

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. 16

Tuesday, February 7, 2012

Sixteenth Day

The House of Representatives meets at the State House in Providence, Tuesday, February 7, 2012 and is called to order at 4:23 o'clock P.M., by the Honorable Gordon D. Fox, Speaker.

The roll is called and a quorum is declared present with 73 members present and 2 members absent as follows:

PRESENT - 73: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, 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, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

ABSENT - 2: Representatives Bennett, Watson.

INVOCATION

The Honorable Speaker presents Representative Slater 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 Thursday, February 2, 2012 is approved.

ANNOUNCEMENT

Please be informed that Representative Dave Bennett will be unable to attend session today.

NEW BUSINESS**House Resolution No. 7402**

BY Williams, Hull, Medina, McCauley, Tanzi

ENTITLED, HOUSE RESOLUTION PROCLAIMING THE MONTH OF FEBRUARY AS "BLACK HISTORY MONTH" IN THE STATE OF RHODE ISLAND {LC1023/1}

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

There is no objection.

Read and passed, on a motion of Representative Williams seconded by Representatives Hull, Medina, Tanzi, Nunes, Ajello, Cimini, Handy, Diaz, Carnevale, Kennedy, Serpa, Winfield, San Bento, Flaherty, Petrarca, Fellela, Morrison, Naughton, Coderre, Melo, Valencia, Dickinson, Tarro, Brien, Baldelli-Hunt, Jacquard Martin, Fox, Chippendale, McLaughlin, Blazejewski, Gallison, Messier, Slater, O'Grady, Tomasso Johnston and O'Neill by unanimous consent, on a voice vote.

House Resolution No. 7403

BY Gallison, Morrison, Edwards

ENTITLED, HOUSE RESOLUTION RECOGNIZING AND COMMENDING ALEXIS JOSEPH COURNOYER UPON ACHIEVING SCOUTING'S MOST DISTINGUISHED HONOR, THE RANK OF EAGLE SCOUT {LC1301/1}

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 Morrison, Edwards, McNamara, Phillips, Ucci, Valencia, Azzinaro, Costa, Menard and McLaughlin by unanimous consent, on a voice vote.

House Resolution No. 7404

BY Mattiello, Newberry

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC1284/1}

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. 7405

BY Mattiello, Newberry

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC1285/1}

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, FEBRUARY 07, 2012:

1. 2012-H 7259

BY Petrarca

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ITALICI, L.L.C.

Committee on Corporations recommends passage.

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

Read and passed, on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows

YEAS - 62: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Blazejewski, Brien, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Johnston, Kennedy, MacBeth, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Phillips, Reilly, Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

2. 2012-H 7235 SUB A

BY Serpa

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

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

Representative Melo moves passage of the act, seconded by Representatives Naughton, Ruggiero, Nunes, Walsh, Valencia, Savage, Reilly, Morgan, Chippendale and Costa.

The bill marked Substitute "A" is read and passed and the original bill indefinitely postponed, 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, Blazejewski, Brien, Carnevale, Chippendale, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, MacBeth, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

3. 2012-H 7084

BY Keable

ENTITLED, AN ACT RELATING TO PUBLIC RECORDS - CUSTODY AND PROTECTION

Committee on Judiciary recommends passage.

Representative Ajello moves passage of the act, seconded by Representatives Williams, Coderre, Johnston, Tomasso, Gordon and Blazejewski.

Read and passed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Blazejewski, Brien, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Johnston, Keable, Kennedy, MacBeth, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

4. 2012-H 7122 as amended**BY** Ruggiero**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - LOBBYING

Committee on Judiciary recommends passage as amended.

Representative Ajello moves passage of the act, seconded by Representatives Ruggiero, Tanzi and Phillips.

Read and passed, as amended, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Blazejewski, Brien, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Johnston, Keable, Kennedy, MacBeth, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

Representative Ajello moves to bundle items 5-11 on today's Calendar, seconded by Representatives O'Neill, Mattiello, Edwards and Azzinaro.

The motion to bundle prevails on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

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

NAYS - 0.

Representative Ajello moves passage of the bundle (items 5-11, item 11 in concurrence), seconded by Representative Ruggiero.

5. 2012-H 7202**BY** Edwards**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

6. 2012-H 7221

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

7. 2012-H 7240

BY O'Grady

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

8. 2012-H 7241

BY Ferri

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

9. 2012-H 7270

BY Mattiello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

10. 2012-H 7280

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

11. 2012-S 2025

BY McCaffrey

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Passage of the bundle prevails (item 11, in concurrence) 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, Blazejewski, Brien, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Johnston, Keable, Kennedy, Lally, MacBeth, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Naughton,

Newberry, 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.

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 Kennedy announces that the Committee on Corporations will meet at the rise of the House, in Room 313 of the State House.

Representative Fellela announces that the Committee on Labor will meet at the rise of the House, in Room 201 of the State House.

Representative Tanzi reminds members, tomorrow will be the 6th Annual Public Health Think Tank Health Policy Legislative Forum being held in the State Room from 1-4 P.M.

Representative Williams extends an invitation to all members for tomorrow for the 3rd Annual Black History Month Legislative Celebration.

Representative Gallison wishes a Happy "90th" Birthday to S. Michael Minutelli who is also celebrating his "50th Wedding Anniversary with his wife Rita.

Representative Ferri announces that the House Commission on Public Higher Education Affordability and Accessibility will meet this evening at 5:30 P.M. in Room 135 of the State House.

Representative Tomasso reminds members of the forum for the Race to the Top at 3:00 P.M. tomorrow in Room 313 of the State House.

GUESTS

Representative Naughton welcomes to the House Chamber as guests members of the New Older Women's Policy Group as follows: Maureen Maigret, Rev. Marie Carpenter, Francine Connolly, Cathy Gorman and Judy Jones.

ADJOURNMENT

At 4:44 o'clock P.M. on motion of Representative Gallison, and as a further mark of respect to the memory of Pasquale L. Grimo; seconded by Representatives Mattiello and Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE SCOTT A. SLATER

Almighty God, whose statutes are good and gracious and whose law is truth, grant that we may enact only such just and equitable laws as are pleasing to thee. Amen.

APPENDIX**CALENDAR****IN ORDER FOR WEDNESDAY, FEBRUARY 08, 2012:**

1. **2012-H 7048**
 BY Kennedy
 ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT
 OF LOCAL TAXES

 Committee on Municipal Government recommends passage.
2. **2012-H 7057**
 BY Newberry
 ENTITLED, AN ACT RELATING TO PROPERTY

 Committee on Judiciary recommends passage.
3. **2012-H 7111**
 BY Ajello
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
 STATE POLICE

 Committee on Judiciary recommends passage.
4. **2012-H 7004**
 BY Azzinaro
 ENTITLED, HOUSE RESOLUTION SUPPORTING LEGISLATIVE AMENDMENTS
 TO PROTECT RHODE ISLAND'S COASTAL REGIONS

 Committee on Environment & Agriculture recommends passage.
5. **2012-H 7027 SUB A**
 BY Walsh
 ENTITLED, AN ACT CREATING A SPECIAL HOUSE COMMISSION TO STUDY
 PRODUCER RESPONSIBILITY MODELS FOR PAPER AND PACKAGING

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

IN ORDER FOR THURSDAY, FEBRUARY 09, 2012:

1. **2012-H 7047**
 BY Corvese
 ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE

Committee on Municipal Government recommends passage.

2. 2012-H 7186 SUB A

BY Ucci

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- RETIREMENT OF MUNICIPAL EMPLOYEES

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

3. 2012-H 7100

BY Gallison

ENTITLED, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS

Committee on Veterans` Affairs recommends passage.

4. 2012-H 7101

BY Gallison

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES

Committee on Veterans` Affairs recommends passage.

5. 2012-H 7188

BY Gallison

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- ORGANIZATION AND COMMAND OF MILITARY AND NAVAL FORCES

Committee on Veterans` Affairs recommends passage.

Francis McCabe
Clerk of the House

Tuesday, February 07, 2012

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 2025

BY McCaffrey

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Mark S. Mandell to join Regina Teresa Poethke and Jason Patrick Hogan in marriage)
{LC429/1}