

# **State of Rhode Island and Providence Plantations**

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# **JOURNAL**

**-OF THE-**

# **HOUSE OF REPRESENTATIVES**

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**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.**

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Volume 139, No. 27

Thursday, March 8, 2012

Twenty-seventh Day

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The House of Representatives meets at the State House in Providence, Thursday, March 8, 2012 and is called to order at 4:19 o'clock P.M., by the Honorable Elaine A. Coderre, Speaker Pro-Temporare.

The roll is called and a quorum is declared present with 68 members present and 7 members absent as follows:

**PRESENT - 68:** The Honorable Speaker Pro-Temporare Coderre and Representatives Ajello, Azzinaro, Baldelli-Hunt, Bennett, Blazejewski, Brien, Carnevale, Chippendale, Cimini, Corvese, Costa, DaSilva, DeSimone, Diaz, Dickinson, Edwards, Ehrhardt, Ferri, Gallison, Guthrie, Handy, Hearn, Hull, Jackson, Jacquard, Johnston, Keable, Kennedy, Lally, Lima, MacBeth, Malik, Marcello, Martin, Mattiello, McCauley, McLaughlin, McNamara, Medina, Melo, Menard, Messier, Morrison, 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 - 7:** The Honorable Speaker Fox and Representatives Fellela, Flaherty, Gordon, Morgan, Naughton, San Bento.

## **INVOCATION**

The Honorable Speaker presents Representative Brien 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 Wednesday, March 7, 2012 is approved.

**ANNOUNCEMENT**

Please be informed that Representative William San Bento will be unable to attend session today.

**REPORT OF COMMITTEE**

**TRANSFER OF BILL**

Representative Kennedy, for the Committee on Corporations, reports back the following measures, with recommendation of transfer to the Committee on Finance:

**House Resolution No. 7923**

**BY** Trillo, Carnevale, Brien, Petrarca, Martin

**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND DEVELOP A STRATEGY FOR MINIMIZING THE IMPACT OF MASSACHUSETTS GAMBLING FACILITIES ON RHODE ISLAND GAMBLING REVENUE (would create a commission of 5 members to make a comprehensive study, & develop a strategy for assessing & to the extent possible minimizing or offsetting the expected impact of the likely expansion of MA gambling facilities on RI gambling revenue.) {LC840/1}

03/08/2012 Introduced, referred to House Finance

**NEW BUSINESS**

**House Bill No. 7921**

**BY** Petrarca

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SCARBOROUGH ALLIANCE CORPORATION {LC1994/1}

03/08/2012 Introduced, referred to House Corporations

**House Bill No. 7922**

(Attorney General)

**BY** Jackson, Gallison, Martin

**ENTITLED**, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS {LC2004/1}

03/08/2012 Introduced, referred to House Finance

**House Resolution No. 7923**

**BY** Trillo, Carnevale, Brien, Petrarca, Martin

**ENTITLED**, HOUSE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND DEVELOP A STRATEGY FOR MINIMIZING THE IMPACT OF MASSACHUSETTS GAMBLING FACILITIES ON RHODE ISLAND GAMBLING REVENUE {LC840/1}

03/08/2012 Introduced, referred to House Finance

**House Bill No. 7924**

**BY** Martin

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2172/1}

03/08/2012 Introduced, referred to House Judiciary

**House Bill No. 7925**

**BY** Guthrie

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2174/1}

03/08/2012 Introduced, referred to House Judiciary

**House Bill No. 7926**

(by request)

**BY** Palumbo, Jacquard

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -

MISCELLANEOUS RULES {LC1924/1}

03/08/2012 Introduced, referred to House Judiciary

**House Bill No. 7927**

**BY** Palumbo, Costa, Trillo, Brien, Jacquard

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS {LC1915/1}

03/08/2012 Introduced, referred to House Labor

**House Bill No. 7928**

**BY** Palumbo, Morrison, Flaherty, DeSimone, Jacquard

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - SERVICES FOR ADULTS

WITH AUTISM SPECTRUM DISORDERS {LC1927/1}

03/08/2012 Introduced, referred to House H.E.W.

**House Resolution No. 7929**

**BY** Hull, Corvese, Serpa, Tomasso, Mattiello

**ENTITLED**, HOUSE RESOLUTION CONGRATULATING ANDREW BRASSARD ON  
BEING NAMED A 2010-2011 "DISTINGUISHED TEACHER OF THE YEAR" {LC2165/1}

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

There is no objection.

Read and passed, on a motion of Representative Hull seconded by Representatives Reilly, Costa, Bennett, Azzinaro, Ferri, Messier, O'Grady, Williams, Ruggiero, Medina, Hearn, Phillips, Johnston, Mattiello, Cimini, Tomasso, Handy, Serpa, Tarro, Valencia and Melo by unanimous consent, on a voice vote.

**House Resolution No. 7930**

**BY** Fox, Mattiello, Hull, Corvese, Serpa

**ENTITLED**, HOUSE RESOLUTION PROCLAIMING MARCH 8, 2012, AS "CATHOLIC

**SCHOOLS DAY" IN THE STATE OF RHODE ISLAND {LC2162/1}**

Representative Mattiello requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Mattiello seconded by Representatives Hull, Corvese, Serpa, Newberry, Lima, Melo, Azzinaro, Guthrie, Malik, McNamara, Trillo, Bennett, McLaughlin, Costa, Reilly, Brien, Ruggiero, Nunes, Medina, Carnevale, Tanzi, Johnston, Phillips, Cimini, Tomasso, Valencia, Dickinson and Tarro by unanimous consent, on a voice vote.

**House Resolution No. 7931**

**BY Williams, Ajello, Hearn, Cimini, Costa**

**ENTITLED, HOUSE RESOLUTION PROCLAIMING MARCH 10TH OF 2012 TO BE "HARRIET TUBMAN DAY" IN THE STATE OF RHODE ISLAND {LC1016/1}**

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 Ajello, Hearn, Cimini, Costa, Hull, MacBeth, Messier, McNamara, Serpa, Tanzi, Walsh, Ruggiero, Tomasso, Baldelli-Hunt, Mattiello, Newberry, Coderre, McLaughlin, Reilly, Savage, Nunes, Handy, O'Grady, Phillips, Johnston and Kennedy by unanimous consent, on a voice vote.

**House Resolution No. 7932**

**BY Ruggiero, Bennett, Reilly, Morgan, Coderre**

**ENTITLED, HOUSE RESOLUTION HONORING THE RHODE ISLAND MEDICAL SOCIETY {LC2066/1}**

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

There is no objection.

Read and passed, on a motion of Representative Ruggiero seconded by Representatives Bennett, Reilly, Coderre, Martin, O'Grady, Williams, Tomasso, Ehrhardt, Reilly, Johnston, Ajello, Cimini, Handy and Azzinaro by unanimous consent, on a voice vote.

**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:

**Senate Bill No. 2190**

**BY** Sosnowski, Felag, Bates, Walaska, Algiere

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - SEPARATION OF POWERS - COASTAL RESOURCES MANAGEMENT COUNCIL (would change the method by which members of the Coastal Resource Management Council are appointed, in accordance with the Separation of Powers Constitutional Amendment.) {LC784/1}

03/08/2012 Referred to House Environment and Natural Resources

**Senate Bill No. 2275**

**BY** Pichardo, Goodwin, Metts, Crowley, Nesselbush

**ENTITLED**, AN ACT RELATING TO EDUCATION - THE COLLEGE AND CAREER SUCCESS FOR ALL STUDENTS ACT (would require the establishment of clear training guidelines for teachers who will teach advanced placement classes in RI public schools.)

{LC1041/1}

03/08/2012 Referred to House H.E.W.

**Senate Bill No. 2356**

**BY** Gallo, DaPonte, Lanzi, DiPalma, DeVall

**ENTITLED**, AN ACT RELATING TO EDUCATION (would amend Title 16 ("Education") by adding a new chapter 93 designed to promote access to advanced placement courses for all students in RI public high schools.) {LC1407/1}

03/08/2012 Referred to House H.E.W.

**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}

03/08/2012 Referred to House H.E.W.

**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}

03/08/2012 Referred to House H.E.W.

**ANNOUNCEMENTS**

Majority Leader Mattiello announces today is Catholic Schools Day at the State House.

The Honorable Speaker Pro-Temporare Coderre wishes Representative Roberto DaSilva a Happy Birthday on Sunday.

The Honorable Speaker Pro-Temporare Coderre wishes Representative John McCauley a Happy Birthday on Sunday.

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

Representative Azzinaro announces that the RI Food Dealers Association will be holding their annual Legislative Reception tonight at the Marriott on Orms Street from 6-7 P.M.

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

Representative Lima congratulates Representative Ruggiero on being awarded for the first time the "Woman of the Year Award" from the Democratic Middletown Committee this Sunday at the Atlantic Beach Club from 12-3 P.M.

**GUESTS**

Representative Hull welcomes to the House Chamber as a guest Andrew Brassard and congratulates him on being named 2010-2011 "Distinguished Teacher of the Year" along with his wife Amy, his daughters-Elise and Leah; his mother, Joyce, and his father, Richard.

Representative Ruggiero welcomes to the House as guests from the RI Medical Society-Dr. Nitin Damle, President, and Newell Warde, Executive Director.

**PERSONAL PRIVILEGE**

Representative Ferri rises on a point of personal privilege in regards to an article in a Catholic newspaper.

**ADJOURNMENT**

At 4:49 o'clock P.M. on motion of Representative Edwards, and as a further mark of respect to the memory of Steven Picard; seconded by Representatives Mattiello and Newberry the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
Recording Clerk

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE JON D. BRIEN**

Dear Lord: As we begin today's session let us pause and listen to the voices of the school children filling the State House. Help us to make the necessary decisions that will take this state forward out of its economic malaise for their benefit and for all future generations. Amen.

**APPENDIX**

**CALENDAR**

**IN ORDER FOR TUESDAY, MARCH 13, 2012:**

**1. 2012-H 7054**

**BY** Edwards

**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

Committee on Finance recommends passage.

**2. 2012-H 7594**

**BY** Gordon

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF LITTLE COMPTON TO FINANCE HEALTH, SAFETY AND FIRE CODE-RELATED EMERGENCY REPAIRS, ALTERATIONS, RENOVATIONS, IMPROVEMENTS, LANDSCAPING AND EQUIPPING AND FURNISHING OF THE WILBUR & MCMAHON SCHOOLS AND ALL ATTENDANT EXPENSES INCLUDING, BUT NOT LIMITED TO, ENGINEERING AND ARCHITECTURAL COSTS AND TO ISSUE NOT MORE THAN \$11,310,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

**IN ORDER FOR WEDNESDAY, MARCH 14, 2012:**

**1. 2012-H 7394**

**BY** Corvese

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Labor recommends passage.

**2. 2012-H 7510**

**BY** Lally

**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS - REPORTING OF NEW HIRES

Committee on Labor recommends passage.

**3. 2012-H 7562**

**BY Cimini**

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - TEMPORARY DISABILITY INSURANCE**

Committee on Labor recommends passage.

**4. 2012-H 7563**

**BY Cimini**

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

Committee on Labor recommends passage.

**5. 2012-H 7612**

**BY Williams**

**ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - BOILER INSPECTION AND PRESSURE VESSELS**

Committee on Labor recommends passage.

**6. 2012-H 7759**

**BY Carnevale**

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

Committee on Labor recommends passage.

**7. 2012-H 7495**

**BY Lally**

**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.

**Francis McCabe**  
Clerk of the House

**Thursday, March 08, 2012**