

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. 37

Tuesday, April 3, 2012

Thirty-seventh Day

The House of Representatives meets at the State House in Providence, Tuesday, April 3, 2012 and is called to order at 4:22 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, DaSilva, DeSimone, Diaz, Dickinson, Edwards, Ehrhardt, Flaherty, 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, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, Savage, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Watson, Williams, Winfield.

ABSENT -6: Representatives Fellela, Ferri, Gallison, O'Grady, O'Neill, San Bento.

INVOCATION

The Honorable Speaker presents Representative Handy who delivers the Invocation and Special Pages today Valencio Small (2nd grade, Cedar Hill Elementary) and Alexander Handy (2nd grade, William Dutemple Elementary in Cranston) to lead 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, March 29, 2012 is approved.

ANNOUNCEMENT

Please be informed that Representative Jay O'Grady will be unable to attend session today.

APPOINTMENTS

I hereby make the following appointments to the:

AMERICAN AND POLISH CULTURAL EXCHANGE COMMISSION

Representative Jan Malik

Representative Christopher Blazejewski

Received and placed on file.

NEW BUSINESS

House Bill No. 8030

BY Tanzi

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Jennifer M. Staples to join Diana Mai Puccio and Bryan Joseph Young in marriage within the Town of Narragansett, Rhode Island, on or about June 23, 2012) {LC2361/1}
04/03/2012 Introduced, referred to House Judiciary

House Bill No. 8031

BY Valencia

ENTITLED, AN ACT RELATING TO ALTON VILLAGE WATER DISTRICT (would update the public law which created the Alton Village Water District in order to prepare it for voter ratification) {LC2354/1}
04/03/2012 Introduced, referred to House Municipal Government

House Resolution No. 8032

BY Serpa, Morgan, Nunes

ENTITLED, HOUSE RESOLUTION PROCLAIMING THE MONTH OF APRIL, 2012, TO BE "ESOPHAGEAL CANCER AWARENESS MONTH" IN THE STATE OF RHODE ISLAND {LC2105/1}

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

There is no objection.

Read and passed, on a motion of Representative Serpa seconded by Representatives Morgan, Nunes, Valencia, Cimini, Handy, Hull, Azzinaro and Malik by unanimous consent, on a voice vote.

House Resolution No. 8033

BY Reilly, Edwards, Valencia, Ehrhardt, Johnston

ENTITLED, HOUSE RESOLUTION CONGRATULATING PORTSMOUTH HIGH SCHOOL SOPHOMORE FORWARD CHRIS OLIVEIRA ON BEING NAMED THE 2012 NEWPORT DAILY NEWS ALL-COUNTY HOCKEY PLAYER OF THE YEAR {LC2388/1}

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

There is no objection.

Read and passed, on a motion of Representative Reilly seconded by Representatives Edwards and Martin by unanimous consent, on a voice vote.

House Resolution No. 8034

BY Jacquard, Martin, Williams, Mattiello, Fox

ENTITLED, HOUSE RESOLUTION CONGRATULATING JAMES (JIM) BARON ON BEING NAMED HEAD COACH AT CANISIUS COLLEGE {LC2386/1}

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

There is no objection.

Read and passed, on a motion of Representative Jacquard seconded by Representatives Martin, Williams, Mattiello, Dickinson and Azzinaro by unanimous consent, on a voice vote.

House Resolution No. 8035

BY Baldelli-Hunt, Phillips, Brien

ENTITLED, HOUSE RESOLUTION CONGRATULATING CHANDLER CROSS ON BEING NAMED THE DISTINGUISHED YOUNG WOMAN OF RHODE ISLAND FOR 2012 {LC2291/1}

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

There is no objection.

Read and passed, on a motion of Representative Baldelli-Hunt seconded by Representatives Newberry, Phillips, Brien, Tomasso and Cimini by unanimous consent, on a voice vote.

House Resolution No. 8036

BY Mattiello, Newberry

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2375/1}

Representative Mattiello requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 8037

BY Mattiello, Newberry

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2374/1}

Representative Mattiello requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 8038

BY Tarro, Fox, Mattiello, Carnevale, Williams

ENTITLED, HOUSE RESOLUTION EXPRESSING OUR DEEPEST SYMPATHY ON THE UNTIMELY PASSING OF NATALE ANGELA JABOUR, RN, CRNA {LC2384/1}

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

There is no objection.

Read and passed, on a motion of Representative Tarro seconded by Representatives Mattiello, Carnevale, Williams and Cimini by unanimous consent, on a rising vote.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2812

BY Fogarty, Paiva Weed, Ruggerio, Goodwin, Gallo

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING OF THE WALLUM LAKE BUILDING LOCATED AT THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT (This act would name the Wallum Lake Building located on the campus 1 of the Eleanor2 Slater Hospital Zambarano Unit "The Frank Beazley Building") {LC2203/1}

04/03/2012 Placed on House Calendar

Senate Bill No. 2846

BY Felag, DiPalma

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
CHARTER LOCKHEED MARTIN LIBRASCOPE CORPORATION {LC2308/1}

04/03/2012 Referred to House Corporations

Senate Bill No. 2563

(Administration)

BY Tassoni, DeVall, Kettle, DiPalma

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF ADMINISTRATION {LC1217/1}

04/03/2012 Referred to House Environment and Natural Resources

Senate Bill No. 2766

BY Fogarty

ENTITLED, AN ACT RELATING TO THE PRESERVATION OF FARM LAND AND
OPEN SPACE IN THE TOWN OF GLOCESTER AND ESTABLISHING A LAND TRUST
{LC2141/1}

04/03/2012 Referred to House Municipal Government

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, APRIL 03, 2012:

1. 2012-H 8026

BY Ucci

ENTITLED, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF
THE SPECIAL HOUSE COMMISSION TO STUDY THE RHODE ISLAND
RESOURCE RECOVERY CORPORATION AS IT PERTAINS TO THE RHODE
ISLAND CENTRAL LANDFILL

Ordered on the Calendar

Representative Ucci moves passage of the resolution, seconded by Representatives Winfield,
Carnevale, Mattiello and Chippendale.

By unanimous consent, Representative Ucci, seconded by Representative Mattiello offers a
written motion to amend.

**FLOOR AMENDMENT
TO
2012 -- H 8026**

**HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE
COMMISSION TO STUDY THE RHODE ISLAND RESOURCE RECOVERY
CORPORATION AS IT PERTAINS TO THE RHODE ISLAND CENTRAL LANDFILL**

Mr. Speaker:

I hereby move to amend 2012 -- H 8026, entitled "HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL HOUSE COMMISSION TO STUDY THE RHODE ISLAND RESOURCE RECOVERY CORPORATION AS IT PERTAINS TO THE RHODE ISLAND CENTRAL LANDFILL", as follows:

On page 1, line 9, by deleting the word "March" and inserting in place thereof the word "May".

Respectfully submitted,

REPRESENTATIVE UCCI

=====
LC02299/2
=====

Representative Ucci discusses the amendment.

The motion to amend prevails on a roll call vote 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Flaherty, Gordon, 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, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, Savage, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

Read and passed, as amended, 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, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Flaherty, 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, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, Savage, Schadone, Serpa, Silva, Tarro, Tomasso, Trillo, Ucci, Valencia, Williams, Winfield.

NAYS - 0.

2. 2012-H 7471

BY Petrarca

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL
LICENSES**

Committee on Municipal Government recommends passage.

Representative Brien moves passage of the act, seconded by Representative Winfield.

Representatives MacBeth and Petrarca discuss the act.

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, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Flaherty, Gordon, Guthrie, Handy, Hearn, Hull, Jacquard, Johnston, Keable, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, Savage, Schadone, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

3. 2012-H 7904

BY Silva

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL
LICENSES**

Committee on Municipal Government recommends passage.

Representative Brien moves passage of the act, seconded by Representatives Mattiello, Ucci and Petrarca.

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, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Flaherty, 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, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, Savage,

Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 0.

4. 2012-S 2228

BY Ruggerio

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
EMPLOYMENT SECURITY**

Committee on Labor recommends passage in concurrence.

Representative Williams moves passage of the act, seconded by Representatives Guthrie, Edwards, Corvese, Phillips and Dickinson.

Read and passed, in concurrence, on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Ehrhardt, Flaherty, 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, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, Savage, Schadone, Serpa, Silva, 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 Chippendale announces this weekend was the annual MDA Muscle Walk benefiting the Muscular Dystrophy Association and thanks Representatives Fellela and Ferri for their involvement.

Representative Jackson announces that the Finance Sub-Committee on General Government and Public Safety will meet at the rise of the House, in Room 35 of the State House.

Representative Kennedy announces that the Committee on Corporations will meet at the rise of the House, in Room 203 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 Walsh announces that the Joint Committee on Economic Development will meet next Monday, April 9th at 4 o'clock P.M. in Room 313 of the State House and discusses the last Committee meeting.

Representative Tanzi congratulates Ashley Reese on the completion of her senior project.

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

GUESTS

Representative Serpa welcomes to the House Chamber as guests Linda Malfesi, Christina Abatecola, James Frye, Amedeo Malfesi and Christine Bourgeous founders of Salgi Esophageal Cancer Foundation.

Representatives Ruggiero and Kennedy welcome to the House as a guest Sarah Brown, Program Director for the National Conference of State Legislators.

Representative Baldelli-Hunt welcomes Chandler Cross, chosen Distinguished Young Woman of R.I., along with her mother, Sharon Cross and Betsy Meyers, her friend.

ADJOURNMENT

At 4:54 o'clock P.M. on motion of Representative Corvese, and as a further mark of respect to the memory of Marie Lonardo; on motion of Representative Ucci, and as a further mark of respect to the memory of Vincent R. Volpe, Sr.; on motion of Representative Tarro and as a further mark of respect to the memory of Natale Angela Jabour; seconded by Representatives Mattiello and Trillo the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE ARTHUR HANDY

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

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 04, 2012:

1. 2012-H 7983

BY Keable

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER HARRISVILLE PRE-SCHOOL, INC.

Committee on Corporations recommends passage.

2. 2012-H 7980 SUB A

BY Keable

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING OF THE WALLUM LAKE BUILDING LOCATED AT THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT

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

3. 2012-S 2046

BY Ottiano

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

Ordered to be placed on the Calendar for passage in concurrence

4. 2012-S 2365

BY Tassoni

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING

Committee on Corporations recommends passage in concurrence.

5. 2012-S 2812

BY Fogarty

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING OF THE WALLUM LAKE BUILDING LOCATED AT THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT

Ordered to be placed on the Calendar for passage in concurrence

IN ORDER FOR THURSDAY, APRIL 05, 2012:

1. 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.

2. 2012-H 7261 SUB A

BY Ruggiero

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
THE RHODE ISLAND PETROLEUM SAVINGS AND INDEPENDENCE
ADVISORY COMMISSION**

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

3. 2012-H 7232 SUB A

BY Slater

**ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
DUTIES OF UTILITIES AND CARRIERS**

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

4. 2012-H 7870

BY Martin

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
STATE SAILING EDUCATION VESSEL**

Committee on Municipal Government recommends passage.

5. 2012-H 7965

BY McNamara

**ENTITLED, AN ACT EXEMPTING FROM TAXATION CLOUDS HILL
VICTORIAN HOUSE MUSEUM IN AN AMOUNT NOT EXCEEDING THREE
MILLION DOLLARS (\$3,000,000)**

Committee on Municipal Government recommends passage.

Francis McCabe
Clerk of the House

Tuesday, April 3, 2012

APPENDIX

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 04, 2012:

- 1. 2012-H 7977**
BY Azzinaro
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 2. 2012-H 7978**
BY Flaherty
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 3. 2012-S 2648**
BY DiPalma
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

- 4. 2012-S 2654**
BY Maher
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

- 5. 2012-S 2683**
BY DiPalma
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Francis McCabe
Clerk of the House

Thursday, March 29, 2012

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 2228

BY Ruggerio, Goodwin, Miller, Jabour, Pichardo

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
EMPLOYMENT SECURITY** (would allow the department of labor and training to verify
employee quarterly wage report information for the Workforce Investment Board.) {LC175/1}