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 fifth day of January in the year of Our Lord two thousand and sixteen.

Volume 143, No. 5 Wednesday, January 13, 2016 Fifth Day

The House of Representatives meets at the State House in Providence, Wednesday, January 13, 2016 and is called to order at 4:16 o'clock P.M., by the Honorable Charlene M. Lima, Deputy 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 Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carnevale, Carson, Casey, Chippendale, Corvese, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McEntee, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, Newberry, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Ucci, Williams, Winfield

ABSENT – 3: Representatives Fellela, MacBeth, Nunes.

INVOCATION

The Honorable Deputy Speaker presents Representative Nardolillo 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, January 12, 2016, is approved.

ANNOUNCEMENT

Representative Karen MacBeth is unable to attend session today, Wednesday, January 13, 2016.

NEW BUSINESS

House Bill No. 7111
(By Request)
BY Azzinaro, Kennedy, McNamara, Corvese
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE EMBLEMS (Designates the harbor seal as the official state marine mammal.) {LC3785/1}
01/13/2016 Introduced, referred to House Environment and Natural Resources

House Bill No. 7112
BY Lancia, Malik, Azzinaro, Reilly, Costa
ENTITLED, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX (Exempts the amount of military pension which is included in federal adjusted gross income from the state income tax.) {LC3778/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7113
BY Malik, Hull, Azzinaro
ENTITLED, AN ACT RELATING TO TAXATION (Defines as "disabled," persons receiving veterans' affairs disability benefits paid by the federal government for purposes of property tax relief.) {LC3038/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7114
BY Barros, Abney, Tobon, Coughlin, Solomon
ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX {LC3430/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7115
BY Blazejewski, Ruggiero, Barros, Morin, Diaz
ENTITLED, AN ACT RELATING TO HUMAN SERVICES-CHILD CARE ASSISTANCE (Increases the income eligibility limit for the Child Care Assistance Program (CCAP) to 200% of the federal poverty level (from 180%).) {LC3750/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7116
BY Edwards, Canario
ENTITLED, AN ACT RELATING TO EDUCATION - FOUNDATION LEVEL SCHOOL SUPPORT (Permits the town of Tiverton to be prospectively reimbursed at the forty percent (40%) floor of the housing aid share ratio on projects completed before June 30, 2010.) {LC3694/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7117
BY McNamara, Bennett
ENTITLED, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS (Authorizes the department of behavioral healthcare, developmental disabilities and hospitals to certify recovery housing facilities and programs for residential substance abuse treatment.) {LC3307/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7118
BY Shekarchi, Carnevale, Bennett, Hull, Casey
ENTITLED, AN ACT RELATING TO TAXATION - DISABLED VETERANS (Extends property tax relief for the disabled to those receiving veterans' disability benefits.) {LC3324/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7119
BY Lancia, Malik, Azzinaro, Reilly, Costa
ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS (Creates a veteran's preference in the issuance of state contracts.) {LC3512/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7120
BY Malik, Hearn
ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (Changes the name of the Central Bridge in the town of Barrington to the "Barrington Veterans' Memorial Bridge.") {LC3039/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7121
BY Ruggiero, Reilly, Abney
ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE DESIGN, CONSTRUCTION, REPAIR, REHABILITATION AND IMPROVEMENT OF STREETS AND SIDEWALKS IN THE TOWN, INCLUDING, BUT NOT LIMITED TO, PAVING, DRAINAGE, TRAFFIC CONTROL DEVICES, SAFETY IMPROVEMENTS AND LANDSCAPING BY THE ISSUANCE OF NOT MORE THAN $5,000,000 BONDS AND/OR NOTES THEREFOR (Authorizes The Town of Middletown to issue not more than $5,000,000 bonds and notes to finance the design, construction, repair, rehabilitation and improvement of streets and sidewalks in the town.) {LC3343/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7122
BY Lancia, Phillips, Diaz, Naughton, Ackerman
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- GLORIA GEMMA BREAST CANCER RESOURCE FOUNDATION (Permits passenger and commercial Gloria Gemma Breast Cancer Foundation plates to be issued and sets pre-orders at 900 of all types.) {LC3080/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7123
BY Ajello, Shekarchi, Tanzi, Naughton, Barros
ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE ((Directs the executive office of health and human services to increase income disregards for certain Medicare programs.) {LC3587/1}
01/13/2016 Introduced, referred to House Finance

House Bill No. 7124
BY Morin, Carson, Casey, O'Brien, Shekarchi
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES (Provides that municipal insurance corporations be subject to laws regulating insurance companies and be regulated by the Rhode Island department of business regulation.) {LC3575/1}
01/13/2016 Introduced, referred to House Corporations

House Bill No. 7125
BY Kennedy, Lima, Shekarchi, O'Brien, Corvese
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BUSINESS REGULATION (Provides protections for consumers and small businesses in the areas of insurance, real estate and accountancy.) {LC3504/1}
01/13/2016 Introduced, referred to House Corporations

House Bill No. 7126
BY Canario, Edwards, Gallison, Reilly, Tanzi
ENTITLED, AN ACT RELATING TO TAXATION - PORTSMOUTH COMMERCIAL FINES (Authorizes the town of Portsmouth to establish a tax stabilization program for legally permitted new commercial construction projects located within its borders.) {LC3297/1}
01/13/2016 Introduced, referred to House Municipal Government
(For Co-Sponsorship removal request, see Journal of 1/26/16, page 2.)

House Bill No. 7127
BY McEntee, Tanzi
ENTITLED, AN ACT RELATING TO TAXATION -- HOMESTEAD EXEMPTION IN THE TOWN OF NARRAGANSETT (Grants the town council of the town of Narragansett the authority to adopt a homestead exemption ordinance.) {LC3747/1}
01/13/2016 Introduced, referred to House Municipal Government

House Bill No. 7128
BY Edwards, Canario
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LEAD HAZARD MITIGATION (Makes a change in the definition of housing presumed to be in compliance with lead-safe laws. It includes dwelling units constructed after 1950 on federally-owned or leased lands in the definition.) {LC3697/1}
01/13/2016 Introduced, referred to House Municipal Government

House Bill No. 7129
BY Edwards, Bennett
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT (Creates an "innocent tenant" exemption from liability fro release

of hazardous or toxic material.) {LC3693/1}
01/13/2016 Introduced, referred to House Municipal Government

House Bill No. 7130
BY Regunberg, Bennett, McEntee, Shekarchi, Naughton
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - LICENSE PROCEDURE CHEMICAL DEPENDENCY PROFESSIONALS (Allows licensed chemical dependency professionals with the proper training to use treatment known as auricular acudetox effective 1/1/2017.) {LC3480/1}
01/13/2016 Introduced, referred to House H.E.W.

House Bill No. 7131
BY McNamara, Bennett, Azzinaro, Malik, Diaz
ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND BOARD OF EDUCATION ACT (Amends the implementation of state assessments of students in Rhode Island public schools and directs the DOE to develop its own state assessments.) {LC3306/1}
01/13/2016 Introduced, referred to House H.E.W.

House Bill No. 7132
BY Edwards, Canario
ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - ABANDONMENT OF CATS (Exempts a "licensed releasing agency" from the offense of abandoning cats.) {LC3698/1}
01/13/2016 Introduced, referred to House H.E.W.

House Bill No. 7133
BY Winfield, Costantino
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Colleen Marie Menard to join Bianca M.P. Hunt and Andrew Ivens Augusto in marriage on or about June 4, 2016, within the City of Warwick, Rhode Island.) {LC3590/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7134
BY McEntee
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows John Mooney to join Kyla Normand and Wesley Rikkers in marriage on or about July 24, 2016, within the City of Newport, Rhode Island.) {LC3756/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7135
BY Azzinaro, Corvese
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Dan E. Blackstone to join Teresa Garcia and Jeffery Perez in marriage on or about February 13, 2016, within the town of Westerly, Rhode Island.) {LC3746/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7136
BY Abney
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Anne Carney Blain, Esq., to join Ali Bell-Irving and Jared Givens in marriage on or about June 17, 2016, within the City of Newport, Rhode Island.) {LC3766/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7137
BY Diaz, Slater, Hull
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Fredrick Owen to join Brandon Healy and Mia Waldron in marriage on or about June 18, 2016, within the City of Providence, Rhode Island.) {LC3025/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7138
BY Blazejewski
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Laurie A. Backall to join Nathan R. Limbach and Gretchen E. Bell in marriage on or about October 8, 2016, within the Town of Little Compton, Rhode Island.) {LC3749/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7139
BY Blazejewski
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Neil Fortin to join Jennifer Norton and David Socha in marriage on or about December 31, 2016, within the City of Providence, Rhode Island.) {LC3748/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7140
BY Ackerman, Shekarchi, Solomon, Craven, DeSimone
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - LEVY AND SALE ON EXECUTION (Requires attachments/executions of real estate to describe same with particularity by the recorded legal description, plat and lot number, and any legal description recognized/accepted by title industry for levy to be sufficient.) {LC3402/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7141
BY Amore, Lombardi, O'Brien, McKiernan, Craven
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - GAMBLING AND LOTTERIES (Allows social gaming in private residences and in public taverns or private clubs so long as the gambling is incidental to a bona fide social relationship between the participants and only participants receive anything of value.) {LC3323/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7142
BY Slater, Serpa, Solomon
ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT (Adds post-traumatic stress disorder as a

"debilitating medical condition" and accelerates an approved medical marijuana application for hospice care.) {LC3634/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7143
BY Diaz, Slater, Tobon, Barros, Maldonado
ENTITLED, AN ACT RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS -- THE RHODE ISLAND AUTOMOBILE REPOSSESSION ACT (Allows the imposition of up to a $500 fine on a motor vehicle lessor or secured party for failing to follow proper procedures in the event of a default by a lessee or purchaser.) {LC3478/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7144
BY Costa, Nardolillo, Trillo, Giarrusso, Reilly
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - ESTABLISHING MANDATORY MINIMUM SENTENCE FOR ILLEGAL REENTRY INTO THE UNITED STATES (Prohibits any alien from entering or attempting to enter the state of Rhode Island after unlawfully reentering the United States after prior removal.) {LC3079/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7145
BY Morin, Carson, Blazejewski, Barros, Casey
ENTITLED, AN ACT RELATING TO PROPERTY -- MORTGAGE FORECLOSURE AND SALE (Imposes a penalty of two thousand dollars ($2,000) upon financial institutions failing to promptly record foreclosure deeds and pay outstanding taxes.) {LC3578/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7146
BY Messier, Casey, Morin, Fellela, McLaughlin
ENTITLED, AN ACT RELATING TO ELECTIONS -- CAMPAIGN FINANCE COMPLIANCE (Prevents a person from being a candidate for public office who owes fines, fees, or penalties of ($2,000) or more for campaign finance violations, unless that person is currently compliant with a state board-approved repayment agreement.) {LC3335/1}
01/13/2016 Introduced, referred to House Judiciary

House Bill No. 7147
BY Edwards, Canario, Messier, Hearn, Newberry
ENTITLED, AN ACT RELATING TO ELECTIONS - CAMPAIGN FINANCE (Clarifies the definition of the term "entity" that advocates for the approval or question presented to voters at a financial town meeting, to include business entities, political action committees, persons and exempt nonprofits.) {LC3699/1}
01/13/2016 Introduced, referred to House Judiciary

GUESTS

Representative Williams welcomes her family from out of state -Anna Hartley, Antonio Hartley and Marisol Hartley to the House as guests.

Representative Ucci welcomes to the House Chamber as guests Dr. Francine Newth (Associate Professor School of Business, Providence College); Professor Debbie Meharg (Lecturer, IT, Edinburgh Napier University); Maureen Ronaldson (Senior Administrator, Edinburgh Napier University); Edinburgh Napier University Undergraduate & Graduate Students: Pavel Mrlik, Martyn Brown, Paul Flack, Kamil Wojtczyk, Alexandra Putzova, Matthew Muir and Providence College MBA students: RJ Depietri, Bill DeRita, Katie Leyden, and Jim Lineberger.

Representative Naughton welcomes to the House as guests from RI Rivers Council, celebrating their 25th anniversary: Lisa McGreavy, Rachel Calabro, Veronica Berounsky, Guy Lefebvre, Meg Kerr, and Michael Zarum.

By unanimous consent, the House returns to:

NEW BUSINESS

House Resolution No. 7148
BY Naughton, Handy, McEntee, Canario, Ajello
ENTITLED, HOUSE RESOLUTION CONGRATULATING THE RHODE ISLAND RIVERS COUNCIL ON THE OCCASION OF ITS 25TH ANNIVERSARY {LC3770/1}

With the agreement of the majority and the minority,

Representative Naughton requests unanimous consent for immediate consideration**.**

There is no objection.

Read and passed, on a motion of Representative Naughton seconded by Representatives Handy, McEntee, Canario, Ajello, Gallison, Fogarty, Ackerman, Maldonado, Regunberg, Palangio, Lombardi, McNamara, Malik, Marshall, Messier, Morin, Bennett, and many other members of the House by unanimous consent, on a voice vote.

House Resolution No. 7149
BY DeSimone, Newberry
ENTITLED, HOUSE RESOLUTION EXTENDING CONDOLENCES {LC3720/1}

Leader DeSimone requests unanimous consent for immediate consideration**.**

There is no objection.

Read and passed, on a motion of Leader DeSimone seconded by Leader Newberry by unanimous consent, on a rising vote.

House Resolution No. 7150
BY DeSimone, Newberry
ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC3718/1}

Leader DeSimone requests unanimous consent for immediate consideration**.**

There is no objection.

Read and passed, on a motion of Leader DeSimone seconded by Leader Newberry by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

GUESTS

Representative Slater welcomes Scituate Middle School 8th grade students, his niece, Isabella Palumbo, Victoria O'Neill, Kiara Loiaza, and Olivia Santilli, They are here today performing a C-Span Student Challenge Project "Road to the White House", their topic is Syrian Refugees. Representative Slater also welcomes his sister-in-law, Nancy Rodriguez.

PERSONAL PRIVILEGE

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

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

By unanimous consent, the House returns to:

GUEST

Representative Lombardi welcomes to the Chamber his Administrative/Municipal Court Intern, Christian Alvarado.

ANNOUNCEMENTS

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

Representative Kazarian wishes her mother, Michele Kazarian a Happy "60th" Birthday. Deputy Speaker Lima also wishes Michele a Happy Birthday.

Representative Diaz announces that the Committee on Health, Education and Welfare will meet today, at the rise of the House, in Room 101 of the State House.

Leader DeSimone announces a photographer will be in the House Lounge to take photos for everyone's website an hour before and after session tomorrow.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to Her Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith.

ADJOURNMENT

At 4:57 o'clock P.M. on motion of Representative Ucci on behalf of Representative Fellela, and as a further mark of respect to the memory of Nancy A. Caldarone; on motion of Representative Ucci, and as a further mark of respect to the memories of Carmella Hogan and Anna Richard; on motion of Representative Edwards and as a further mark of respect to the memory of Hubert C. "Ted" Hersey, seconded by Majority Leader DeSimone and Minority Leader Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE ROBERT A. NARDILLILO

O Lord, as we begin this legislative year, we have much work to do and difficult decisions to make. Help us to govern wisely and to be responsive to the needs of the people of Rhode Island.