

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 second day of January in the year of Our Lord two thousand and eighteen.

Volume 145, No. 45

Wednesday, May 9, 2018

Forty-fifth Day

The House of Representatives meets at the State House in Providence, Wednesday, May 9, 2018 and is called to order at 4:33 o'clock P.M., by the Honorable Nicholas A. Mattiello, Speaker.

The roll is called and a quorum is declared present with 74 members present and 1 member absent as follows:

PRESENT – 74 The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Casimiro, Chippendale, Corvese, Costantino, Coughlin, Craven, Cunha, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Knight, Lancia, Lima, Lombardi, Maldonado, Marshall, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendonca, Messier, Morgan, Morin, Nardolillo, Newberry, Nunes, O'Brien, O'Grady, Perez, Phillips, Price, Quattrocchi, Ranglin-Vassell, Regunberg, Roberts, Ruggiero, Serpa, Shanley, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams, Winfield.

ABSENT – 1: Representative Amore.

INVOCATION

The Honorable Speaker presents Representative Williams 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, May 8, 2018, is approved.

ANNOUNCEMENT

Representative Gregg Amore is unable to attend session today, Wednesday, May 9, 2018.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 2018

BY Lombardi, Ciccone, Lynch Prata, Gallo, Cote

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION (Adds urns and shrouds, prayer cards and other items customarily sold or provided by a funeral director to those funeral items which are already exempt from sales and use taxes.) {LC3413/1}

05/09/2018 Referred to House Finance

Senate Bill No. 2521

BY Conley, Lynch Prata, DiPalma, Seveney, Goodwin

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES--LIABILITY AND COMPUTATION (Exempts from sales and use taxes specialized packaging equipment such as kegs and barrel containers for alcoholic beverages.) {LC4869/1}

05/09/2018 Referred to House Finance

Senate Bill No. 2551

BY Goodwin, Euer

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND AGING AND DISABILITY RESOURCE CENTER (Establishes aging/disability resource center within division of elderly affairs as part of long-term care system for elderly/disabled persons/family caregivers/providers.) {LC4105/1}

05/09/2018 Referred to House H.E.W.

Senate Bill No. 2849

BY Lynch Prata

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF J.B. SIMON, INC. {LC5495/1}

05/09/2018 Referred to House Corporations

Senate Bill No. 2850

BY Sosnowski

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF TUCKERTOWN FIRE DEPARTMENT, INC. {LC5477/1}

05/09/2018 Referred to House Corporations

Senate Bill No. 2875**BY** Euer**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF MARINERS MEMORIAL FOUNDATION {LC5609/1}

05/09/2018 Referred to House Corporations

NEW BUSINESS**House Bill No. 8177****BY** Maldonado, McLaughlin, Barros, Tobon, Edwards**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES--CITY OF CENTRAL FALLS (Authorizes Central Falls to adopt 3 separate tax classifications of residential property consisting of tax rates: owner-occupied property of 5 units or less/dwellings of 6 units or more/non owner-occupied property of 5 units or less, including mixed use.) {LC5622/1}

05/09/2018 Introduced, referred to House Municipal Government

House Bill No. 8178**BY** Casimiro, Craven**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE CONSTRUCTION, RENOVATIONS, REMEDIATION, ALTERATIONS, ADDITIONS AND OTHER IMPROVEMENTS AND/OR RELATED EQUIPMENT AND TO ISSUE NOT MORE THAN \$27,000,000 BONDS AND NOTES THEREFOR, OF WHICH UP TO \$13,500,000 IS FOR SCHOOL PURPOSES AND UP TO \$13,500,000 IS FOR OTHER TOWN PURPOSES {LC5618/1}

05/09/2018 Introduced, referred to House Municipal Government

House Bill No. 8179**BY** McEntee, Craven**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT (Allows employee granted unpaid family/parental leave to substitute any accrued vacation/sick/ other appropriate leave for any part of the unpaid leave.) {LC5613/1}

05/09/2018 Introduced, referred to House Labor

House Resolution No. 8180**BY** Messier, Vella-Wilkinson, Hull, McLaughlin, Tobon**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO EXPLORE THE CONSTRUCTION OF A GULF WARS VETERANS MEMORIAL (This resolution would extend the reporting date of the special legislative commission to explore the construction of a Gulf Wars Veterans Memorial from June 30, 2017 to June 30, 2019, and said commission would expire on August 30, 2019.) {LC5623/1}

05/09/2018 Introduced, referred to House Veterans Affairs

CALENDAR

From the Calendar are taken:

IN ORDER FOR WEDNESDAY, MAY 9, 2018:**1. 2018-H 7383 SUB A****BY Keable****ENTITLED, AN ACT RELATING TO PROPERTY - TRESPASS AND ACTIONS FOR POSSESSION**

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

Chairman Keable moves passage of the act, seconded by Representatives Newberry, Marshall, McEntee, Ackerman, Carson and Ajello.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 73 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 73: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Casimiro, Chippendale, Corvese, Costantino, Coughlin, Craven, Cunha, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Knight, Lancia, Lima, Lombardi, Maldonado, Marshall, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendonca, Messier, Morgan, Morin, Nardolillo, Newberry, Nunes, O'Brien, Perez, Phillips, Price, Quattrocchi, Ranglin-Vassell, Regunberg, Roberts, Ruggiero, Serpa, Shanley, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

2. 2018-H 7767 SUB A**BY Cunha****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - ZONING ORDINANCES**

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

Chairwoman Fogarty moves passage of the act, seconded by Leader Shekarchi, Representatives Hearn, Ackerman, Carson, Keable, Bennett, Marshall Tobon, Shanley, Cunha, Vella-Wilkinson, Edwards and McLaughlin.

By unanimous consent, Chairwoman Fogarty, seconded by Representative Johnston offers a written motion to amend.

FLOOR AMENDMENT**TO**

2018 -- H 7767 SUBSTITUTE A/2

AN ACT RELATING TO TOWNS AND CITIES - ZONING ORDINANCES

Mr. Speaker:

I hereby move to amend 2018 -- H 7767 SUBSTITUTE A, entitled "AN ACT RELATING TO TOWNS AND CITIES - ZONING ORDINANCES", as follows:

1. On page 2, line 14, by deleting the comma "," after the word "property".

Respectfully submitted,

Representative Fogarty

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LC005047/3
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Representative Fogarty discusses the amendment.

The motion to amend prevails on a roll call vote 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 71: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Casimiro, Chippendale, Corvese, Costantino, Coughlin, Craven, Cunha, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Knight, Lancia, Lima, Lombardi, Maldonado, Marshall, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendonca, Messier, Morgan, Morin, Nardolillo, Newberry, Nunes, O'Brien, Perez, Phillips, Price, Quattrocchi, Regunberg, Roberts, Ruggiero, Serpa, Shanley, Shekarchi, Slater, Solomon, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

Representatives Filippi, Nunes, Leader Morgan, Representatives Chippendale, Lima and Leader Shekarchi discuss the act, as amended.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 68 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Casimiro, Chippendale, Corvese, Costantino, Coughlin, Craven, Cunha, Diaz, Donovan, Edwards, Fellela, Fogarty, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Knight, Lancia, Lima, Lombardi, Maldonado, Marshall, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendonca, Messier, Morin, Nardolillo, Newberry, Nunes, O'Brien, O'Grady, Perez, Phillips, Ranglin-Vassell, Regunberg, Ruggiero, Serpa, Shanley, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams, Winfield.

NAYS - 6: Representatives Filippi, Giarrusso, Morgan, Price, Quattrocchi, Roberts.

RECUSED - 0:

ANNOUNCEMENT

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

RULE 7D

The following bills were received pursuant to Rule 7D:

Representative Donovan-An Act relating to Elections.

Representative Ucci-An Act relating to Busing.

By unanimous consent, the House returns to:

ANNOUNCEMENT

Chairman Keable announces that the Committee on Judiciary will meet today, at the rise of the House, in Room 205 of the State House.

GUESTS

Leader Shekarchi and Speaker Mattiello welcome to the House from North Providence Elizabeth Ricci and Jane Jacob.

By unanimous consent, the House returns to:

RULE 7D

The following bill was received pursuant to Rule 7D:

Representative Vella-Wilkinson-An Act relating to Property-Short Term Rentals

By unanimous consent, the House returns to:

ANNOUNCEMENT

Chairman McNamara 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.

By unanimous consent, the House returns to:

GUESTS

Representative Diaz welcomes to the House Chamber as guests the Boys & Girls Clubs Youth of the Year Contestants: Destiny Monteiro, Boys & Girls Clubs of Pawtucket; Olivia Martinelli, Boys & Girls Clubs of Warwick; Terrell L. Bennett, Boys Clubs & Girls Clubs of Newport; along with Erin Gilliatt, Director of East Providence Boys & Girls; Joe Pratt, Director of Newport; Nicole Dufrenes, Director of Providence; Jim Hoyt, Director of Pawtucket; Gary Rebelo, Director of Northern RI; and Joan Milas. Speaker Mattiello welcomes them to the House.

Representative Messier also welcomes Destiny Monteiro from Pawtucket to the House and congratulates her.

NEW BUSINESS**House Resolution No. 8181**

BY Diaz, Slater, Blazejewski, Barros, Edwards

ENTITLED, HOUSE RESOLUTION HONORING AND COMMENDING THE BOYS & GIRLS CLUBS OF RHODE ISLAND YOUTH OF THE YEAR PROGRAM {LC5634/1}

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

There is no objection.

Read and passed, on a motion of Representative Diaz seconded by Representatives Slater, Blazejewski, Barros, Edwards, Maldonado, Phillips, Morin, McLaughlin, Leader Shekarchi, Speaker Mattiello and the entire House of Representatives by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

RULE 7D

The following bill was received pursuant to Rule 7D:

Leader Shekarchi (on behalf of Speaker Mattiello)-An Act relating to Domestic Violence.

TRANSMITTAL

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

ADJOURNMENT

At 5:06 o'clock P.M. on motion of Leader Shekarchi seconded by Leader Morgan the House adjourns, on a voice vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE ANASTASIA P. WILLIAMS

Lord God: We ask your blessing now on each member of our assembly, that they be at their best when representing not only their constituents, but all the people in Rhode Island. Amen.

APPENDIX

CONSENT CALENDAR

IN ORDER FOR THURSDAY, MAY 10, 2018:

1. **2018-H 8078**
 BY Regunberg
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

2. **2018-H 8079**
 BY Regunberg
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

3. **2018-H 8112**
 BY Costantino
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

4. **2018-H 8113**
 BY Ucci
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

Francis McCabe
Clerk of the House

Friday, May 4, 2018

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, MAY 10, 2018:

1. **2018-S 2439 SUB A**
BY Ciccone
ENTITLED, AN ACT AMENDING THE CHARTER OF NORTH PROVIDENCE

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

2. **2018-S 2829**
BY Crowley
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- ELECTION AND QUALIFICATION OF OFFICERS

Committee on Municipal Government recommends passage in concurrence.

Francis McCabe
Clerk of the House

Tuesday, May 8, 2018