

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

Volume 139, No. 4

Tuesday, January 10, 2012

Fourth Day

The House of Representatives meets at the State House in Providence, Tuesday, January 10, 2012 and is called to order at 4:25 o'clock P.M., by the Honorable Gordon D. Fox, Speaker.

The roll is called and a quorum is declared present with 72 members present and 3 members absent as follows:

PRESENT - 72: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, DeSimone, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Watson, Williams, Winfield.

ABSENT - 3: Representatives Carnevale, Morgan, Schadone.

INVOCATION

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

(For Invocation, see Appendix, this Journal.)

CORRECTION

By unanimous consent, the House Journal of Thursday, January 5, 2012 is hereby corrected by recording Representative Lima as being present.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, January 5, 2012 is approved as corrected.

REPORT OF COMMITTEE

COMMITTEE ON FINANCE

Representative Melo, for the Committee on Finance, reports back the following measure, with recommendation of passage:

House Bill No. 7052

BY Melo, Silva, Mattiello, Gallison, Savage

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- BUDGET COMMISSIONS

{LC357/1}

01/10/2012 Placed on House Calendar

NEW BUSINESS

House Bill No. 7053

BY Corvese, Schadone

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS' LICENSES {LC141/1}

01/10/2012 Introduced, referred to House Corporations

House Bill No. 7054

BY Edwards, Gallison, Reilly, Guthrie

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$700,000 BONDS BY THE TOWN OF PORTSMOUTH TO FINANCE IMPROVEMENTS TO SCHOOL BUILDINGS INCLUDING BUT NOT LIMITED TO BONDS AND NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION {LC137/1}

01/10/2012 Introduced, referred to House Finance

House Bill No. 7055

BY Carnevale, Hull, DaSilva, Messier, Ruggiero

ENTITLED, AN ACT RELATING TO ELECTIONS {LC154/1}

01/10/2012 Introduced, referred to House Finance

House Bill No. 7056

BY Kennedy, San Bento, Williams, Palumbo, Coderre

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- DNA DETECTION OF SEXUAL AND VIOLENT OFFENDERS {LC305/1}

01/10/2012 Introduced, referred to House Judiciary

House Bill No. 7057

BY Newberry, Marcello, Brien, Phillips, Ajello

ENTITLED, AN ACT RELATING TO PROPERTY {LC239/1}

01/10/2012 Introduced, referred to House Judiciary

House Bill No. 7058

(Board of Elections)

BY San Bento, Flaherty

ENTITLED, AN ACT RELATING TO ELECTIONS - CAMPAIGN FUNDS {LC152/1}

01/10/2012 Introduced, referred to House Judiciary

House Bill No. 7059

(Attorney General)

BY Serpa, Silva

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES {LC130/1}

01/10/2012 Introduced, referred to House Judiciary

House Bill No. 7060

BY Edwards, Guthrie, Menard, O'Grady, Hearn

ENTITLED, AN ACT RELATING TO ELECTIONS {LC261/1}

01/10/2012 Introduced, referred to House Judiciary

House Bill No. 7061

BY Diaz, Marcello, Slater, Silva, Blazejewski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - TAXATION - TAX SALES

{LC310/1}

01/10/2012 Introduced, referred to House Municipal Government

House Resolution No. 7062

BY Newberry, Mattiello, Coderre, Messier, Cimini

ENTITLED, HOUSE RESOLUTION CONGRATULATING THE JUNIOR LEAGUE OF RHODE ISLAND ON THE 90TH ANNIVERSARY OF ITS FOUNDING {LC159/1}

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

There is no objection.

Read and passed, on a motion of Representative Newberry seconded by Representatives Mattiello, McNamara, Bennett, Riley, Ehrhardt, Costa, Chippendale, Cimini, Ajello, Tomasso and Hearn 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 Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, DeSimone, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Johnston, Keable, Lally, Lima, MacBeth, Malik, Marcello, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Messier, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Petrarca, Phillips, Reilly, Ruggiero, Savage, Serpa, Silva, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

House Resolution No. 7063

BY Martin

ENTITLED, HOUSE RESOLUTION EXPRESSING OUR DEEPEST CONDOLENCES ON THE PASSING OF JAMES J. KENNEY

{LC397/1}

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

There is no objection.

Read and passed, on a motion of Representative Martin seconded by Representatives Mattiello and Chippendale by unanimous consent, on a rising vote.

House Resolution No. 7064

BY Mattiello, Newberry

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC427/1}

Representative Mattiello requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 7065

BY Mattiello, Newberry {LC428/1}

Representative Mattiello requests unanimous consent for immediate consideration.

There is no objection.

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

CALENDAR

From the Calendar are taken:

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

Representative Hearn moves passage of the resolution, seconded by Representatives Ucci, Marcello, Mattiello and Gordon.

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

NAYS - 0.

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

Representative Mattiello moves passage of the resolution, seconded by Representatives Naughton, Diaz, Morrison, Tanzi and Walsh.

Read and passed, on a roll call vote, 65 members voting in the affirmative and 0 members

voting in the negative as follows:

YEAS - 65: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hull, Jackson, Johnston, Keable, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Messier, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Phillips, Reilly, Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

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

Representative Mattiello moves passage of the resolution, seconded by Representatives Tanzi, Morrison, Medina, Williams, Walsh and Diaz.

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 Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Johnston, Keable, Kennedy, Lally, Lima, MacBeth, Marcello, Martin, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Messier, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Phillips, Reilly, Ruggiero, San Bento, Savage, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0

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 Fox and Representative Ferri wish Chairman Melo a Happy Birthday.

Representative Ruggiero reminds everyone the RI Broadcasters Association is having a reception for the legislators tonight from 5:30-8 PM at the RI PBS TV.

Representative Gordon addresses the House on the foreclosure crisis in Rhode Island.

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

Representative Ferri announces that the Commission to Study Public Higher Education Affordability and Accessibility will meet at 5:30 o'clock P.M., in Room 135 of the State House.

GUESTS

Representative Serpa welcomes to the House Chamber as guests Albert Iannotti and Dr. Mai He, members of the Falun Dafa Association promoting the 1/19 performance of " Shen Yun" at PPAC.

Representative Newberry welcomes to the House as guests members of the Junior League of RI along with Delly Beekman, President of the Association of Jr. Leagues International; Petra Jenkins, President; Kim Bigonette, President-Elect; and Elizabeth Noren, Community Council Director. The Honorable Speaker Fox also welcomes them to the Chamber.

Representative Hearn welcomes to the Chamber her intern, Domenic Merolla, a senior at Barrington High School.

DESK HELD OPEN

The Honorable Speaker Fox announces the desk will be held open for receipt of business.

ADJOURNMENT

At 4:48 o'clock P.M. on motion of Representative San Bento, and as a further mark of respect to the memory of former Representative Augusto W. Sao Bento; seconded by Representatives Mattiello and Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DEBORAH RUGGIERO

Lord, as we begin our work, help us to so perform our duties that, when we are finished, you say “well done, good and faithful servants”. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JANUARY 12, 2012:

1. **2012-H 7052**

BY Melo

**ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- BUDGET
COMMISSIONS**

Committee on Finance recommends passage.

Francis McCabe
Clerk of the House

Tuesday, January 10, 2012