

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 first day of January in the year of Our Lord two thousand and nineteen.

Volume 146, No. 5

Wednesday, January 9, 2019

Fifth Day

The House of Representatives meets at the State House in Providence, Wednesday, January 9, 2019 and is called to order at 4:11 o'clock P.M., by the Honorable Nicholas A. Mattiello, 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 Mattiello and Representatives Ackerman, Ajello, Almeida, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Canario, Carson, Casey, Casimiro, Cassar, Chippendale, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Handy, Hawkins, Hull, Jackson, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Lyle, Maldonado, Marshall, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Millea, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Quattrocchi, Ranglin-Vassell, Roberts, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

ABSENT – 4: Representatives Abney, Marszalkowski, Price, Tanzi.

INVOCATION

The Honorable Speaker presents Representative Canario 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 8, 2019, is approved.

ANNOUNCEMENTS

Representative Tanzi is unable to attend session today, Wednesday, January 9, 2019.

Chairman Abney is unable to attend session today, Wednesday, January 9, 2019, due to being a guest of NCSL at a LEADERS in TRAINING EVENT.

NEW BUSINESS**House Bill No. 5041**

BY Solomon, Phillips, Jackson, McNamara, Lima

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS (Prohibits development of land contiguous to State House unless approved by general assembly.) {LC159/1}

01/09/2019 Introduced, referred to House Judiciary

House Bill No. 5042

BY Edwards, Filippi, Morin, Canario

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --

SURVEILLANCE DEVICES (Prohibits surveillance on any public roadway in the state unless specifically authorized by statute or court order. This act would also provide for the confidentiality of information collected or stored.) {LC273/1}

01/09/2019 Introduced, referred to House Judiciary

House Bill No. 5043

BY Vella-Wilkinson, Williams, Morin, Millea, O'Brien

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT (Amends the definition of sexual contact in § 11-37-1 to include the intentional touching of the victim's own body at the accused's instruction.) {LC531/1}

01/09/2019 Introduced, referred to House Judiciary

House Resolution No. 5044

BY Carson, Vella-Wilkinson, Fogarty

ENTITLED, HOUSE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION KNOWN AS "GROWING TOURISM IN THE STATE OF RHODE ISLAND" {LC169/1}

01/09/2019 Introduced, referred to House Corporations

House Bill No. 5045

BY McNamara, Millea, Ackerman, Jackson, Nardone

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - E-911 UNIFORM EMERGENCY TELEPHONE SYSTEM DIVISION (Mandates that the E-911 uniform emergency telephone system division develop and commence operation of a text-to-911 emergency system on January 1, 2020.) {LC49/1}

01/09/2019 Introduced, referred to House H.E.W.

House Bill No. 5046**BY** Ranglin-Vassell, Donovan, Tanzi, Walsh, Hull**ENTITLED**, AN ACT RELATING TO EDUCATION - CURRICULUM (Requires the department of education to develop a program of age-appropriate safe relationship behavior education and training, regarding the prevention of relationship abuse, and sexual violence and harassment.) {LC63/1}

01/09/2019 Introduced, referred to House H.E.W.

House Bill No. 5047**BY** Millea, O'Brien, Amore, Hawkins, Williams**ENTITLED**, AN ACT RELATING TO EDUCATION -- ESTABLISHING A CLASS SIZE MAXIMUM FOR KINDERGARTEN THROUGH GRADE TWO (2) (Limits public school K through 2 class size to twenty (20) students.) {LC191/1}

01/09/2019 Introduced, referred to House Finance

House Bill No. 5048**BY** Solomon, Jackson, McNamara, O'Brien, Vella-Wilkinson**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION (Creates a sales tax holiday for the days of August 10, 2019 and August 11, 2019.) {LC480/1}

01/09/2019 Introduced, referred to House Finance

House Resolution No. 5049**BY** Carson**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$12,000 TO THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION (This resolution would authorize the appropriation of the sum of \$12,000 to the Department of Transportation.) {LC451/1}

01/09/2019 Introduced, referred to House Finance

House Bill No. 5050**BY** Cortvriend, Donovan, Edwards, Canario**ENTITLED**, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES (Allows local tax assessment to be based on last revaluation or current FMV, whichever is greater.) {LC166/1}

01/09/2019 Introduced, referred to House Finance

House Bill No. 5051**BY** Casimiro, Vella-Wilkinson, Morin, Solomon, Azzinaro**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (Allows the division of motor vehicles to issue courtesy veterans' plates.) {LC88/1}

01/09/2019 Introduced, referred to House Finance

House Bill No. 5052**BY** Casimiro, Vella-Wilkinson, Morin, Solomon, Shanley**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - PAYMENTS TO FIRE COMPANIES (Provides for an appropriation of state funds to cities and towns who are members of the Narragansett Bay marine task force (NBMTF) for the maintenance of boats providing services to Narragansett Bay.) {LC38/1}

01/09/2019 Introduced, referred to House Finance

House Bill No. 5053**BY** Morin, Phillips, Casey**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

(Exempts property located at 122 North Main Street in the city of Woonsocket from the provision requiring it to be located a certain distance from objectors/schools/churches regarding the issuance of retail liquor licenses.) {LC382/1}

01/09/2019 Introduced, referred to House Municipal Government

House Resolution No. 5054**BY** Azzinaro, Vella-Wilkinson, Tobon, Casimiro, McLaughlin**ENTITLED**, HOUSE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY AND MAKE

RECOMMENDATIONS FOR A PLAN AND THE DESIGN OF A BEIRUT MEMORIAL TO BE LOCATED AT THE RHODE ISLAND STATE HOUSE (Extends the reporting and expiration dates of the Commission to study and make recommendations for a plan and the design of a Beirut Memorial located at the Rhode Island State House to April 30, 2020, and would expire on May 30, 2020.)

{LC505/1}

01/09/2019 Introduced, referred to House Veterans Affairs

ANNOUNCEMENT

On behalf of Representatives Jackson and Noret, Representative Serpa congratulates her constituent, Mark Knott, on being named the Town of West Warwick new Chief of Police.

GUESTS

On behalf of Representative Cortvriend, Representative Ruggiero welcomes to the House Chamber Middletown Police Chief, Anthony Pesare along with his wife, Mary and his daughters Jennifer Pesare and Amy Pesare. Representative Ruggiero congratulates Chief Pesare on his retirement. Speaker Mattiello also welcomes the Colonel to the Chamber.

By unanimous consent, the House returns to:

NEW BUSINESS**House Resolution No. 5055****BY** Ruggiero, Cortvriend, Canario, Shekarchi, Noret**ENTITLED**, HOUSE RESOLUTION CONGRATULATING MIDDLETOWN POLICE CHIEF ANTHONY PESARE ON HIS RETIREMENT AFTER FORTY-FOUR DEVOTED AND DISTINGUISHED YEARS OF SERVICE TO THE CITIZENS OF RHODE ISLAND AND THE TOWN OF MIDDLETOWN {LC481/1}

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 Leader Shekarchi Representatives Cortvriend, Noret, Canario, Speaker Mattiello, Representatives Hull and Bennett by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

ANNOUNCEMENT

Representative Chippendale acknowledges that today is Law Enforcement Appreciation Day and thanks all Law Enforcement who served in the past and is serving currently. Speaker Mattiello also thanks the RI State Police, the Cranston Police Department-Colonel Michael Winquist, Major Todd Patalano and every officer in Cranston for their service.

By unanimous consent, the House returns to:

NEW BUSINESS

House Resolution No. 5056

BY Maldonado, Tobon, Alzate, Shekarchi, Noret

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST SYMPATHY ON THE PASSING OF RUDOLPH J. LEGENZA {LC493/1}

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

There is no objection.

Read and passed, on a motion of Representative Maldonado seconded by Representatives Tobon, Alzate, Leader Shekarchi, Representatives Noret, Johnston, Chippendale, Corvese, and McLaughlin by unanimous consent, on a rising vote.

House Resolution No. 5057

BY Filippi, Chippendale, Price, Quattrocchi, Roberts

ENTITLED, HOUSE RESOLUTION THANKING THE HONORABLE KENNETH J. MENDONCA FOR HIS DISTINGUISHED SERVICE TO THE STATE OF RHODE ISLAND {LC112/1}

With the agreement of the majority, Representative Filippi requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Filippi seconded by Representatives Chippendale, Quattrocchi, Roberts, Nardone, Lyle, Newberry, Leader Shekarchi, Speaker Mattiello, and the entire House of Representatives by unanimous consent, on a voice vote.

House Resolution No. 5058

BY Filippi, Chippendale, Price, Quattrocchi, Roberts

ENTITLED, HOUSE RESOLUTION THANKING THE HONORABLE ANTHONY GIARRUSSO FOR HIS MANY YEARS OF DISTINGUISHED PUBLIC SERVICE TO THE CITIZENS OF RHODE ISLAND {LC111/1}

With the agreement of the majority, Representative Filippi requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Filippi seconded by Representatives Chippendale, Quattrocchi, Roberts, Nardone, Place, Lyle, Newberry, Leader Shekarchi, and Speaker Mattiello and the entire House of Representatives by unanimous consent, on a voice vote.

House Resolution No. 5059

BY Filippi, Quattrocchi, Price, Mattiello, Millea

ENTITLED, HOUSE RESOLUTION THANKING THE HONORABLE ROBERT B. LANCIA FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND {LC371/1}

With the agreement of the majority, Representative Filippi requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Filippi seconded by Representative Quattrocchi, Speaker Mattiello, Representatives Millea, Solomon, Chippendale, Place, Lyle, Newberry, Leader Shekarchi, Representative Johnston, Lombardi, Hull, and the entire House of Representatives by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

ANNOUNCEMENT

Leader Shekarchi reminds members the 2nd annual training session for members only on sexual harassment, discrimination and diversity will be held today at the rise, in the House Lounge.

By unanimous consent, the House returns to:

NEW BUSINESS**House Bill No. 5060**

BY Mattiello, Lima, Shekarchi, Edwards, Noret

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable James R. Langevin to join Ann Margaret Little and Seth M. Klaiman in marriage on or about February 2, 2019, within the City of Warwick, Rhode Island.) {LC557/1}

With the agreement of the minority, Leader Shekarchi requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Shekarchi seconded by Representative Lima, Leader Filippi, Representatives Barros, Shanley, Fellela, McEntee, and the entire House of Representatives on a roll call vote, 62 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 62: The Honorable Speaker Mattiello and Representatives Ackerman, Ajello, Almeida, Alzate, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Canario, Carson, Casey, Casimiro, Cassar, Chippendale, Cortvriend, Corvese, Costantino, Craven, Fellela, Filippi, Fogarty, Handy, Hawkins, Hull, Jackson, Johnston, Kazarian, Kislak, Knight, Lima, Lombardi, Lyle, Maldonado, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Quattrocchi, Ranglin-Vassell, Roberts, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Solomon, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

NAYS - 0:

RECUSED - 0:

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 4:36 o'clock P.M. on motion of Representatives Lyle, and as a further mark of respect to the memories of Luigi V. Battista and Dennis Andrews; on motion of Representative Kazarian, and as a further mark of respect to the memory of Jacqueline Aziz; seconded by Leaders Shekarchi and Filippi the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DENNIS M. CANARIO

Dear God: You have blessed us with the responsibility of serving our fellow citizens. Help us to always maintain proper decorum and respect for each other, while engaging in reasoned public debate. Amen.