

**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. 10

Wednesday, January 23, 2019

Tenth Day

---

The House of Representatives meets at the State House in Providence, Wednesday, January 23, 2019 and is called to order at 4:16 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 Abney, 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, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Millea, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Price, Quattrocchi, Roberts, Ruggiero, Serodio, Shanley, Shekarchi, Solomon, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh.

**ABSENT** – 4: Representatives Ranglin-Vassell, Serpa, Slater, Williams.

**INVOCATION**

The Honorable Speaker presents Representative Vella-Wilkinson 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 22, 2019, is approved.

**ANNOUNCEMENTS**

Representative Anastacia Williams is unable to attend session today, Wednesday, January 23, 2019.

Representative Marcia Ranglin-Vassell is unable to attend session today, Wednesday, January 23, 2019.

**APPOINTMENTS**

Speaker Mattiello makes the following appointments:

Mary Messier, House Committee on Labor

Thomas Noret, House Committee on Oversight

**Received and placed on file.**

**NEW BUSINESS****House Bill No. 5156**

**BY** McNamara, Ackerman, Jackson, Solomon, Bennett

**ENTITLED**, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (Excludes pension income from taxation under the same circumstances as social security exclusion.) {LC178/1}  
01/23/2019 Introduced, referred to House Finance

**House Bill No. 5157**

**BY** Corvese, Hawkins, Millea, Azzinaro, Solomon

**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.) {LC668/1}  
01/23/2019 Introduced, referred to House Finance

**House Bill No. 5158**

**BY** Corvese, Morin, Azzinaro, Phillips, Canario

**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION (Includes a book of fiction or non-fiction within the definition of a "work" which is original or creative and for "one-of-a-kind, limited production" thus qualifying them for exemption from the sales tax.) {LC252/1}  
01/23/2019 Introduced, referred to House Finance

**House Bill No. 5159**

**BY** Bennett, Edwards, Walsh, Ucci, Hawkins

**ENTITLED**, AN ACT RELATING TO TAXATION (Provides a tax credit for community service hours provided by state residents to certain not for profit entities and municipal departments that are certified to issue credits for state community service volunteerism hours.) {LC639/1}  
01/23/2019 Introduced, referred to House Finance

**House Bill No. 5160****BY** Slater, Diaz, Hull, Blazejewski, Walsh

**ENTITLED**, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS § 16-7-44 APPROVING THE ISSUANCE OF \$160,000,000 GENERAL OBLIGATION BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS OF THE CITY OF PROVIDENCE TO FUND THE SCHOOL CAPITAL IMPROVEMENTS PLAN FOR THE FISCAL YEARS 2019-2024 (This act serves as the enabling act required by Rhode Island General Laws § 16-7-44 in order for the interest on bonds issued in support of school housing projects to be eligible for state housing aid reimbursement.) {LC745/1}

01/23/2019 Introduced, referred to House Finance

**House Bill No. 5161****BY** Craven, O'Brien, Marshall, Ucci, Costantino

**ENTITLED**, AN ACT RELATING TO TAXATION - MOTION PICTURE PRODUCTION TAX CREDITS (Removes the seven million (\$7,000,000) dollar limit allowing the motion picture production company tax credit to be carried forward. Increases the total credits that may be issued up to twenty five million (\$25,000,000.)) {LC150/1}

01/23/2019 Introduced, referred to House Finance

**House Bill No. 5162****BY** McNamara, Ackerman, Solomon, Bennett, Cassar

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - MENTAL HEALTH SERVICES FOR ALL STUDENTS (Directs that services provided by school social workers and certified school psychologists would be included as health care related services eligible for federal Medicaid reimbursement.) {LC759/1}

01/23/2019 Introduced, referred to House H.E.W.

**House Bill No. 5163****BY** Phillips, Solomon, Shekarchi, Ucci, Hawkins

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - RHODE ISLAND UNIFORM COMMERCIAL DRIVER'S LICENSE ACT (Permits applicants for commercial driver's licenses to carry over parts of the required examinations that they passed for a period of two years and require them to retake those portions not passed.) {LC236/1}

01/23/2019 Introduced, referred to House H.E.W.

**House Bill No. 5164****BY** Marshall, Costantino, Ucci, Almeida, Shekarchi

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- ESTABLISHING THE "FIREARM SAFETY TRIGGER LOCK DISTRIBUTION PROGRAM" (Creates a firearm safety lock distribution program administered by the department of health.) {LC756/1}

01/23/2019 Introduced, referred to House H.E.W.

**House Bill No. 5165****BY** Morin, Casey, Phillips, Vella-Wilkinson, Casimiro

**ENTITLED**, AN ACT RELATING TO EDUCATION - OFFENSES PERTAINING TO SCHOOLS (Provides an exception to required school immunizations for pupils whose personal, philosophical, or religious beliefs are contrary to immunization and/or testing.) {LC602/1}

01/23/2019 Introduced, referred to House H.E.W.

**(For Co-sponsorship removal request, see Journal of 5-9-2019, page 2.)**

**House Bill No. 5166****BY** Amore, O'Brien, Edwards, Blazejewski, McNamara**ENTITLED**, AN ACT RELATING TO EDUCATION-ACCESS TO ADVANCED PLACEMENT COURSES FOR ALL STUDENTS ACT (Establishes a process for the Community College of Rhode Island, Rhode Island College and the University of Rhode Island to accept for college credit an advanced placement subject test score of three ("qualified") or better.) {LC634/1}

01/23/2019 Introduced, referred to House H.E.W.

**House Bill No. 5167****BY** Bennett, Ucci, Hawkins, Millea, Tanzi**ENTITLED**, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS - MENTAL HEALTH LAW (Includes licensed advanced practice registered nurses (APRN), certified in psychiatric/mental health, as qualified to certify the need for mental health treatment in certain patients.) {LC647/1}

01/23/2019 Introduced, referred to House H.E.W.

**House Bill No. 5168****BY** Edwards, Diaz, Alzate, Mendez, Tobon**ENTITLED**, AN ACT RELATING TO EDUCATION -- AMERICANIZATION OF SCHOOLS (Repeals requirement that persons between 16 and 21 who cannot speak, read or write English to attend classes until they learn (minimum 200 hours). Also repeals fines and institutional commitment for failure to take such classes.) {LC281/1}

01/23/2019 Introduced, referred to House H.E.W.

**House Bill No. 5169****BY** Fogarty, Jackson, Carson, Amore, Ruggiero**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS (Requires electric transmission and electric distribution companies to conduct periodic equipment inspections.) {LC578/1}

01/23/2019 Introduced, referred to House Corporations

**House Bill No. 5170****BY** Corvese, Ucci, Azzinaro, Phillips, Canario**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - MERIT SYSTEM (Allows a provisional employee in classified service, who has satisfactorily served in their position for more than five (5) consecutive years, to be deemed qualified to be awarded permanent status in that position, without the need of examination.) {LC253/1}

01/23/2019 Introduced, referred to House Labor

**House Bill No. 5171****BY** McEntee, Craven, Casimiro, Blazejewski, O'Brien**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY -- CAUSES OF ACTION (Statute of limitation for childhood sex abuse claims extended to 35 years.) {LC55/1}

01/23/2019 Introduced, referred to House Judiciary

**House Bill No. 5172****BY** Marshall, Shekarchi, Almeida**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES-WEAPONS (Raises the legal age to purchase or sell a rifle or shotgun from 18 years of age to 21 years of age and restricts permits to minors for sporting or training to age 21.) {LC322/1}

01/23/2019 Introduced, referred to House Judiciary

**House Bill No. 5173****BY** Lombardi, Craven, Millea, McKiernan, McEntee**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- BAIL AND RECOGNIZANCE (Permits defendants to file motions to dismiss in district court based on lack of probable cause.)

{LC799/1}

01/23/2019 Introduced, referred to House Judiciary

**House Bill No. 5174****BY** Slater, Diaz, Hull, Blazejewski, Walsh**ENTITLED**, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS § 16-7-44 APPROVING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 LEASE REVENUE BONDS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE PROVIDENCE PUBLIC BUILDINGS AUTHORITY TO FINANCE THE ACQUISITION, DESIGN, CONSTRUCTION, REPAIR, REHABILITATION, REPLACEMENT AND IMPROVEMENT OF HEALTH AND SAFETY PROJECTS AT THE CITY'S SCHOOLS AND SCHOOL FACILITIES, INCLUDING BUT NOT LIMITED TO BUILDING ENVELOPE REPAIR, MECHANICAL, ELECTRICAL AND PLUMBING IMPROVEMENTS, FIRE CODE COMPLIANCE AND PEST CONTROL, INCLUDING DESIGN AND FEASIBILITY, ENGINEERING OR OTHER STUDIES (Serves as the enabling act for the Providence Public Buildings Authority school housing projects to be eligible for state housing aid reimbursement.) {LC746/1}

01/23/2019 Introduced, referred to House Municipal Government

**House Bill No. 5175****BY** Edwards, Canario, Almeida, Bennett**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS (Amends the definition of public works so that it would include any public works projects performed for any city or town or quasi-municipal entity and the state and any quasi-state entity.) {LC284/1}

01/23/2019 Introduced, referred to House Municipal Government

**House Bill No. 5176****BY** Amore, Tobon, Blazejewski, Alzate, Casimiro**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES' -- "THE FEDERAL FURLOUGHED EMPLOYEES PROTECTION ACT" (Provides protections to residents of this state furloughed by the federal government relating to civil proceedings, credit card transactions, payments relating to mortgages, leases and installment contracts.) {LC880/1}

01/23/2019 Introduced, referred to House Special Legislation

**GUESTS**

Representative Carson welcomes to the House as a guest Tom Ardito, who works for Restore America's Estuaries and is Director of the Watershed Grants for Southeast New England Program.

Representative Ruggiero welcomes to the House as a guest her Aunt Eleanor Cahill.

**ANNOUNCEMENTS**

Representatives Craven, Ruggiero and Speaker Mattiello wish Happy Birthday to House Parliamentarian Michael Egan.

Representative Diaz wishes a Happy Healthy Birthday to her mother, Mercedes Peguero who is 86 years old today. Speaker Mattiello also wishes her a Happy Birthday.

**NEW BUSINESS****House Resolution No. 5177**

**BY** Hull, Corvese, O'Brien, Ruggiero, Lombardi

**ENTITLED**, HOUSE RESOLUTION CONGRATULATING MARIA C. MANSELLA FOR BEING HONORED BY THE NATIONAL ORGANIZATION OF ITALIAN AMERICAN WOMEN {LC895/1}

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 Corvese, O'Brien, Ruggiero, Lima, Leaders Shekarchi, Filippi, and Representative Lombardi by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

**ANNOUNCEMENTS**

Chairman McNamara announces that the Committee on Health, Education, and Welfare will meet today after the ethics training session, in Room 101 of the State House.

Leader Shekarchi reminds members of the Ethics Commission annual training at the Rise in the House Lounge with Jason Grammitt, Staff Attorney for the Ethics Commission.

Leader Shekarchi under the House Rules 2019-2020 explains new Rule 7G.

Leader Shekarchi announces that the Committees on Health, Education, and Welfare and Judiciary will meet today immediately after the Ethics Commission training.

Representative Vella-Wilkinson is proud to announce that on January 26, her nephew Christopher Archer will take Ms. Kristin Duke's hand in marriage. Chris' daughter Raina will happily receive a "Bonus Mom" at that same time.

#### **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 4:31 o'clock P.M. on motion of Representatives Lima and Fellela, and as a further mark of respect to the memory of Agnes "Aggie" Boffa; seconded by Leaders Shekarchi and Filippi the House adjourns, on a unanimous rising vote.

*Linda M. McElroy*  
*Recording Clerk*

APPENDIX

INVOCATION

**REPRESENTATIVE CAMILLE VELLA-WILKINSON**

Dear Lord: Accept our thanks for this day and all of its blessings. We ask a special blessing, and special thanks, to all those who have dedicated their lives to helping others. Amen