

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. 26

Wednesday, March 13, 2019

Twenty-sixth Day

The House of Representatives meets at the State House in Providence, Wednesday, March 13, 2019 and is called to order at 4:26 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, 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, 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, Speakman, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

ABSENT – 4: Representatives Ackerman, Lima, Lombardi, Ranglin-Vassell,

INVOCATION

The Honorable Speaker presents Representative Jackson who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

COMMUNICATION



March 13, 2019

The Honorable Nicholas A. Mattiello
Speaker of the House of Representatives

Hand-Delivered

To the Honorable House of Representatives:

I, Gonzalo Cuervo, Deputy Secretary of State, hereby certify the following list of members elected to the House of Representatives in the General Assembly, in accordance with the certificate of election filed in this office by the Board of Elections on the thirteenth day of March 2019, as provided by Section 22-3-13 of the General Laws of 1956;

Rep. June S. Speakman

In testimony whereof, I have hereunto set my hand and affixed the Seal of the State of Rhode Island on this thirteenth day of March, A.D. 2019.

A handwritten signature in black ink, appearing to read "G. Cuervo".

Gonzalo Cuervo
Deputy Secretary of State



Received and placed on file.

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 251 SUB A

BY Conley, Seveney, Murray, Pearson, DiPalma

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAX--NON-COLLECTING RETAILERS, REFERRERS, AND RETAIL SALE FACILITATORS ACT (Extends requirement to collect sales tax to remote sellers in a way that conforms to a recent U.S. Supreme Court decision making it easier for states to compel collection of the sales tax from retailers who do not have a physical presence in their state.) {LC1182/A/2}

03/13/2019 Referred to House Finance

NEW BUSINESS**House Bill No. 5836**

BY McKiernan, Almeida, Williams, Slater, Diaz

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION (Places limitations on the tax exempt real and personal property a nonprofit college or university may hold.) {LC2066/1}

03/13/2019 Introduced, referred to House Finance

House Bill No. 5837

BY McKiernan, Almeida, Williams, Slater, Diaz

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION (Provides that nonprofit hospital property used exclusively for the purpose for which the nonprofit hospital is incorporated shall be tax exempt.) {LC2073/1}

03/13/2019 Introduced, referred to House Finance

House Bill No. 5838

BY McKiernan, Almeida, Williams, Slater, Diaz

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION (Places limitations on the tax exempt real and personal property a nonprofit hospital may hold.) {LC2064/1}

03/13/2019 Introduced, referred to House Finance

House Bill No. 5839

BY McKiernan, Millea, Almeida, Williams, Blazejewski

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- EXPUNGEMENT OF CRIMINAL RECORDS (Allows courts discretion to grant an expungement.) {LC2061/1}

03/13/2019 Introduced, referred to House Judiciary

House Bill No. 5840

(Board of Elections)

BY Caldwell, Craven, Noret, Hawkins, Millea

ENTITLED, AN ACT RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN

CONTRIBUTIONS AND EXPENDITURES REPORTING (Amends provisions of the election laws relative to self-funding campaign contributions, the paperwork to be filed upon dissolution of a campaign account and liabilities imposed upon political action committee treasurers for late filings.) {LC2151/1}

03/13/2019 Introduced, referred to House Judiciary

House Bill No. 5841

BY Tobon, Barros, Shanley, Craven, Diaz

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF

UTILITIES AND CARRIERS (Requires public utilities and electric distribution companies to provide prompt and adequate service to its ratepayers relating to new service and service upgrades, subject to a penalty of up to ten thousand dollars (\$10,000) per violation.) {LC1936/1}

03/13/2019 Introduced, referred to House Corporations

House Bill No. 5842

BY Bennett, Solomon, Shekarchi, Shanley, Vella-Wilkinson

ENTITLED, AN ACT RELATING TO GODDARD STATE PARK (Requires the department of environmental management to install certain moorings at Goddard State Park.) {LC2135/1}

03/13/2019 Introduced, referred to House Special Legislation

House Bill No. 5843

BY Blazejewski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Charles Krohn Fipshaw to join Rory Bagwell Clark and Stephen Mitchell Miller in marriage on or about June 8, 2019, within the Town of New Shoreham, Rhode Island.) {LC2126/1}

03/13/2019 Introduced, referred to House Special Legislation

House Bill No. 5844

BY Azzinaro, Kennedy

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY (Eliminates the need for city and town councils to appoint certain positions that are no longer necessary because of their antiquated duties.) {LC2076/1}

03/13/2019 Introduced, referred to House Municipal Government

OATH OF OFFICE

Speaker Mattiello announces that Secretary of State Nellie M. Gorbea is out of State and under Article 3, Section 5 Attorney General Peter Neronha will be administering the oath of office.

At 4:29 o'clock P.M. the Honorable Speaker yields the rostrum to Attorney General Peter Neronha.

Attorney General Peter Neronha administers the Oath of Office to Representative-elect June S. Speakman. Attorney General Neronha congratulates Representative Speakman.

At 4:30 o'clock P.M. the Honorable Speaker returns to the rostrum. Speaker Mattiello thanks Attorney General Neronha and congratulates Representative Speakman.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Tuesday, March 12, 2019, is approved.

ANNOUNCEMENT

Representative Marcia Ranglin-Vassell is unable to attend session today, Wednesday, March 13, 2019.

CALENDAR

From the Calendar are taken:

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.

Chairman Abney moves passage of the act, seconded by Representatives Carson, Amore, Noret, Leader Shekarchi, Representatives Serodio, Marszalkowski, Phillips, Morin, Vella-Wilkinson, Costantino, Cassar, Cortvriend, Fogarty, McLaughlin, Jackson, McNamara, Ajello, Kislak, Diaz, Slater, Bennett, Casey, Maldonado, Casimiro, Shanley, and Ruggerio.

Representative Nardone, Abney, Kennedy, and Chippendale discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 63 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 63: The Honorable Speaker Mattiello and Representatives Abney, Ajello, Almeida, Alzate, Amore, Azzinaro, Bennett, Blazejewski, Caldwell, Canario, Carson, Casey, Casimiro, Cassar, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Handy, Hawkins, Hull, Jackson, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lyle, Maldonado, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Mendez, Messier, Millea, Morin, Newberry, Noret, Phillips, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

NAYS - 6: Representatives Chippendale, Nardone, Place, Price, Quattrocchi, Roberts.

RECUSED - 0:

2. 2019-H 5484
BY McEntee
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- ZONING ORDINANCES

Committee on Judiciary recommends passage.

Chairman Craven moves passage of the act, seconded by Representatives Ruggiero, Almeida, Carson, Noret, Fogarty, Cortvriend, Cassar, Caldwell, Tanzi, Leader Filippi, and Representative Donovan.

Leaders Shekarchi, Filippi, Representatives McEntee, McLaughlin, and Carson discuss the act.

Read and passed, 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, 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, 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, Speakman, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

NAYS - 0:

RECUSED - 0:

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.

Chairman Amore moves passage of the resolution, seconded by Leader Shekarchi, Representatives Abney, Serodio, Phillips, Hawkins, Craven, Ruggiero, McEntee, Millea, Jacquard, Cortvriend, Canario, Cassar, Costantino, Azzinaro, Kennedy, Hull, McLaughlin, Jackson, McNamara, Corvese, Kislak, Diaz, Slater, Bennett, Edwards, Casey, Solomon, Johnston, Blazejewski, Maldonado, Alzate, Tobon, Barros, Quattrocchi, Place, Leader Filippi, Representatives Lyle, Roberts, Nardone, Chippendale, Messier, and O'Brien.

Read and passed, 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, 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, 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, Speakman, Tanzi, Tobon, Ucci, Vella-Wilkinson, Walsh, Williams.

NAYS - 0:

RECUSED - 0:

GUESTS

Representative Speakman thanks Speaker Mattiello and staff and welcomes to the House Keri Cronin, Warren Town Council Member; Brandt Heckert; Warren Town Council Member; Aaron Ley; Bristol Town Council; Kate Weymouth, Barrington Town Council Member; Roger Williams University President, Andrew Workman; Erich Haslehurst, Jill Sypole, Kevin Olaysanoye, Judith Camara-Harvey, Scott Weymouth, Kate Mele, Renee Soto, Tom Howard, Susan Rotblat-Walker, Sharon and Warren Wohlschlager, Caroline Morgan, Diane Barenga, Rees Harold, Tony and Susan Morettini, Steven Thompson, Clara Read, Jason Speakman, Adam Speakman, and Chelsea Kelley. Speaker Mattiello welcomes all to the House.

Representative Amore congratulates the State Champions of the RI ProStart High School Culinary and Food Service Management Competition. William M. Davies, Jr. Career & Technical High School-Victoria Carron, Alexia Guzman, Britney Fernandez, Ashley Fernandez, and Chef Santos Nieves; Hotel Management Team Chariho Area Career and Technical Center-Jenna-Rose Nadolny, Alyssa Scuncio, Madison Beriam, Nicole Carnevale, and Donald Fair; East Providence Career & Technical Center-Nayelie Viera, Luana Rodrigues, Kylke Duggan, Shelby Wilkerson, Kyle Xavier, Marie-Claire McKillip, and welcomes them to the House. Speaker Mattiello congratulates and welcomes them to the House. Representative Filippi and Speaker Mattiello welcome Dale Venturin to the Chamber.

Representative McEntee welcomes to the Chamber the RI Rivers Council-Veronica, Berounsky, Chair and Vice President of Narrow River Preservation Association; Elise Torello, Council member and webmaster; Paul Gonsalves, Secretary and Department of Administration Representative ;Jenny Paquet Department of Environmental Management Representative; Richard Grant, President Narrow River Preservations Association; and Kassi Archambault, Wood-Pawcatuck Watershed.

Representative Kazarian welcomes to the House Chamber from the Brain Injury Association of RI: Jim Babbitt, Alyzza DeGiovanni, Kelly DeGiovanni, Julia DeGiovanni, Mille DeGiovanni, Bob O'Neil, Dennis Sousa, and Richard Muto.

NEW BUSINESS**House Resolution No. 5845**

BY Kazarian, Casimiro, Alzate, Filippi, Shekarchi

ENTITLED, HOUSE RESOLUTION PROCLAIMING THE WEEK OF MARCH 11TH THROUGH MARCH 17TH TO BE "BRAIN INJURY AWARENESS WEEK" IN THE STATE OF RHODE ISLAND {LC967/1}

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

There is no objection.

Read and passed, on a motion of Representative Kazarian seconded by Representatives Casimiro, Alzate, Leaders Filippi, Shekarchi, Representatives Caldwell, McEntee, Fogarty, Blazejewski, Bennett, and Serpa by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

GUESTS

Representative Solomon welcomes to the House Chamber as guests Laura Hoch (MS Society), Dr. Jonathan Cahill, and Jeanine Palumbo. Here today for the MS Awareness Week. Representative Diaz also welcomes her doctor, Dr. Jonathan Cahill.

RULE 7D

The following bill was received pursuant to Rule 7D

Representative Casimiro-An Act relating to Human Services

By unanimous consent, the House returns to:

NEW BUSINESS**House Resolution No. 5846**

BY Solomon, Bennett, Johnston, Casey, Vella-Wilkinson

ENTITLED, HOUSE RESOLUTION PROCLAIMING MARCH 10-16, 2019, TO BE "MS AWARENESS WEEK" IN THE STATE OF RHODE ISLAND {LC1598/1}

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

There is no objection.

Read and passed, on a motion of Representative Solomon seconded by Representatives Bennett, Johnston, Vella-Wilkinson, Canario, Jackson, O'Brien, Leaders Shekarchi, Filippi, Representatives Blazejewski, and Ruggerio by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

RULE 7D

The following bills were received pursuant to Rule 7D

Representative McNamara-An Act relating to the RI Promise Scholarship.

Representative Slater-An Act relating to Licensing

An Act relating to Housing Resources.

Representative Bennett-An Act relating to Economy and Climate Resilience

ANNOUNCEMENTS

Representative Cassar shares a reflection in honor of Women's History Month on Ann Franklin, this country's first woman newspaper editor.

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

Vice Chairman Canario 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.

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

Vice Chairwoman McEntee announces that the Committee on Judiciary will meet today, at the rise of the House, in Room 205 of the State House.

By unanimous consent, the House returns to:

RULE 7D

The following bills were received pursuant to Rule 7D.

Representative Marszalkowski-An Act relating to Labor and Labor Relations

Representative Ucci-An Act relating to Telecommunications
An Act relating to Education

Representative O'Brien-An Act relating to Public Employees.

Representative Phillips-An Act relating to Taxation-Motor Vehicles

Representative Hawkins-An Act relating to Education

By unanimous consent, the House returns to:

ANNOUNCEMENTS

Leader Shekarchi congratulates Representative Speakman on her election and announces there will be a reception in her honor in the House Lounge after session. Also Leader Shekarchi announces the Annual Celebration of St. Patrick and St Joseph's Day will be tomorrow and the Irish Heritage Address will be presented by Barbara Cottam, and the Italian Heritage Address will be presented by Judge Frank Caprio.

Speaker Mattiello announces to the members that Representative Lombardi is marked present and voting on bill H5320 and he has not seen Representative Lombardi in the Chamber. Speaker Mattiello questions the body on whether they saw Representative Lombardi today. No hands were raised. Speaker Mattiello asks the Clerk to review the video and get back to him as to whether Representative Lombardi is present in the Chamber.

Representative Hull remained in his seat waving his cell phone and while pointing to his cell phone said, "I can get Mr. Lombardi, he is right here." Representative Hull then pointed to the door leading to the House Lounge and said, "Mr. Lombardi is right outside and I can get him."

Representative Hull states that he voted for Mr. Lombardi, that Mr. Lombardi was outside and he told him to vote for him and Representative Hull did vote for Mr. Lombardi.

Speaker Mattiello cautions members that if a colleague is on the floor within your sight it's appropriate to vote for them at their request but inappropriate to vote for someone if they are not in the room at the time of the vote, even if they are in the building.

Speaker Mattiello orders that Representative Lombardi's attendance and votes be stricken from the record due to his non-presence in the Chamber. There was no objection.

Speaker Mattiello questions the body a second time on the presence of Representative Lombardi and no hands were risen.

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 5:29 o'clock P.M. on motion of Representative Kazarian, and as a further mark of respect to the memory of John O'Hare; on motion of Representative Cortvriend, and as a further mark of respect to the memory of Peter Rector; on motion of Representative Noret and as a further mark of respect to the memories of Charlotte S. Rawlinson and Salvatore Marsocci, Jr.; seconded by Leaders Shekarchi and Filippi the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE JAMES JACKSON

Dear Lord: We ask you to give us the strength of purpose, and clarity of mind, to do the things that bring justice and mercy to all our citizens. Amen.