

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. 11

Wednesday, January 25, 2012

Eleventh Day

The House of Representatives meets at the State House in Providence, Wednesday, January 25, 2012 and is called to order at 4:26 o'clock P.M., by the Honorable Gordon D. Fox, Speaker.

The roll is called and a quorum is declared present with 69 members present and 6 members absent as follows:

PRESENT - 69: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DeSimone, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Ucci, Valencia, Walsh, Williams, Winfield.

ABSENT - 6: Representatives DaSilva, MacBeth, Menard, Schadone, Trillo, Watson.

INVOCATION

The Honorable Speaker presents Representative Phillips 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 24, 2012 is approved.

ANNOUNCEMENT

Please be informed that Representative Roberto DaSilva will be unable to attend session today.

NEW BUSINESS**House Bill No. 7228**

BY Ruggiero, Ucci, Walsh, Costa, Chippendale

ENTITLED, AN ACT RELATING TO CORPORATIONS - ASSOCIATIONS AND PARTNERSHIPS - PROFESSIONAL SERVICE CORPORATIONS {LC857/1}

01/25/2012 Introduced, referred to House Corporations

House Bill No. 7229

BY Silva

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC TRANSIT AUTHORITY {LC690/1}

01/25/2012 Introduced, referred to House Corporations

House Bill No. 7230

BY Phillips, Brien, Tomasso, Johnston, Bennett

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - SNOW PLOWS AND SNOW REMOVAL EQUIPMENT {LC824/1}

01/25/2012 Introduced, referred to House Corporations

House Bill No. 7231

BY Slater, Diaz

ENTITLED, AN ACT RELATING TO WEIGHTS AND MEASURES -- PRODUCE SCALES IN MARKETS {LC829/1}

01/25/2012 Introduced, referred to House Corporations

House Bill No. 7232

BY Slater

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - DUTIES OF UTILITIES AND CARRIERS {LC858/1}

01/25/2012 Introduced, referred to House Corporations

House Bill No. 7233

BY Walsh, Ruggiero, Valencia, Tanzi, Ferri

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- PROPER MANAGEMENT OF UNUSED PAINT {LC817/1}

01/25/2012 Introduced, referred to House Environment and Natural Resources

House Bill No. 7234

BY Naughton, Coderre, Diaz, Silva, Morrison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - DIABETES SCREENING AND RISK REDUCTION PILOT PROGRAM {LC608/1}

01/25/2012 Introduced, referred to House H.E.W.

House Resolution No. 7235**BY** Serpa, Tarro, Mattiello, Silva, Morgan**ENTITLED**, HOUSE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR OF THE STATE OF RHODE ISLAND TO IMPLEMENT PROGRAMS AND METHODOLOGY TO IMPROVE MEDICAID INTEGRITY IN THE STATE {LC758/1}

01/25/2012 Introduced, referred to House Finance

House Bill No. 7236

(By Request)

BY Costa, Ehrhardt, Lally**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE REPLACEMENTS AND RENOVATIONS AND RELATED EQUIPMENT FOR THE DAVISVILLE MIDDLE SCHOOL AND THE FISHING COVE, HAMILTON, QUIDNESSET AND STONY LANE ELEMENTARY SCHOOLS AND TO ISSUE NOT MORE THAN \$6,465,000 BONDS AND NOTES THEREFOR {LC830/1}

01/25/2012 Introduced, referred to House Finance

House Bill No. 7237**BY** Ucci, Walsh, Ruggiero, Reilly, Johnston**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND HOUSING RESOURCES ACT OF 1998 {LC827/1}

01/25/2012 Introduced, referred to House Finance

House Bill No. 7238**BY** Silva**ENTITLED**, AN ACT RELATING TO TAXATION - SALES TAX EXEMPTION {LC689/1}

01/25/2012 Introduced, referred to House Finance

House Bill No. 7239**BY** Gallison, Morrison**ENTITLED**, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX - ESTABLISHMENT OF ARTS DISTRICT {LC828/1}

01/25/2012 Introduced, referred to House Finance

House Bill No. 7240**BY** O`Grady**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC866/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7241**BY** Ferri, McNamara**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC863/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7242**BY** DaSilva, Coderre, Ruggiero, Walsh, Johnston**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - ASSAULTS {LC842/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7243**BY** Walsh, Ajello, Valencia, DaSilva**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST {LC816/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7244**BY** Silva, Serpa**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES {LC704/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7245**BY** Marcello, Hearn, DaSilva**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY -- JUDGMENTS, ORDERS AND DECREES -- INTEREST ON JUDGMENTS {LC713/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7246**BY** Marcello, Hearn, DaSilva**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - STATUTORY INTEREST {LC719/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7247**BY** San Bento, DaSilva, Lally, Hull, Savage**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - STATE AFFAIRS AND GOVERNMENT - LAW ENFORCEMENT OFFICERS - INJURED AND DECEASED FIREFIGHTERS AND POLICE {LC723/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7248**BY** Ferri, Bennett, Edwards, Marcello, Valencia**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS - GOOD SAMARITAN OVERDOSE PREVENTION ACT {LC761/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7249**BY** Chippendale, Tanzi, Walsh, Marcello, Carnevale**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - WEAPONS {LC698/1}

01/25/2012 Introduced, referred to House Judiciary

House Bill No. 7250**BY** Carnevale, DaSilva, Savage, DeSimone, Slater**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - CERTIFIED SCHOOL TEACHERS' ARBITRATION {LC593/1}

01/25/2012 Introduced, referred to House Labor

House Bill No. 7251**BY** Silva**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- TEMPORARY DISABILITY INSURANCE BENEFITS {LC692/1}

01/25/2012 Introduced, referred to House Labor

House Bill No. 7252**BY** McNamara, Malik, Gallison, Morrison, McLaughlin**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - EMPLOYMENT SECURITY - RETURN TO WORK ACT {LC101/1}

01/25/2012 Introduced, referred to House Labor

House Bill No. 7253**BY** Silva, Serpa, Tarro**ENTITLED**, AN ACT RELATING TO TAXATION -- MOTOR VEHICLE TAX ELIMINATION {LC683/1}

01/25/2012 Introduced, referred to House Municipal Government

House Bill No. 7254**BY** Carnevale, Fellela, Petrarca, Ucci**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - PUBLIC DRINKING WATER SUPPLY SYSTEM PROTECTION {LC599/1}

01/25/2012 Introduced, referred to House Municipal Government

House Resolution No. 7255**BY** McNamara, Mattiello, Martin, Hull, Bennett**ENTITLED**, HOUSE RESOLUTION EXPRESSING OUR DEEPEST CONDOLENCES ON THE PASSING OF MICHAEL J. O'ROURKE, SR. {LC925/1}

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

There is no objection.

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

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, JANUARY 25, 2012:**1. 2012-H 7162**

BY Coderre

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO ISSUE
TAX ANTICIPATION NOTES PAYABLE IN FISCAL YEAR 2013

Committee on Finance recommends passage.

Representative Melo moves passage of the act, seconded by Representatives O'Neill, Coderre, Johnston, O'Grady, Valencia, Phillips, Ferri, Savage, Walsh, Hearn and San Bento.

Representative Melo discusses the act.

The act prevails, 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, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DeSimone, Diaz, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Johnston, Keable, Kennedy, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McLaughlin, Medina, Melo, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, 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

Representative Diaz announces that the Committee on Health, Education and Welfare will meet at the rise of the House, in Room 313 of the State House.

Representative Walsh announces that the Joint Committee on Economic Development will meet at 5 o'clock P.M., in the House Lounge of the State House.

Representative Walsh also introduces her intern, Natalie Donoyan, a junior at Bryant University.

GUESTS

Representative Diaz welcomes to the House Chamber as guests the following community organizations-PRYSM, Youth In Action Student Movement, International Institute and DARE.

ADJOURNMENT

At 4:45 o'clock P.M. on motion of Representatives Lima and Carnevale and as a further mark of respect to the memory of Louis R. Stravato; on motion of Representatives Corvese and Gallison, and as a further mark of respect to the memory of William G. Dugan, Jr.; seconded by Representatives Mattiello and Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX**INVOCATION****REPRESENTATIVE ROBERT D. PHILLIPS**

Dear Lord: In the days ahead there will be many choices before us as we work to continue to make our State a great place to live. Help us all strive to work together to reach common ground and find positive solutions for the benefit of all our people. Amen

APPENDIX**CALENDAR****IN ORDER FOR THURSDAY, JANUARY 26, 2012:****1. 2012-H 7067 SUB A****BY** Petrarca**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT

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

2. 2012-H 7068**BY** Petrarca**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - LIMITED PARTNERSHIPS

Committee on Corporations recommends passage.

3. 2012-H 7120**BY** Marcello**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- PARTNERSHIPS--FILING

Committee on Corporations recommends passage.

4. 2012-H 7121**BY** Marcello**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT

Committee on Corporations recommends passage.

5. 2012-H 7149**BY** Corvese**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS

Committee on Corporations recommends passage.

6. 2012-H 7150 SUB A

BY Keable

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

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

Francis McCabe
Clerk of the House

Wednesday, January 25, 2012