

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. 41

Wednesday, April 11, 2012

Forty-first Day

The House of Representatives meets at the State House in Providence, Wednesday, April 11, 2012 and is called to order at 4:33 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, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, DeSimone, Diaz, Dickinson, Edwards, Ehrhardt, Fellela, Ferri, Flaherty, Gallison, 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, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Watson, Williams, Winfield.

ABSENT - 4: Representative Brien, Gordon, San Bento, Savage.

INVOCATION

The Honorable Speaker presents Representative Guthrie 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, April 10, 2012 is approved.

**REPORTS OF COMMITTEES
COMMITTEE ON HEALTH, EDUCATION AND WELFARE**

Representative McNamara, for the Committee on Health, Education and Welfare, reports back the following measures, with recommendation of passage:

House Bill No. 7649

BY Kennedy, McNamara, Naughton, Coderre, Lally

ENTITLED, AN ACT RELATING TO EDUCATION - PRIVATE SCHOOLS (would authorize a Rhode Island School of Osteopathic Medicine to grant doctor of osteopathic medicine (D.O.) degrees, subject to approval by the board of governors for higher education.)

{LC1672/1}

04/11/2012 Placed on House Calendar

Senate Bill No. 2383 SUB A

BY Ciccone, Felag

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND (would establish the position of historian laureate in RI.) {LC1060/A/1}

04/11/2012 Placed on House Calendar

Senate Bill No. 2429

BY Ruggerio, Ciccone, Jabour, Sosnowski

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - RENAMING THE ROGER WILLIAMS DINING COMMONS AT THE UNIVERSITY OF RHODE ISLAND (would rename the Roger Williams Dining Commons Building at the University of Rhode Island as the Anna Fascitelli Fitness and Wellness Center.) {LC1627/1}

04/11/2012 Placed on House Calendar

NEW BUSINESS

House Resolution No. 8063

BY Bennett, Hull, McLaughlin, Silva, Blazejewski

ENTITLED, JOINT RESOLUTION AFFIRMING THE NEED FOR A STATE PLAN FOR ALZHEIMER'S DISEASE AND RELATED DISORDERS {LC2414/1}

04/11/2012 Introduced, referred to House H.E.W.

House Resolution No. 8064

BY Azzinaro, Guthrie, Edwards, Corvese, McLaughlin

ENTITLED, HOUSE RESOLUTION RECOGNIZING BOY SCOUT TROOP 10, WESTERLY, RHODE ISLAND, FOR ITS EXEMPLARY LEADERSHIP IN PREPARING YOUNG MEN FOR THE RANK OF EAGLE SCOUT {LC2429/1}

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

There is no objection.

Read and passed, on a motion of Representative Azzinaro seconded by Representatives Guthrie, Edwards, Corvese, McLaughlin, Reilly, Hull, Bennett, Walsh, Menard, MacBeth, Kennedy, DaSilva, Ucci, Martin, Phillips, Coderre and Chippendale by unanimous consent, on a voice vote.

House Resolution No. 8065

BY Keable, Slater, Petrarca, Corvese, Newberry

ENTITLED, HOUSE RESOLUTION CONGRATULATING THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT ON THE RECOGNITION OF ZAMBARANO DAY {LC2235/1}

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

There is no objection.

Read and passed, on a motion of Representative Keable seconded by Representatives Slater, Petrarca, Corvese, Newberry, Chippendale, Blazejewski, Menard, Diaz, Morrison, Ruggiero, Williams, Costa, Baldelli-Hunt, Johnston, Tomasso, Cimini, Tanzi, Medina, McLaughlin, Hull and Silva 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. 2489 SUB A as amended

BY Doyle, Bates, Crowley, Nesselbush

ENTITLED, AN ACT RELATING TO ELECTIONS {LC1472/A/2}
04/11/2012 Placed on House Calendar

Senate Bill No. 2840

BY Lombardo

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Scott Avedisian to join Christina Marie Monk and Thomas Anthony Geruso in marriage on or about June 23, 2012, within the Town of Narragansett, Rhode Island.) {LC2269/1}

04/11/2012 Referred to House Judiciary

Senate Bill No. 2822

BY DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Cynthia Gilham and Linda I. French to join Liz French and Jason Landers in marriage within the City of Newport, Rhode Island, on or about July 6, 2012.) {LC2315/1}

04/11/2012 Referred to House Judiciary

Senate Bill No. 2839**BY** Goodwin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow John C. Tormey to join Christine Mary (DeLawrence) Aponte and Lawrence J. Quintal in marriage within the City of Newport, Rhode Island, on or about August 25, 2012.) {LC2344/1} 04/11/2012 Referred to House Judiciary

Senate Bill No. 2723**BY** Doyle, Crowley, Nesselbush

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - TAVERNS, COOKSHOPS AND OYSTER HOUSES (would authorize the city of Pawtucket to close any unlicensed taverns, victualing houses, cookshops, oyster houses and oyster cellars in the city.) {LC1533/1} 04/11/2012 Referred to House Municipal Government

CALENDAR

From the Calendar is taken:

IN ORDER FOR WEDNESDAY, APRIL 11, 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 Thursday, April 12, 2012.

2. 2012-S 2489 SUB A as amended**BY** Doyle**ENTITLED**, AN ACT RELATING TO ELECTIONS

Ordered on the Calendar for passage in concurrence.

Majority Leader Mattiello moves passage of the act, seconded by Representatives Coderre, Ruggiero, Morrison, Kennedy, Newberry, Melo, Johnston, Carnevale, Valencia, Reilly, Hull, Bennett, and Martin.

Representatives Menard, Melo, Ehrhardt, McLaughlin, Morgan, Mattiello, Marcello, Ucci, Watson, MacBeth and Ruggiero discuss the act.

The bill marked Substitute "A" is read and passed, as amended, in concurrence and the original bill indefinitely postponed, on a roll call vote, 65 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 65: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, DeSimone, Dickinson, Edwards, Fellela, Ferri, Flaherty, Gallison, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lally, Lima, Malik, Marcello, Martin, Mattiello, McCauley, McNamara, Medina, Melo, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, Schadone, Serpa, Silva, Slater, Tanzi, Tarro, Tomasso, Trillo, Ucci, Valencia, Walsh, Williams, Winfield.

NAYS - 5: Representatives Ehrhardt, MacBeth, McLaughlin, Menard, Watson.

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.

COMMUNICATION FROM THE SENATE

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

House Bill No. 7055 SUB A

BY Carnevale, Hull, DaSilva, Messier, Ruggiero

ENTITLED, AN ACT RELATING TO ELECTIONS (would increase the No. of active voters served by the same polling place / local election board can increase the No. of voters at a single voting place above the voter limit as long as the effect would not result in a voting place serving less voters) {LC154/A/2}

Majority Leader Mattiello requests unanimous consent for immediate consideration.

There is no objection.

The bill marked Substitute "A" is read and passed, in concurrence and the original bill indefinitely postponed, on a motion of Majority Leader Mattiello seconded by Representatives Melo, Johnston, Tanzi, Walsh, Valencia, O'Neill, Ruggiero, Hearn, Martin, Morrison, Coderre, Lima, Azzinaro, Keable, Bennett, Morgan and Hull on a roll call vote, 61 members voting in the affirmative and 2 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Fox and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Carnevale, Chippendale, Cimini, Coderre, Corvese, Costa, DaSilva, Diaz, Dickinson, Edwards, Fellela, Ferri, Gallison, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lally, Lima, Malik, Marcello, Martin, Mattiello, McLaughlin, McNamara, Medina, Melo, Messier, Morgan, Morrison, Naughton, Newberry, Nunes, O'Grady, O'Neill, Palumbo, Petrarca, Phillips, Reilly, Ruggiero, Schadone, Serpa, Silva, Tanzi, Tarro, Tomasso, Ucci, Valencia, Walsh, Williams.

NAYS - 2: Representatives MacBeth, Menard

TRANSMITTAL

By unanimous consent, (12-H 7055 SUBA), on the Clerk's desk is ordered to be transmitted to His Excellency, the Governor, forthwith.

ANNOUNCEMENTS

Representative Corvese wishes his daughter, Christina Corvese a Happy "17th" Birthday and congratulates her on being inducted into the National Honor Society.

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 Diaz announces along with Representatives Cimini, Morgan and Messier tomorrow they will be celebrating the 1st Annual Child Care Awareness Day at the State House and there will be a short speaking program that begins at 3:30 P.M in the Rotunda.

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

GUESTS

Representative Keable welcomes to the House as guests in recognition of the 22nd Anniversary of Zambarano Day-Craig Stenning-Director, Paul Despres-CEO, Sharon Sousa-Administrator, along with staff: Mary Ellen Benedict-Professional Services Coordinator, Steve Westerman-Supervisor, Kristin Raimond-Senior Group Worker and Jennifer McCarthy- Clinical Social Worker. Representative Keable also welcomes patients Frank Beazley, Rene Plante and Deborah Bradshaw. The Honorable Speaker Fox also welcomes Frank Beazley to the Chamber.

Representative Tomasso introduces to the House Chamber her youngest son, Aidan Tomasso.

PERSONAL PRIVILEGE

Representative McLaughlin rises on a point of personal privilege in regards to a newspaper article in the Providence Journal.

ADJOURNMENT

At 5:22 o'clock P.M. on motion of Representative Mattiello seconded by Representative Morgan the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE SCOTT J. GUTHRIE

Lord, we have been sent to these positions of responsibility by the people. Make us mindful that we are their servants. Give us the wisdom and energy to serve them honestly and well. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, APRIL 12, 2012:

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

Committee on Judiciary recommends passage.
2. **2012-H 7047**
BY Corvese
ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE

Committee on Municipal Government recommends passage.
3. **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
4. **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
5. **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.
6. **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-H 7649**
BY Kennedy
ENTITLED, AN ACT RELATING TO EDUCATION - PRIVATE SCHOOLS

Committee on Health, Education & Welfare recommends passage.
- 2. 2012-S 2334**
BY Doyle
ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - LOBBYING

Committee on Judiciary recommends passage in concurrence.
- 3. 2012-S 2688**
BY Lynch
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY--BENEFITS

Committee on Labor recommends passage in concurrence.
- 4. 2012-S 2732**
BY Lynch
ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS - REPORTING OF NEW HIRES

Committee on Labor recommends passage in concurrence.
- 5. 2012-S 2689**
BY Goodwin
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - TEMPORARY DISABILITY INSURANCE

Committee on Labor recommends passage in concurrence.
- 6. 2012-S 2383 SUB A**
BY Ciccone
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HISTORIAN LAUREATE OF RHODE ISLAND

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.
- 7. 2012-S 2429**
BY Ruggerio
ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - RENAMING

THE ROGER WILLIAMS DINING COMMONS AT THE UNIVERSITY OF RHODE ISLAND

Committee on Health, Education & Welfare 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

Wednesday, April 11, 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

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 2489 SUB A as amended

BY Doyle, Bates, Crowley, Nesselbush

ENTITLED, AN ACT RELATING TO ELECTIONS {LC1472/A/2}

House Bill No. 7055 SUB A

BY Carnevale, Hull, DaSilva, Messier, Ruggiero

ENTITLED, AN ACT RELATING TO ELECTIONS (would increase the No. of active voters served by the same polling place / local election board can increase the No. of voters at a single voting place above the voter limit as long as the effect would not result in a voting place serving less voters) {LC154/A/2}