

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. 25

Tuesday, March 12, 2019

Twenty-fifth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 12, 2019 and is called to order at 4:27 o'clock P.M., by the Honorable Nicholas A. Mattiello, 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, 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, Lombardi, Lyle, Maldonado, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Millea, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Price, Quattrocchi, Roberts, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

ABSENT – 3: Representatives Lima, Marshall, Ranglin-Vassell.

INVOCATION

The Honorable Speaker presents Representative Donovan 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 Thursday, March 7, 2019, is approved.

RHODE ISLAND GENERAL ASSEMBLY



House of Representatives

CO-SPONSORSHIP REMOVAL REQUEST 2019

Pursuant to House Rule 15(g)(ii), Representative WILLIAM BULL

hereby requests the removal of their co-sponsorship of Bill # 5813

entitled: AN ACT RELATIVE TO AGRICULTURE AND FORESTRY
AND RELATED MATTERS
which is currently in the House Committee on EDUCATION
AND VOCATIONAL REFORMATION

Signature: [Handwritten Signature]

House District # 40

Date: 3/12/19, 2019

Acknowledgement:

[Handwritten Signature]

Chief Legal Counsel to the Speaker

NOTE: This request must be submitted to the Clerk of the House, who will retain the original and a copy to be placed in the committee's original bill file

ANNOUNCEMENT

Representative Charlene Lima is unable to attend session today, Tuesday, March 12th, 2019.

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, MARCH 12, 2019:

- 1. 2019-H 5241 SUB A**
BY Mattiello
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- VIDEO-LOTTERY GAMES, TABLE GAMES AND SPORTS WAGERING

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

Chairman Abney moves passage of the act, seconded by Leader Shekarchi, Representatives Amore, Phillips, Hawkins, Craven, McEntee, Ucci, Morin, Millea, Jackson, Almeida, Corvese, Casey, Johnston, Blazejewski, Casimiro, Barros, Tobon, Maldonado, Diaz, Slater, Bennett, Costantino, and Azzinaro.

Representatives Carson, Abney, and Tanzi discuss the act.

By unanimous consent, Representative Filippi seconded by Representatives Newberry, Roberts, Nardone, Chipendale, Quattrocchi, Place, and Lyle offers a written motion to amend.

FLOOR AMENDMENT
TO
2019 -- H 5241 SUBSTITUTE A

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- VIDEO-LOTTERY GAMES,
TABLE GAMES AND SPORTS WAGERING

Mr. Speaker:

I hereby move to amend 2019 -- H 5241 SUBSTITUTE A, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- VIDEO-LOTTERY GAMES, TABLE GAMES AND SPORTS WAGERING", as follows:

1. On page 11, between lines 4 and 5, by inserting the following language:

"SECTION 3. In accordance with Section 3 of Article X of the Constitution of the State of Rhode Island and Providence Plantations, this House of Representatives of the State of Rhode Island hereby respectfully requests the Justices of the Rhode Island Supreme Court to give a written advisory opinion upon the following question of law:

"Is the act, 2019 -- H 5241 Substitute A, as Amended, entitled "An Act Relating to State Affairs and Government—Video-Lottery Games, Table Games and Sports Wagering," which creates online sports wagering, violative of Section 15 and Section 22 of Article VI of the Constitution of the State of Rhode Island and Providence Plantations as an establishment and extension of gambling activities?""

2. On page 11, by deleting the all of the language on line 5, and by inserting in place thereof the following language:

"SECTION 4. This act shall take effect upon the Rhode Island Supreme Court issuing and publishing an advisory opinion to the effect that online sports wagering as provided for in this act is not violative of Section 15 and Section 22 of Article VI of the Constitution of the State of Rhode Island and Providence Plantations as an establishment and extension of gambling activities."

Respectfully submitted,

Representative Filippi

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LC001189/6
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Representative Lyle, Leader Shekarchi, Representative Newberry, Leader Filippi, and Representative Place discuss the amendment.

The motion to amend fails on a roll call vote 10 members voting in the affirmative and 62 members voting in the negative as follows:

YEAS - 10: Representatives Chippendale, Filippi, Lyle, Nardone, Newberry, Place, Price, Quattrocchi, Roberts, Walsh.

NAYS - 62: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Canario, Carson, Casey, Casimiro, Cassar, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Fogarty, Handy, Hawkins, Hull, Jackson, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lombardi, Maldonado, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Millea, Morin, Noret, O'Brien, Phillips, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Vella-Wilkinson, Williams.

RECUSED - 0:

Representatives Walsh, Abney, Costantino, Ruggiero, Chippendale, Tanzi, McLaughlin, Solomon, Williams, Handy, Tobon, and Carson discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 64 members voting in the affirmative and 8 members voting in the negative as follows.

YEAS - 64: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Canario, Casey, Casimiro, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Fogarty, Handy, Hawkins, Hull, Jackson, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lombardi, Lyle, Maldonado, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Millea, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

NAYS - 8: Representatives Carson, Cassar, Chippendale, Filippi, Price, Quattrocchi, Roberts, Tanzi.

RECUSED - 0:

2. 2019-S 37 SUB A**BY** Ruggerio**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- VIDEO-LOTTERY GAMES, TABLE GAMES AND SPORTS WAGERING

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

Chairman Abney moves passage of the act, seconded by Leader Shekarchi, Representatives Philips, Hawkins, Marszalkowski, Craven, Millea, Morin, Ucci, O'Brien, McEntee, Ruggerio, Costantino, Azzinaro, Hull, Lombardi, Jackson, McNamara, Corvese, Slater, Bennett, Edwards, Tobon, Johnston, Blazejewski, Casimiro, and Barros.

The bill marked Substitute "A" is read and passed, in concurrence and the original bill indefinitely postponed, on a roll call vote, 64 members voting in the affirmative and 8 members voting in the negative as follows.

YEAS - 64: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Canario, Casey, Casimiro, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Fogarty, Handy, Hawkins, Hull, Jackson, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lombardi, Lyle, Maldonado, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Millea, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

NAYS - 8: Representatives Carson, Cassar, Chippendale, Filippi, Price, Quattrocchi, Roberts, Tanzi.

RECUSED - 0:

NEW BUSINESS**House Resolution No. 5831****BY** Mattiello, Shekarchi, Kennedy, Edwards, Canario**ENTITLED**, HOUSE RESOLUTION HONORING REPRESENTATIVE KENNETH A. MARSHALL FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND {LC2159/1 }

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

There is no objection.

Read and passed, on a motion of Representative Kennedy seconded by Speaker Mattiello, Leader Shekarchi, Representatives Edwards, Canario, Costantino, Bennett, and the entire House of Representatives by unanimous consent, on a voice vote. Speaker Mattiello discusses the resolution.

NOW PRESIDING

At 5:27 o'clock P.M. the Honorable Speaker Mattiello yields the rostrum to the Honorable Speaker Pro Tempore Kennedy.

ANNOUNCEMENT

Representative Maldonado recognizes Representative Grace Diaz on being selected by the Mental Health Association of Rhode Island as "Legislator of the Year".

GUEST

Representative Barros welcomes to the House City Councilman from Pawtucket, Terry Mercer.

RULE 7D**The following bills were received pursuant to Rule 7D:**

Representative Nardone-An Act relating to Taxation

Representative McNamara-An Act relating to Education-RI Early Childhood Innovation Act

Representative Jackson-An Act relating to Labor Relations-Payment of Wages

Representative Shekarchi-An Act relating to Financial Institutions -Transitions from Block Chain

Representative Cortvriend-An Act relating to Property & Dry Dock Facilities

Representative Donovan-An Act relating to Health & Safety-Environment.

Representative O'Brien-An Act relating to Cities & Towns

By unanimous consent, the House returns to:

ANNOUNCEMENTS

Representative Maldonado announces that the Black Latino Caucus nominated Representative Barros as Chairman of the Black Latino Caucus.

Leader Shekarchi announces Representative elect June Speakman, District 68, will be sworn in tomorrow at the beginning of session by the Attorney General (Secretary of State is out of State).

Representative Cassar shares a reflection in honor of Women's History Month on Isabelle Ahearn O'Neill.

Representative Ruggiero acknowledges and thanks all the RI Women Veterans.

Chairman Jacquard announces that the Committee on Corporations will meet today, at the rise of the House, in Room 203 of the State House.

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

Representative Millea announces that the Committee on Judiciary will meet today, at the rise of the House, in Room 101 of the State House.

By unanimous consent, the House returns to:

NEW BUSINESS

House Resolution No. 5832

BY Shekarchi, Filippi

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2142/1}

Majority Leader Shekarchi request unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Majority Leader Shekarchi seconded by Minority Leader Filippi by unanimous consent, on a voice vote.

House Resolution No. 5833

BY Shekarchi, Filippi

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC2141/1}

Majority Leader Shekarchi request unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Majority Leader Shekarchi seconded by Minority Leader Filippi by unanimous consent, on a rising vote.

House Resolution No. 5834

BY Ackerman, McEntee, Marszalkowski, Fogarty, Phillips

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF RICHARD B. LYNCH {LC2116/1}

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

There is no objection.

Read and passed, on a motion of Representative Ackerman seconded by Representatives McEntee, Marszalkowski, Fogarty, and Phillips by unanimous consent, on a rising vote.

House Resolution No. 5835**BY** Newberry, Casimiro, Craven, Hull, Mattiello**ENTITLED**, HOUSE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF DONALD J. MARONEY, ESQ. {LC2153/1}

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

There is no objection.

Read and passed, on a motion of Representative Newberry seconded by Representatives Casimiro, Craven, Hull, Speaker Mattiello and Representative Fogarty by unanimous consent, on a rising vote.

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 5:42 o'clock P.M on motion of Representative Millea and as a further mark of respect to the memory of Stephen P. Smith, Sr.; on motion of Representatives Ackerman and Fogarty, and as a further mark of respect to the memory of Richard B Lynch; on motion of Representative Newberry, and as a further mark of respect to the memory of Donald Maroney; seconded by Majority Whip Edwards and Leader Filippi the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE SUSAN R. DONOVAN

Dear God: As we continue to best represent our communities, be our guide through any difficulties we may face as legislators, while trying to best represent our constituents. Amen.

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 13, 2019:

1. 2019-H 5278 SUB A

BY Abney

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAX--NON-COLLECTING RETAILERS, REFERRERS, AND RETAIL SALE FACILITATORS ACT

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

2. 2019-H 5484

BY McEntee

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- ZONING ORDINANCES

Committee on Judiciary recommends passage.

3. 2019-H 5320

BY Kennedy

ENTITLED, HOUSE RESOLUTION REAFFIRMING THE FRIENDSHIP BETWEEN RHODE ISLAND AND TAIWAN, ENHANCING BILATERAL RELATIONS, CELEBRATING THE 40TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT (TRA), AND SUPPORTING TAIWAN IN THE INTERNATIONAL COMMUNITY

Committee on Small Business recommends passage.

Francis McCabe
Clerk of the House

Friday, March 8, 2019