

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. 11

Thursday, January 24, 2019

Eleventh Day

The House of Representatives meets at the State House in Providence, Thursday, January 24, 2019 and is called to order at 4:15 o'clock P.M., by the Honorable Nicholas A. Mattiello, Speaker.

The roll is called and a quorum is declared present with 67 members present and 8 members absent as follows:

PRESENT – 67 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, Craven, Diaz, Donovan, Fellela, Filippi, Fogarty, Handy, Hawkins, Hull, Jackson, Jacquard, Johnston, Kennedy, Kislak, Knight, Lombardi, Lyle, Maldonado, Marshall, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Millea, Morin, Nardone, Newberry, Noret, Phillips, Place, Price, Ranglin-Vassell, Roberts, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Tanzi, Tobon, Vella-Wilkinson, Walsh.

ABSENT – 8: Representatives Costantino, Edwards, Kazarian, Lima, O'Brien, Quattrocchi, Ucci, Williams.

INVOCATION

The Honorable Speaker presents Representative Casimiro 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, January 23, 2019, is approved.

ANNOUNCEMENTS

Representative Katherine Kazarian is unable to attend session today, Thursday, January 24, 2019.

Representative Charlene Lima is unable to attend session today, Thursday, January 24, 2019.

Representative John G. Edwards is unable to attend session today, Thursday, January 24, 2019. He is attending a NCSL Opioid Conference.

Representative Stephen Ucci is unable to attend session today, Thursday, January 24, 2019.

REPORT OF COMMITTEE**TRANSFER OF BILL**

Representative Solomon, for the Committee on Municipal Government, reports back the following measure, with recommendation of transfer to the Committee on Finance:

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}

01/24/2019 Committee transferred to House Finance

NEW BUSINESS**House Bill No. 5178**

BY Shekarchi, Noret, Ackerman, McNamara, Jackson

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ESTABLISHING A PROGRAM WITHIN THE DEPARTMENT OF HEALTH TO ADDRESS ALZHEIMER'S DISEASE (Establishes the Rhode Island Program to address Alzheimer's disease.) {LC452/1}

01/24/2019 Introduced, referred to House H.E.W.

House Bill No. 5179**BY** Diaz, Corvese, Bennett, Fogarty, Ackerman**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PHARMACIES

(Increases the state board of pharmacy from nine (9) to eleven (11) members by adding two (2) pharmacy technicians.) {LC625/1}

01/24/2019 Introduced, referred to House H.E.W.

House Bill No. 5180**BY** Phillips, Amore, Serodio, Azzinaro**ENTITLED**, AN ACT RELATING TO EDUCATION -- INDEPENDENT CHARTER SCHOOLS

[SEE TITLE 16 CHAPTER 97 - THE RHODE ISLAND BOARD OF EDUCATION ACT] (Includes "admissions criteria for career preparation programs" as an enrollment procedure required to be included in proposals for the creation or expansion of charter schools.) {LC248/1}

01/24/2019 Introduced, referred to House H.E.W.

House Bill No. 5181**BY** McEntee, Amore, Donovan, Craven, Fogarty**ENTITLED**, AN ACT RELATING TO EDUCATION - ESTABLISHMENT OF CHARTER PUBLIC

SCHOOLS (Authorizes school committees of a host district to appoint one designee to the board of directors of the governing body of any charter public school.) {LC136/1}

01/24/2019 Introduced, referred to House H.E.W.

House Bill No. 5182**BY** Phillips, Ucci, Hawkins, Amore, Serodio**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES --

SPECIAL EVENTS LICENSE (Permits cities and towns to issue special events liquor licenses to permit the equivalent of one-day licenses one day each month.) {LC245/1}

01/24/2019 Introduced, referred to House Corporations

House Bill No. 5183**BY** Fogarty, Amore, Donovan, Ranglin-Vassell, Carson**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT

OF TRANSPORTATION (Requires the DOT to establish a schedule of all maintenance, including landscaping and mowing of lawns on state roads, and provide a copy of said schedule to the department of public works in any city or town where the state road is located.) {LC579/1}

01/24/2019 Introduced, referred to House Corporations

House Bill No. 5184**BY** Caldwell, Craven, McNamara, Bennett, Chippendale**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

(Requires pharmacies display warning notice regarding use of opioids/schedule II controlled substances compiled by DOH relating to overuse/misuse/mixing with other drugs/alcohol effective 9/1/19.) {LC635/1}

01/24/2019 Introduced, referred to House Corporations

House Bill No. 5185**BY** Millea, McKiernan, Ucci, Solomon, Vella-Wilkinson**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- PRELIMINARY PROCEEDINGS IN DISTRICT COURTS (Limits the period of a filing of a criminal complaint to the maximum term of the penalty prescribed by the offense.) {LC884/1}

01/24/2019 Introduced, referred to House Judiciary

House Resolution No. 5186**BY** Tanzi, Shanley, McEntee, Craven, Vella-Wilkinson**ENTITLED**, HOUSE RESOLUTION REINSTATING AND EXTENDING THE COMMISSION LIFE AND AMENDING THE PURPOSE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY UNLAWFUL SEXUAL HARASSMENT IN THE WORKPLACE (Reinstates the membership, extends the reporting and expiration dates, and amends the purpose of the commission to study unlawful sexual harassment in the workplace from May 29, 2018, to May 30, 2019, and expires on July 30, 2019.) {LC933/1}

01/24/2019 Introduced, referred to House Labor

House Bill No. 5187**BY** Cassar, Alzate, Walsh, Knight, Tanzi**ENTITLED**, AN ACT RELATING TO THE TOWN OF BARRINGTON - VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER (Ratifies and validates the amendments to the Barrington Home Rule Charter which were approved by the electors of the town of Barrington at the polls on November 6, 2018.) {LC840/1}

01/24/2019 Introduced, referred to House Municipal Government

House Bill No. 5188**BY** McNamara, Vella-Wilkinson, Shekarchi, Solomon, Bennett**ENTITLED**, AN ACT RELATING TO AERONAUTICS -- AIRPORTS AND LANDING FIELDS (Increases the amount of reimbursement funds required to be paid by the Rhode Island airport corporation to the city of Warwick for municipal services.) {LC752/1}

01/24/2019 Introduced, referred to House Finance

House Bill No. 5189**BY** Morin, Ucci, Vella-Wilkinson, Marszalkowski, O'Brien**ENTITLED**, AN ACT RELATING TO TAXATION -- WITHHOLDING OF TAX (Provides that the non-resident withholding requirement for a corporation that sells real estate be consistent with the seven percent (7%) corporate income tax rate.) {LC765/1}

01/24/2019 Introduced, referred to House Finance

House Bill No. 5190**BY** Bennett, Corvese, Lima, Canario, Walsh**ENTITLED**, AN ACT RELATING TO INSURANCE -- HEALTH CARE ACCESSIBILITY AND QUALITY ASSURANCE ACT (Redefines the term "covered services" as used to describe applicable subscriber agreements between a health care entity and a dentist, to exclude waiting period provisions.) {LC648/1}

01/24/2019 Introduced, referred to House Finance

House Bill No. 5191**BY** Tobon, Abney, Amore, Vella-Wilkinson, Azzinaro**ENTITLED**, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES (Enables city/town council to grant tax relief from payment of real estate/property tax during periods of federal/state government cessation of operations to state/federal employees.) {LC994/1}
01/24/2019 Introduced, referred to House Finance**House Bill No. 5192****BY** Diaz, Alzate, Maldonado, Fogarty, Tobon**ENTITLED**, AN ACT RELATING TO EDUCATION - THE WORLD LANGUAGE AND DUAL LANGUAGE IMMERSION ACT (Establishes and requires funding for a world language and dual language immersion program.) {LC216/1}
01/24/2019 Introduced, referred to House Finance**House Bill No. 5193****BY** Marshall, O'Brien, Millea, Almeida, Vella-Wilkinson**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY COMPUTATION (Exempts from tax burial containers, liners and vaults and items sold by funeral directors to conduct funeral services.) {LC383/1}
01/24/2019 Introduced, referred to House Finance**House Bill No. 5194****BY** Marshall, O'Brien, Morin, Vella-Wilkinson, Millea**ENTITLED**, AN ACT RELATING TO TAXATION -- HISTORIC PRESERVATION TAX CREDITS 2013 (Repeals the sunset provision of chapter 33.6 of title 44 which grants tax credits to individuals or companies redeveloping historic structures.) {LC327/1}
01/24/2019 Introduced, referred to House Finance**GUESTS**

Representative Canario welcomes to the House as guests from the Portsmouth Police Department Colonel Thomas F. Lee, Police Chief; Major Maryanne Perry, Deputy Chief; Officers: Bruce Celico, Matthew Wilson, and Jean Marie Stewart. Representative Canario commends the officers for rescuing a juvenile who was attempting to jump from the Mt. Hope Bridge. Speaker Mattiello welcomes and thanks them for all they do.

ANNOUNCEMENTS

Chairman Solomon announces that the Committee on Municipal Government will meet today, at the rise of the House, in Room 205 of the State House.

Chairman Bennett announces that the Committee on Environment, and Natural Resources will meet today, at the rise of the House, in Room 101 of the State House.

Representative Ruggiero introduces her intern, Emily Miller a senior at Rhode Island College.

PERSONAL PRIVILEGE

Representative Tanzi rises on a point of personal privilege in regards to Public's Radio. Speaker Mattiello indicated it was not a point of personal privilege. Speaker then stated a consistent policy will be used when noting absences in the future.

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.

REPORT OF COMMITTEE**COMMITTEE ON JUDICIARY**

Representative Craven, for the Committee on Judiciary, reports back the following measures, with recommendation of passage:

House Bill No. 5013

BY Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Andrew Gavin to join Alison Gavin and Joey Ho in marriage on or about May 4, 2019, within the City of Newport, Rhode Island.) {LC176/1}

01/25/2019 Placed on the House Calendar

House Bill No. 5014

BY Edwards

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Kevin Daniel McKeegan to join Amanda Curry and Adam Polansky in marriage on or about June 15, 2019, within the Town of Portsmouth, Rhode Island.) {LC177/1}

01/25/2019 Placed on the House Calendar

House Bill No. 5089

BY McEntee, Craven

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Edward Duclos to join Christine Mae Gannon and Frederick Joseph Prescott, Jr., in marriage on or about April 27, 2019, within the City of Newport, Rhode Island.) {LC528/1}

01/25/2019 Placed on the House Calendar

House Bill No. 5128

BY Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Alan Leslie Rosenfield, Esq., to join Marla Gail Waters and Gregory Louis Mercuri in marriage on or about May 11, 2019, within the City of Newport, Rhode Island.) {LC545/1}

01/25/2019 Placed on the House Calendar

NEW BUSINESS**House Bill No. 5195****BY** Blazejewski, Bennett, Kazarian, Casimiro, Barros**ENTITLED**, AN ACT RELATING TO PROPERTY -- CONSERVATION AND PRESERVATION RESTRICTIONS ON REAL PROPERTY (Requires conservation and preservation restrictions to be liberally interpreted in favor of the grants awarded.) {LC893/1}

01/25/2019 Introduced, referred to House Judiciary

House Bill No. 5196**BY** Blazejewski, Diaz, Ruggiero, Barros, Slater**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - COSTS (Provides that a defendant's qualification for the services of public defender constitutes prima facie evidence of indigency and limited ability to pay court costs and no costs shall be ordered unless procedures for determining ability to pay are followed.) {LC892/1}

01/25/2019 Introduced, referred to House Judiciary

House Bill No. 5197**BY** Johnston**ENTITLED**, AN ACT RELATING TO PROPERTY -- MECHANICS' LIENS (Provides for the release of unperfected mechanics' liens by the filing of an affidavit.) {LC238/1}

01/25/2019 Introduced, referred to House Judiciary

House Bill No. 5198**BY** McLaughlin, Corvese, Serodio, Vella-Wilkinson, Hull**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND RIGHT TO LIFE ACT OF 2019 (Provides the right to life is guaranteed by the state of Rhode Island and is vested in each person at fertilization.) {LC888/1}

01/25/2019 Introduced, referred to House Judiciary

House Resolution No. 5199**BY** McLaughlin, Corvese, Hull, Fellela**ENTITLED**, HOUSE RESOLUTION RECOGNIZING THE FETUS AS A HUMAN LIFE UPON THE EXISTENCE OF A HEARTBEAT {LC1021/1}

01/25/2019 Introduced, referred to House Judiciary

House Bill No. 5200**BY** Lyle**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS - DIVORCE AND SEPARATION -- CHILD SUPPORT (Extends child support for children attending college and living with custodial parent; restricts the court's power to modify existing orders of child support regarding arrearages owed to custodial parent even if the parties agree to waive.) {LC609/1}

01/25/2019 Introduced, referred to House Judiciary

House Resolution No. 5201**BY** Phillips, Solomon, Hawkins, Serodio, Morin**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE-OF ELECTIONS AND CAMPAIGN FINANCE (Proposes a constitutional amendment authorizing four (4) year terms for members of the general assembly, elected members from even numbered districts would begin to be elected to four (4) year terms.) {LC246/1}

01/25/2019 Introduced, referred to House Judiciary

House Bill No. 5202**BY** Casimiro, McNamara, Williams, Vella-Wilkinson, Amore**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - BEDDING AND UPHOLSTERED FURNITURE (Directs the department of health to promulgate rules and regulations to provide for clinical oversight of the use of therapeutic beds and cribs which are prescribed by a physician for use by a minor.) {LC728/1}

01/25/2019 Introduced, referred to House H.E.W.

House Bill No. 5203

(by request)

BY Johnston**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH -- ADULT DAY CARE PROGRAM LICENSURE (Prevents promulgating any regulation discriminating against/giving preference to the number/percentage of participants receiving adult day care services based upon their age/age group.) {LC85/1}

01/25/2019 Introduced, referred to House H.E.W.

House Bill No. 5204**BY** Bennett, Fogarty, Diaz, Edwards, Solomon**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND BEST RX PRESCRIPTION DRUG DISCOUNT PROGRAM FOR THE UNINSURED (Requires that enrollees in the Rhode Island best RX Prescription drug discount program for the uninsured are not charged a copay for their prescriptions.) {LC645/1}

01/25/2019 Introduced, referred to House Finance

House Bill No. 5205**BY** Lyle, Place, Nardone, Filippi, Chippendale**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ESTABLISHING AN OFFICE OF INSPECTOR GENERAL (Establishes the office of inspector general as an independent administrative agency charged with the responsibility to investigate, detect, and prevent fraud, waste, abuse, and mismanagement in the expenditure of public funds.) {LC336/1}

01/25/2019 Introduced, referred to House Finance

House Resolution No. 5206**BY** Lyle, Place, Nardone, Filippi, Chippendale**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE-

LINE ITEM VETO (This proposed amendment to the Constitution would provide the governor with a line-item veto on the budget and other bills involving the appropriation of money.) {LC335/1}
01/25/2019 Introduced, referred to House Finance

House Bill No. 5207

BY Kennedy, Abney, Azzinaro, Johnston, Casey

ENTITLED, AN ACT RELATING TO INSURANCE -- TRAVEL INSURANCE ACT (Creating the travel insurance act to establish comprehensive/uniform regulatory framework for travel insurance. Clarifying/bolstering enforcement authority over participants in the travel insurance industry.) {LC738/1}

01/25/2019 Introduced, referred to House Corporations

House Bill No. 5208

BY Phillips, Amore, Serodio, Morin, Casey

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY (Encourages commercial property owners to install vehicle barriers at their retail establishment locations, and also permits insurers to consider the installation of such barriers to provide a discount on the owner's insurance policy.) {LC242/1}

01/25/2019 Introduced, referred to House Corporations

House Bill No. 5209

BY Chippendale

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.) {LC1015/1}

01/25/2019 Introduced, referred to House Municipal Government

ADJOURNMENT

At 4:33 o'clock P.M. on motion of Representative McNamara, and as a further mark of respect to the memory of Richard A. Perreault; seconded by Leaders Shekarchi and Filippi the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JULIE A. CASIMIRO

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

CALENDAR

IN ORDER FOR TUESDAY, JANUARY 29, 2019:

1. **2019-H 5013**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

2. **2019-H 5014**
 BY Edwards
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

3. **2019-H 5089**
 BY McEntee
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

4. **2019-H 5128**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

Francis McCabe
Clerk of the House

Friday, January 25, 2019