

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. 32

Wednesday, March 21, 2012

Thirty-second Day

The House of Representatives meets at the State House in Providence, Wednesday, March 21, 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 71 members present and 4 members absent as follows:

PRESENT - 71: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Carnevale, Cimini, Coderre, Corvese, Costa, DaSilva, DeSimone, Diaz, Dickinson, Edwards, Ehrhardt, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lally, Lima, 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, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Watson, Williams, Winfield.

ABSENT - 4: Representatives Chippendale, Fellela, MacBeth, Schadone.

INVOCATION

The Honorable Speaker presents Representative Jacquard 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, March 20, 2012 is approved.

**REPORT OF COMMITTEE
COMMITTEE ON FINANCE**

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

House Resolution No. 7730 SUB A

BY Melo, Silva, Ruggiero, Ehrhardt, Valencia

ENTITLED, JOINT RESOLUTION APPROVING THE ISSUANCE OF HARBOR, PIER, AND PORT REVENUE BONDS BY THE RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATION FOR PURPOSES OF FINANCING IMPROVEMENTS IN AND AROUND THE PORT OF DAVISVILLE {LC1784/A/1}

03/21/2012 Placed on House Calendar

NEW BUSINESS**House Bill No. 7975**

BY San Bento, Palumbo, Williams, Ruggiero

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF HUMAN SERVICES (would provide reimbursement at a higher rate to childcare providers which participate in Rhode Island quality rating systems programs.) {LC2173/1}

03/21/2012 Introduced, referred to House Finance

House Bill No. 7976

BY San Bento, Palumbo, Williams, Ruggiero

ENTITLED, AN ACT RELATING TO EDUCATION - CERTIFICATION OF PERSONNEL PROVIDING EDUCATIONAL SERVICES TO VERY YOUNG CHILDREN (would require that all persons and entities who or which provides any kind of service to children and minors up to the age of seventeen (17), to be required to provide a criminal records check.) {LC2161/1}

03/21/2012 Introduced, referred to House H.E.W.

House Bill No. 7977

BY Azzinaro

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Eric Alberto to join Robin C. Goodreau and Brandon S. Cherenzia in marriage within the Town of Bristol, Rhode Island, on or about October 10, 2012) {LC2271/1}

03/21/2012 Introduced, referred to House Judiciary

House Bill No. 7978

BY Flaherty

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Steven A. Colantuono, Esq., to join Melissa Renee Pari and Anthony Edward Orlando in marriage on or about September 22, 2012, within the Town of West Warwick, Rhode Island.) {LC2247/1}

03/21/2012 Introduced, referred to House Judiciary

House Bill No. 7979**BY** Guthrie, Serpa, Tomasso, Chippendale, Nunes**ENTITLED**, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES (would allow the town of Coventry to establish a tax amnesty program.) {LC2264/1}

03/21/2012 Introduced, referred to House Municipal Government

House Resolution No. 7980**BY** Keable, Petrarca, Carnevale, Silva, Blazejewski**ENTITLED**, HOUSE RESOLUTION CONGRATULATING FRANK BEAZLEY ON THE RENAMING OF THE WALLUM BUILDING AT ZAMBARANO HOSPITAL IN HIS HONOR {LC2170/1}

03/21/2012 Introduced, referred to House Municipal Government

House Bill No. 7981**BY** Bennett, Hull, Flaherty, McLaughlin, Azzinaro**ENTITLED**, AN ACT IN AMENDMENT OF AN ACT ENTITLED, "AN ACT TO INCORPORATE THE RHODE ISLAND SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS," PASSED AT THE MAY SESSION, 1870, AS AMENDED (would increase the asset limitation previously imposed upon the RI SPCA & provide that real property owned by the society located within the city of Providence shall not be exempt from taxation except by future statutory exemption.) {LC2272/1}

03/21/2012 Introduced, referred to House Municipal Government

House Resolution No. 7982**BY** Valencia**ENTITLED**, HOUSE RESOLUTION RECOGNIZING MARCH 21, 2012, AS "NATIONAL KICK BUTTS DAY" {LC2297/1}

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

There is no objection.

Read and passed, on a motion of Representative Valencia seconded by Representatives Handy, Ruggiero, Mattiello, Tomasso, Cimini, Ajello, Hearn, McCauley, McNamara, Malik, Baldelli-Hunt, McLaughlin and Azzinaro by unanimous consent, on a voice vote.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2157**BY** Tassoni, Doyle, DiPalma, Cote, Nesselbush**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ADVICE AND CONSENT OF THE SENATE (would provide that gubernatorial appointees to certain

quasi-public corporations be subject to the advice and consent of the senate) {LC365/1}
03/21/2012 Referred to House Judiciary

Senate Bill No. 2334

(Secretary of State)

BY Doyle

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - LOBBYING {LC1175/1}

03/21/2012 Referred to House Judiciary

Senate Bill No. 2644

BY McCaffrey, Miller

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE
GENERALLY {LC2119/1}

03/21/2012 Referred to House Judiciary

Senate Bill No. 2648

BY DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2022/1}

03/21/2012 Referred to House Judiciary

Senate Bill No. 2654

BY Maher

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC388/1}

03/21/2012 Referred to House Judiciary

Senate Bill No. 2683

BY DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC1995/1}

03/21/2012 Referred to House Judiciary

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, MARCH 21, 2012:

1. 2012-H 7044

BY Edwards

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
CHARTER OF THE TOWN OF TIVERTON

Committee on Municipal Government recommends passage.

Representative Brien moves passage of the act, seconded by Representatives Edwards, Gordon, Guthrie, Azzinaro, Keable and Valencia.

Read and passed, on a roll call vote, 63 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Cimini, Coderre, Corvese, Costa, Diaz, Dickinson, Edwards, Ehrhardt, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Kennedy, Lima, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Valencia, Walsh, Watson, Williams, Winfield.

NAYS - 0.

2. 2012-H 7400 SUB A

BY Coderre

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - CITY HOUSING AUTHORITIES

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

Representative Brien moves passage of the act, seconded by Representatives San Bento, O'Neill, Johnston, Coderre, O'Grady and Messier.

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

NAYS - 0.

3. 2012-H 7430

BY Coderre

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LICENSES IN THE CITY OF PAWTUCKET

Committee on Municipal Government recommends passage.

Representative Brien moves passage of the act, seconded by Representatives Coderre, San Bento, Johnston, O'Neill, O'Grady and Messier.

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, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lima, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Valencia, Walsh, Watson, Williams, Winfield.

NAYS - 0.

4. 2012-H 7431

BY Coderre

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
TAVERNS, COOKSHOPS AND OYSTER HOUSES

Committee on Municipal Government recommends passage.

Representative Brien moves passage of the act, seconded by Representatives San Bento, Messier, Coderre, O'Neill, O'Grady, Flaherty, Winfield and Johnston.

Representatives Trillo and Coderre discuss the act.

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, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Ferri, Flaherty, Gallison, Gordon, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lima, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, San Bento, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, 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 203 of the State House

Representative Ajello announces that the Committee on Judiciary will meet at the rise of the House, in Room 313 of the State House

Representative Williams announces that the Committee on Labor will meet at the rise of the House, in Room 135 of the State House

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

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

Representative Valencia announces today is National Kick Butts Day and acknowledges the Rhode Island Tobacco Control Network and the Middle School Teams from-Barrington, Chariho, Jamestown, Providence and Woonsocket.

ADJOURNMENT

At 4:40 o'clock P.M. on motion of Representative Mattiello seconded by Representative Newberry the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX**INVOCATION****REPRESENTATIVE ROBERT B. JACQUARD**

Dear Lord: We thank you for giving us the opportunity to serve as public servants for this great state. As the days get longer, and the pressures of our legislative duties compete with our own personal lives, grant us the wisdom and patience to work together for the benefit of all our citizens. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, MARCH 22, 2012:

1. **2012-H 7432**
 BY Coderre
 ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - PAWTUCKET
 MUNICIPAL HOUSING COURT

 Committee on Municipal Government recommends passage.
2. **2012-H 7624**
 BY Lally
 ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
 REGISTRATION OF VEHICLES

 Committee on Municipal Government recommends passage.
3. **2012-H 7766**
 BY Reilly
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
 SOVEREIGNTY AND JURISDICTION OF STATE

 Committee on Municipal Government recommends passage.
4. **2012-H 7882**
 BY McCauley
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
 OPERATION OF A STATE HOUSE VISITOR CENTER

 Committee on Municipal Government recommends passage.
5. **2012-S 2039 SUB A as amended**
 BY Algieri
 ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF
 LOCAL TAXES

 Committee on Municipal Government recommends indefinite postponement of
 the original bill and passage of Substitute A as amended in concurrence.
6. **2012-S 2095**
 BY Algieri
 ENTITLED, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS

IN THE TOWN OF WESTERLY

Committee on Municipal Government recommends passage in concurrence.

7. **2012-S 2121 SUB A**
BY Lombardo
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 in concurrence.

8. **2012-S 2211**
BY Felag
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF TIVERTON

Committee on Municipal Government recommends passage in concurrence.

9. **2012-S 2432**
BY McCaffrey
ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY ISSUES DEALING WITH LEASED LAND DWELLINGS

Committee on Municipal Government recommends passage in concurrence.

IN ORDER FOR TUESDAY, MARCH 27, 2012:

1. **2012-H 7368**
BY Bennett
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ADMINISTRATION

Committee on Environment and Natural Resources recommends passage.

2. **2012-H 7485**
BY Handy
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Committee on Environment and Natural Resources recommends passage.

3. **2012-H 7486**
BY Petrarca
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - MANAGEMENT AND DISPOSAL OF PROPERTY

Committee on Environment and Natural Resources recommends passage.

4. **2012-H 7697**
BY Keable
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
VETERINARY PRACTICE

Committee on Environment and Natural Resources recommends passage.

5. **2012-H 7701**
BY Ruggiero
ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY - THE
RHODE ISLAND LOCAL AGRICULTURE AND SEAFOOD ACT

Committee on Environment and Natural Resources recommends passage.

6. **2012-H 7702**
BY Handy
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION --
INSPECTION OF DAMS

Committee on Environment and Natural Resources recommends passage.

IN ORDER FOR WEDNESDAY, MARCH 28, 2012:

1. **2012-H 7692**
BY Corvese
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
AUTOMOBILE BODY REPAIR SHOPS

Committee on Corporations recommends passage.

2. **2012-H 7730 SUB A**
BY Melo
ENTITLED, JOINT RESOLUTION APPROVING THE ISSUANCE OF HARBOR,
PIER, AND PORT REVENUE BONDS BY THE RHODE ISLAND ECONOMIC
DEVELOPMENT CORPORATION FOR PURPOSES OF FINANCING
IMPROVEMENTS IN AND AROUND THE PORT OF DAVISVILLE

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

Francis McCabe
Clerk of the House

Wednesday, March 21, 2012

APPENDIX

CONSENT CALENDAR

IN ORDER FOR THURSDAY, MARCH 22, 2012:

1. **2012-H 7554**
BY Guthrie
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
2. **2012-H 7924**
BY Martin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
3. **2012-H 7925**
BY Guthrie
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
4. **2012-H 7951**
BY Corvese
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
5. **2012-H 7955**
BY Tanzi
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
6. **2012-H 7956**
BY Tanzi
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

7. **2012-H 7958**
BY Tomasso
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Francis McCabe
Clerk of the House

Tuesday, March 20, 2012