

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. 5

Wednesday, January 11, 2012

Fifth Day

The House of Representatives meets at the State House in Providence, Wednesday, January 11, 2012 and is called to order at 4:27 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, Carnevale, 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, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Valencia, Walsh, Watson, Williams, Winfield.

ABSENT - 3: Representatives Morgan, Trillo, Ucci.

INVOCATION

The Honorable Speaker presents Representative Messier 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 Tuesday, January 10, 2012 is approved.

REPORTS OF COMMITTEES**COMMITTEE ON JUDICIARY**

Representative Ajello, for the Committee on Judiciary, reports back the following measures, with recommendation of passage:

House Bill No. 7007

BY Gallison, Morrison

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (the Honorable Raymond B. Mars to join Jennifer Teresa Mars and Nathan Christopher Oliveira in marriage within the City of Newport, Rhode Island, on or about June 21, 2012.) {LC208/1}
01/11/2012 Placed on House Calendar

House Bill No. 7008

BY Mattiello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Ronald J. Provencal to join Gabrielle Provencal and Sean Vickers in marriage within the Town of Narragansett, Rhode Island, on or about June 24, 2012) {LC214/1}
01/11/2012 Placed on House Calendar

House Bill No. 7011

BY Nunes

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow John M. Shedlock to join Ashley Lynn Peck and Jesse Allen Valliere in marriage on or about May 11, 2012, within the Town of Bristol, Rhode Island.) {LC110/1}
01/11/2012 Placed on House Calendar

House Bill No. 7012

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Louis X. Mineau to join Michael L. Mineau and Nicole M. Roussell in marriage on or about August 12, 2012, within the City of Newport, Rhode Island.) {LC20/1}
01/11/2012 Placed on House Calendar

House Bill No. 7038

BY McNamara, Ferri

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (This act would allow The Honorable Scott Avedisian to join Christina Marie Finn and Sean Patrick Woodbine in marriage on or about August 25, 2012, within the City of Warwick, Rhode Island.) {LC16/1}
01/11/2012 Placed on House Calendar

COMMITTEE ON VETERANS AFFAIRS

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

House Bill No. 7016 SUB A**BY** Martin, Gallison, Mattiello**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLE OPERATOR LICENSES - VETERANS (would direct the administrator of the DMV to issue operators' licenses with a designation that the holder is a veteran. A fee shall be paid to the division of motor vehicles for the veteran designation.) {LC202/A/1}

01/11/2012 Placed on House Calendar

House Bill No. 7017 SUB A**BY** Martin, Gallison, Mattiello**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATOR'S AND CHAFFEUR'S LICENSES - VETERAN DESIGNATION (would permit a notation on RI motor vehicle operator's licenses indicating the holder is a veteran. A fee shall be paid to the division of motor vehicles for the veteran's designation.) {LC203/A/1}

01/11/2012 Placed on House Calendar

NEW BUSINESS**House Bill No. 7066****BY** Gallison, Morrison, San Bento, Silva, Edwards**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES {LC279/1}

01/11/2012 Introduced, referred to House Corporations

House Bill No. 7067**BY** Petrarca, Ucci, Keable, Corvese**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT {LC456/1}

01/11/2012 Introduced, referred to House Corporations

House Bill No. 7068

(Secretary of State)

BY Petrarca, Ucci, Keable, Corvese**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - LIMITED PARTNERSHIPS {LC454/1}

01/11/2012 Introduced, referred to House Corporations

House Bill No. 7069**BY** Melo, Naughton, Jackson, Gallison, Valencia**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE - STATE BUDGET {LC449/1}

01/11/2012 Introduced, referred to House Finance

House Bill No. 7070**BY** Walsh, Valencia, Coderre, Naughton, Handy**ENTITLED**, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX

{LC160/1}

01/11/2012 Introduced, referred to House Finance

House Bill No. 7071**BY** Walsh, Ajello, Valencia, Tanzi, Ruggiero**ENTITLED**, AN ACT RELATING TO TAXATION -- THE PERSONAL INCOME TAX

{LC99/1}

01/11/2012 Introduced, referred to House Finance

House Bill No. 7072**BY** Valencia, Ajello, Marcello, Ehrhardt, Reilly**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

ESTABLISHING AN OFFICE OF INSPECTOR GENERAL {LC113/1}

01/11/2012 Introduced, referred to House Finance

House Bill No. 7073**BY** Edwards, Reilly, Azzinaro, Brien, Guthrie**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- STATE AID {LC82/1}

01/11/2012 Introduced, referred to House Finance

House Bill No. 7074**BY** Gallison, Morrison, San Bento, Silva, Serpa**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -

DISTRESSED AREAS ECONOMIC REVITALIZATION ACT {LC273/1}

01/11/2012 Introduced, referred to House Finance

House Bill No. 7075

(Attorney General)

BY Palumbo, San Bento, Flaherty, Edwards, Corvese**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL OFFENDER

REGISTRATION AND NOTIFICATION {LC118/1}

01/11/2012 Introduced, referred to House Finance

House Bill No. 7076**BY** Reilly, Newberry, Savage, Chippendale, Edwards**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- STATE BUDGET {LC248/1}

01/11/2012 Introduced, referred to House Finance

House Bill No. 7077**BY** McNamara, Lima, Malik, Messier, Ferri**ENTITLED**, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND

SUPERINTENDENTS {LC92/1}

01/11/2012 Introduced, referred to House H.E.W.

House Bill No. 7078**BY** McNamara, Malik, Ferri, Messier**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL HYGIENISTS {LC254/1}

01/11/2012 Introduced, referred to House H.E.W.

House Bill No. 7079**BY** McNamara, Palumbo, Lima**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PUPIL TRANSPORTATION VEHICLES {LC91/1}

01/11/2012 Introduced, referred to House H.E.W.

House Bill No. 7080**BY** Gallison, San Bento, Silva, Fellela**ENTITLED**, AN ACT RELATING TO EDUCATION - RHODE ISLAND CERTIFICATION STANDARDS BOARD {LC280/1}

01/11/2012 Introduced, referred to House H.E.W.

House Bill No. 7081**BY** Mattiello**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND {LC413/1}

01/11/2012 Introduced, referred to House H.E.W.

House Bill No. 7082**BY** Gallison, Silva, Serpa, Morrison, Malik**ENTITLED**, AN ACT RELATING TO REAL PROPERTY -- TRANSFER FEES {LC272/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7083**BY** Ferri**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC433/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7084

(Secretary of State)

BY Keable, Lally, Petrarca, Jackson, Marcello**ENTITLED**, AN ACT RELATING TO PUBLIC RECORDS - PUBLIC RECORDS ADMINISTRATION {LC451/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7085

(Attorney General)

BY Keable, Jackson, Lally**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ATTORNEY GENERAL {LC120/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7086**BY** Walsh, Ajello, Valencia, Marcello, O'Grady**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS
{LC95/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7087**BY** Corvese, Edwards, McNamara, Malik, Schadone**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED
SUBSTANCES ACT {LC140/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7088**BY** Menard**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC220/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7089**BY** Brien, Marcello, O'Neill, Baldelli-Hunt, Lally**ENTITLED**, AN ACT RELATING TO ELECTIONS -- POLITICAL PARTY DESIGNATION
{LC359/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7090**BY** Williams, Cimini, Handy, Slater, McCauley**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT {LC262/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7091**BY** Edwards, Palumbo, Brien, Corvese, McLaughlin**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- FETAL PROTECTION
ACT {LC88/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7092**BY** Edwards, Ferri, Newberry, Williams, Palumbo**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED
SUBSTANCES ACT {LC269/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7093

(Attorney General)

BY Marcello, Hearn, Valencia, Blazejewski, Costa**ENTITLED**, AN ACT RELATING TO ELECTIONS - STATE VENDOR'S POLITICAL
CONTRIBUTIONS {LC127/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7094**BY** Flaherty**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC362/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7095

(Attorney General)

BY Marcello, Valencia, Hearn, Hull, Bennett**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT {LC129/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7096**BY** Gallison, Silva, Hull, Serpa, DaSilva**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE {LC274/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7097**BY** Costa, Chippendale**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - WEAPONS {LC313/1}

01/11/2012 Introduced, referred to House Judiciary

House Bill No. 7098**BY** McNamara, Flaherty, Naughton, Bennett, Ferri**ENTITLED**, AN ACT RELATING TO TAXATION - EXCISE ON MOTOR VEHICLES AND TRAILERS {LC437/1}

01/11/2012 Introduced, referred to House Municipal Government

House Bill No. 7099**BY** Gallison, San Bento, Silva, Serpa, Fellela**ENTITLED**, AN ACT RELATING TO INSURANCE {LC275/1}

01/11/2012 Introduced, referred to House Committee on Small Business

House Bill No. 7100

(Secretary of State)

BY Gallison, Fellela, Messier, Azzinaro, McLaughlin**ENTITLED**, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS {LC452/1}

01/11/2012 Introduced, referred to House Veterans Affairs

House Bill No. 7101**BY** Gallison, Fellela, Messier, Azzinaro, McLaughlin**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES {LC277/1}

01/11/2012 Introduced, referred to House Veterans Affairs

House Resolution No. 7102**BY** San Bento, Fox, Coderre, Melo, Malik**ENTITLED**, HOUSE RESOLUTION EXPRESSING SINCERE AND HEARTFELT CONDOLENCES ON THE PASSING OF THE HONORABLE AUGUSTO W. SAOBENTO, ESQ. {LC533/1}

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

There is no objection.

Read and passed, on a motion of Representative San Bento seconded by Representatives Coderre, Naughton, Corvese, Dickinson, Valencia, Melo, Mattiello, Johnston, Malik, Diaz, Baldelli-Hunt, Kennedy, McNamara, Newberry, Ferri, Azzinaro and Gordon by unanimous consent, on a rising vote.

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.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2015**BY** Jabour**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER EL DEE VENDING CORPORATION {LC215/1}

01/11/2012 Referred to House Corporations

ANNOUNCEMENTS

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

Representative Fellela announces that the Committee on Veterans Affairs will meet at the rise of the House, in Room 35 of the State House.

Representative Tomasso recognizes Elyssa Pellichone from Hopkins Hill Elementary and her grandmother Michelle McCaughey on winning a contest and donating the winnings to Hopkins Hill Elementary School's Arts Department.

ADJOURNMENT

At 4:39 o'clock P.M. on motion of Representative Jackson, and as a further mark of respect to the memory of Hendy Richard Hole, Jr.; on motion of Representative Melo, and as a further mark of respect to the memory of Alda Resendes; seconded by Representatives Mattiello and Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE MARY DUFFY MESSIER

Dear Lord: We thank you for giving us the opportunity and privilege of being the voice of our constituents in their government. Help us to make the right and just choices in our decisions to improve the lives of all our citizens.

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.

IN ORDER FOR TUESDAY, JANUARY 17, 2012:

- 1. 2012-H 7007**
BY Gallison
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 2. 2012-H 7008**
BY Mattiello
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 3. 2012-H 7011**
BY Nunes
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 4. 2012-H 7012**
BY Martin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 5. 2012-H 7038**
BY McNamara
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

6. **2012-H 7016 SUB A**
BY Martin
ENTITLED, AN ACT RELATING TO MOTOR VEHICLE OPERATOR LICENSES -
VETERANS

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

7. **2012-H 7017 SUB A**
BY Martin
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
OPERATOR'S AND CHAFFEUR'S LICENSES - VETERAN DESIGNATION

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

Francis McCabe
Clerk of the House

Wednesday, January 11, 2012