

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. 40

Tuesday, April 10, 2012

Fortieth Day

The House of Representatives meets at the State House in Providence, Tuesday, April 10, 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 72 members present and 3 members absent as follows:

PRESENT - 72: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, 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, 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, Savage, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Watson, Williams, Winfield.

ABSENT - 3: Representatives Brien, DaSilva, San Bento.

INVOCATION

The Honorable Speaker presents Representative Martin 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, April 5, 2012 is approved.

ANNOUNCEMENT

Please be informed that Representative Jon Brien will be unable to attend session April 10th thru April 12th as he is out of the country.

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. 7994**BY** Ucci

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Brian Radell to join Heather Lynn Houlihan and Daniel Henry Langlais in marriage within the Town of Burrillville, Rhode Island, on or about May 12, 2012.) {LC2258/1}

04/10/2012 Placed on the House Consent Calendar

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}

04/10/2012 Placed on the House Consent Calendar

House Bill No. 8045**BY** Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Andrew Arnold Birk to join Amy Ruth Canzonetti and Kevin Michael Young in marriage within the Town of Charlestown, Rhode Island, on or about October 6, 2012) {LC2377/1}

04/10/2012 Placed on the House Consent Calendar

Senate Bill No. 2807**BY** Shibley, Kettle

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Reid Kingsbury Davenport to join Jessica Laura Olivier and Joseph Edward Badenhoff in marriage on or about September 16, 2012, within the Town of North Kingstown, Rhode Island.) {LC2249/1}

04/10/2012 Placed on the House Consent Calendar

Senate Bill No. 2809**BY** Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Dr. Marc Rice Meisner to join Gail Elizabeth Meisner and Ira Randy Kulman in marriage on or about June 16, 2012, within the Town of Narragansett, Rhode Island.) {LC2256/1}

04/10/2012 Placed on the House Consent Calendar

Senate Bill No. 2810**BY** DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Kathleen Marie Loftus to join Meaghan E. Rodenbush and Jonathan J. Hatch in marriage within the City of Newport, Rhode Island, on or about May 26, 2012.) {LC591/1}
04/10/2012 Placed on the House Consent Calendar

Senate Bill No. 2334

(Secretary of State)

BY Doyle

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - LOBBYING {LC1175/1}
04/10/2012 Placed on House Calendar

COMMITTEE ON LABOR

Representative Williams, for the Committee on Labor, reports back the following measures, with recommendation of passage:

Senate Bill No. 2688

(Labor & Training)

BY Lynch, Walaska, Miller, Perry, Sheehan

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY--BENEFITS {LC1522/1}
04/10/2012 Placed on House Calendar

Senate Bill No. 2689

(Labor & Training)

BY Goodwin

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - TEMPORARY DISABILITY INSURANCE {LC1521/1}
04/10/2012 Placed on House Calendar

Senate Bill No. 2732

(Human Services)

BY Lynch, DiPalma, Lanzi

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS - REPORTING OF NEW HIRES (would decrease the time requirement in which a person is considered a rehire from 12 consecutive weeks to a minimum of 60 days to comply with federal requirements.) {LC1524/1}
04/10/2012 Placed on House Calendar

NEW BUSINESS**House Bill No. 8055****BY** Carnevale, Medina, DeSimone, Palumbo

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS -COPPER THEFT PREVENTION ACT {LC2217/1}
04/10/2012 Introduced, referred to House Corporations

House Bill No. 8056**BY** Ferri, Cimini, Keable, Coderre, Messier**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- THE HEALTHY RHODE ISLAND PROGRAM {LC2349/1}

04/10/2012 Introduced, referred to House Finance

House Bill No. 8057**BY** Serpa, Walsh, Corvese, Keable, Ruggiero**ENTITLED**, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX {LC2353/1}

04/10/2012 Introduced, referred to House Finance

House Resolution No. 8058**BY** Mattiello, Newberry**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2410/1}

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.

House Resolution No. 8059**BY** Mattiello, Newberry**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2411/1}

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. 8060**BY** Reilly, Chippendale, Costa, Newberry, Mattiello**ENTITLED**, HOUSE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF THE HONORABLE JUNE GIBBS {LC2421/1}

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 Ruggiero, Chippendale, Costa, Newberry, Mattiello, Ehrhardt, Dickinson, Ajello, Valencia, Cimini, Trillo,

Bennett, Hull, Morgan, Gordon, Savage, Jackson, Menard, Malik, Diaz, McNamara, Ferri, Naughton, Coderre, Martin, Williams, Walsh and Watson by unanimous consent, on a rising vote.

House Resolution No. 8061

BY Ajello, Cimini, Tanzi, Ruggiero, Walsh

ENTITLED, HOUSE RESOLUTION PROCLAIMING APRIL, 2012 TO BE "SEXUAL ASSAULT AWARENESS MONTH" IN THE STATE OF RHODE ISLAND {LC2381/1}

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

There is no objection.

Read and passed, on a motion of Representative Ajello seconded by Representatives Cimini, Tanzi, Ruggiero, Walsh, Lima, Mattiello, Baldelli-Hunt and Tomasso by unanimous consent, on a voice vote.

House Resolution No. 8062

BY Tomasso, Watson

ENTITLED, HOUSE RESOLUTION CONGRATULATING EDWIN J. HOXSIE ON THE JOYOUS OCCASION OF HIS 90TH BIRTHDAY AND THANKING HIM FOR HIS 66 YEARS OF DEDICATED SERVICE TO THE WEST GREENWICH VOLUNTEER FIRE DEPARTMENT {LC2428/1}

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

There is no objection.

Read and passed, on a motion of Representative Tomasso seconded by Representatives Watson and Guthrie by unanimous consent, on a voice vote.

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, APRIL 10, 2012:

- 1. 2012-H 7060**
BY Edwards
ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, April 11, 2012.

2. 2012-H 7445

BY Handy

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - EQUAL RIGHTS OF BLIND AND DEAF PERSONS TO PUBLIC FACILITIES

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the act, seconded by Representatives Tomasso, Mattiello, Valencia, Ferri, Diaz, Morrison, Ruggiero, Medina, Ajello, Cimini, Handy, Coderre, Naughton, Guthrie, Azzinaro, McLaughlin, Bennett and Hull.

Representatives Trillo, Handy, Newberry, Mattiello, Jacquard, Bennett, McLaughlin and Watson discuss the act.

Read and passed, on a roll call vote, 64 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Chippendale, Cimini, Coderre, Corvese, Costa, DeSimone, Diaz, Dickinson, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lally, Lima, MacBeth, Marcello, Martin, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morgan, Morrison, Naughton, Nunes, O'Grady, O'Neill, Petrarca, Phillips, Reilly, Ruggiero, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Valencia, Walsh, Watson, Williams, Winfield.

NAYS - 2: Representatives Gordon, Newberry.

3. 2012-H 7542 SUB A

BY Naughton

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO ASSESS THE EDUCATIONAL NEEDS OF CHILDREN WITH READING DISABILITIES AND DYSLEXIA

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, April 26, 2012.

4. 2012-H 7827

BY Marcello

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS - DRUG DISPOSAL

Committee on Health, Education & Welfare recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Thursday, April 26, 2012.

5. 2012-S 2853

BY Bates

ENTITLED, JOINT RESOLUTION REINSTATING THE LIFE OF AND EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION OF THE KARLA HARRY COMMISSION ON LIBRARIES IN RHODE ISLAND

Ordered to be placed on the Calendar for passage in concurrence

Majority Leader Mattiello moves passage of the resolution, seconded by Representatives Hearn, Handy, Coderre, Morrison, McNamara, Reilly, Hull and Savage.

Read and passed, 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, Bennett, Blazejewski, Chippendale, Cimini, Coderre, Corvese, Costa, DeSimone, Diaz, Dickinson, 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, Petrarca, Phillips, Reilly, Ruggiero, Savage, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Valencia, Walsh, Watson, Williams, Winfield.

NAYS – 0

IN ORDER FOR WEDNESDAY, APRIL 11, 2012:

1. 2012-H 7388 SUB A

BY Gallison

ENTITLED, AN ACT RELATING TO ELECTIONS

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Tuesday, May 1, 2012.

FROM THE DESK

Representative Ehrhardt withdraws his request from last Thursday to hold (12-H 7870) on the desk. There is no objection.

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 Morrison introduces his intern, Alexandra Juelis, a student at Providence College.

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

Representative Cimini announces that the youth of the rethink it movement in South Providence are traveling the state teaching young people about the dangers of bullying and are trying to have the movie Bully screened in Rhode Island.

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

ADJOURNMENT

At 4:50 o'clock P.M. on motion of Representative Reilly, and as a further mark of respect to the memory of the Honorable Senator June Gibbs; seconded by Representatives Mattiello and Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE PETER F. MARTIN

Dear Lord: On the anniversary of the sinking of the Titanic let us remember and pray for those Rhode Islanders who have lost their lives, and those who risk their lives, working the oceans for their livelihood. May God hold them in his hands and protect them from harm. Amen.

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 11, 2012:

1. **2012-H 7060**
BY Edwards
ENTITLED, AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

IN ORDER FOR THURSDAY, APRIL 12, 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-S 2484 as amended**
BY Doyle
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - CITY HOUSING AUTHORITIES

Ordered to be placed on the Calendar for passage in concurrence

3. **2012-S 2722**
BY Doyle
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LICENSES IN THE CITY OF PAWTUCKET

Ordered to be placed on the Calendar for passage in concurrence

4. **2012-S 2611 SUB A**
BY Sosnowski
ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY - THE RHODE ISLAND LOCAL AGRICULTURE AND SEAFOOD ACT

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

5. **2012-S 2619**
BY Sosnowski
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Committee on Environment and Natural Resources recommends passage in concurrence.

IN ORDER FOR TUESDAY, APRIL 24, 2012:

- 1. 2012-S 2334**
BY Doyle
ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - LOBBYING

Committee on Judiciary recommends passage in concurrence.

- 2. 2012-S 2688**
BY Lynch
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY--BENEFITS

Committee on Labor recommends passage in concurrence.

- 3. 2012-S 2732**
BY Lynch
ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS - REPORTING OF NEW HIRES

Committee on Labor recommends passage in concurrence.

- 4. 2012-S 2689**
BY Goodwin
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - TEMPORARY DISABILITY INSURANCE

Committee on Labor recommends passage in concurrence.

IN ORDER FOR THURSDAY, APRIL 26, 2012:

- 1. 2012-H 7542 SUB A**
BY Naughton
ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO ASSESS THE EDUCATIONAL NEEDS OF CHILDREN WITH READING DISABILITIES AND DYSLEXIA

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

- 2. 2012-H 7827**
BY Marcello
ENTITLED, AN ACT RELATING TO FOOD AND DRUGS - DRUG DISPOSAL

Committee on Health, Education & Welfare recommends passage.

IN ORDER FOR TUESDAY, MAY 01, 2012:

- 1. 2012-H 7388 SUB A**
BY Gallison
ENTITLED, AN ACT RELATING TO ELECTIONS

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

Francis McCabe
Clerk of the House

Tuesday, April 10, 2012

APPENDIX

CONSENT CALENDAR

IN ORDER FOR THURSDAY, APRIL 12, 2012:

1. **2012-H 7994**
 BY Ucci
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
2. **2012-H 8030**
 BY Tanzi
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
3. **2012-H 8045**
 BY Martin
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
4. **2012-S 2807**
 BY Shibley
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
5. **2012-S 2809**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
6. **2012-S 2810**
 BY DiPalma
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.

Francis McCabe
Clerk of the House

Tuesday, April 10, 2012