Introduced, referred to House Judiciary

**House Bill No. 7043****BY** Bennett, Hull, Silva, Tanzi, O`Grady**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - RETIREMENT SYSTEM {LC131/1}

01/05/2012 Introduced, referred to House Labor

**House Bill No. 7044****BY** Edwards, Guthrie, Reilly**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF TIVERTON {LC179/1}

01/05/2012 Introduced, referred to House Municipal Government

**House Bill No. 7045****BY** Marcello, Edwards, Savage, Hearn, Reilly**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- AUDIT OF ACCOUNTS AND INSTALLATION OF SYSTEMS {LC60/1}

01/05/2012 Introduced, referred to House Municipal Government

**House Bill No. 7046****BY** Edwards, Gallison, Reilly**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- RENAMING THE NEW SAKONNET BRIDGE, AQUIDNECK ISLAND {LC87/1}

01/05/2012 Introduced, referred to House Municipal Government

**House Bill No. 7047****BY** Corvese, Schadone, San Bento, Hull**ENTITLED**, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE {LC139/1}

01/05/2012 Introduced, referred to House Municipal Government

**House Bill No. 7048****BY** Kennedy, San Bento, Azzinaro, Lally, Valencia**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES {LC265/1}

01/05/2012 Introduced, referred to House Municipal Government

**House Bill No. 7049****BY** Brien, Phillips, Baldelli-Hunt**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- ENERGY {LC191/1}

01/05/2012 Introduced, referred to House Municipal Government

**House Resolution No. 7050****BY** Gallison, Fellela, Messier, Azzinaro, MacBeth**ENTITLED**, HOUSE RESOLUTION REINSTATING AND EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL HOUSE COMMISSION TO UNDERTAKE A COMPREHENSIVE STUDY OF THE VETERANS HOME IN BRISTOL AND DEVELOP A MASTER PLAN FOR THE OVERALL FUTURE DIRECTION OF THE FACILITY {LC228/1}

With the agreement of the majority and the minority, Representative Gallison requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Fellela, Messier, Azzinaro, MacBeth, McLaughlin, Martin, Naughton, Coderre, Hull and Bennett by unanimous consent, on a voice vote.

**House Resolution No. 7051****BY** Guthrie, Tomasso, Chippendale, Serpa**ENTITLED**, HOUSE RESOLUTION EXPRESSING OUR DEEPEST CONDOLENCES ON THE PASSING OF COVENTRY POLICE DETECTIVE WAYNE FRENCH {LC354/1}

With the agreement of the majority and the minority, Representative Guthrie requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Guthrie seconded by Representative Tomasso, Chippendale, Serpa, Phillips, Valencia, Johnston, Bennett, Hull, Medina and Azzinaro by unanimous consent, on a rising vote.

**House Bill No. 7052****BY** Melo, Silva, Mattiello, Gallison, Savage**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- BUDGET COMMISSIONS {LC357/1}

01/05/2012 Introduced, referred to House Finance

**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.

**ADJOURNMENT**

At 4:29 o'clock P.M. on motion of Representative Guthrie, and as a further mark of respect to the memory of Detective Wayne French; on motion of Representative Martin, and as a further mark of respect to the memory of James Joseph Kenney; seconded by Representatives Mattiello and Newberry the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
Recording Clerk

**APPENDIX****INVOCATION****REPRESENTATIVE SAMUEL A. AZZINARO**

O Lord, as we begin this legislative year, we have much work to do and difficult decisions to make. Help us to govern wisely and to be responsive to the needs of the people of Rhode Island.

**APPENDIX**

**CALENDAR**

**IN ORDER FOR TUESDAY, JANUARY 10, 2012:**

**1. 2012-H 7018**

**BY** Hearn

**ENTITLED**, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE PURCHASE AND USE OF TEXTBOOKS IN PUBLIC SCHOOLS

Ordered on the Calendar

**2. 2012-H 7024**

**BY** Naughton

**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE RHODE ISLAND PUBLIC HEALTH STUDY COMMISSION

Ordered on the Calendar

**3. 2012-H 7025**

**BY** Tanzi

**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING DATE FOR THE CRIMINAL OVERSIGHT COMMISSION TO EVALUATE THE EXISTING GOOD TIME CREDIT POLICY AND MAKE RECOMMENDATIONS

Ordered on the Calendar

**Francis McCabe** Clerk of the House  
**Thursday, January 05, 2012**