State of Rhode Island

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 seventh day of January in the year of Our Lord two thousand and twenty.

Volume 147, No. 30

Wednesday, December 16, 2020

Thirtieth Day

The House of Representatives meets at the Veterans Memorial Auditorium in Providence, Wednesday, December 16, 2020 and is called to order at 2:00 o'clock P.M., by the Honorable Charlene Lima, Deputy 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, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Giraldo, Handy, Hawkins, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Messier, Millea, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Roberts, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson, Williams.

ABSENT – 8: Representatives Jackson, Lyle, Mendez, Price, Quattrocchi, Ranglin-Vassell, Ucci, Walsh

INVOCATION

The Honorable Deputy Speaker Lima presents Representative Rebecca Kislak who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

COMMUNICATION FROM THE GOVERNOR



State of Rhode Island

Gina M. Raimondo Governor



GUBERNATORIAL PROCLAMATION CONVENING THE GENERAL ASSEMBLY

December 11, 2020

WHEREAS, on March 9, 2020, I declared a state of emergency due to the dangers to health and life posed by COVID-19 and such declaration has been extended until at least December 31, 2020;

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death;

WHEREAS, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission;

WHEREAS, since March, the State has issued numerous executive orders, emergency regulations and policy guides geared towards curbing the spread of COVID-19, with such measures including working and meeting remotely, masking, physical distancing and sanitary measures;

WHEREAS, the COVID-19 public health emergency has caused the General Assembly to be in adjournment since July of 2020; H.J. -- 3

Gubernatorial Proclamation December 11, 2020 Page 2

WHEREAS, both houses of the General Assembly wish to reconvene to consider various matters they deem appropriate while ensuring the safety of their members and staff;

WHEREAS, both houses of the General Assembly seek larger, less crowded, meeting spaces than currently exist in the Rhode Island State House, allowing for better ventilation and permitting adequate social distancing while members and staff conduct necessary business;

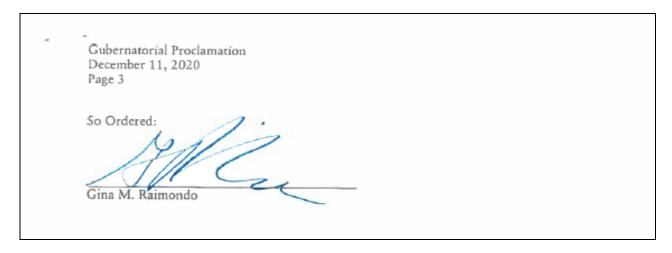
WHEREAS, the Rhode Island Constitution suggests that the General Assembly must convene in the State House except under extraordinary circumstances, including the existence of epidemic or contagious disease; and

WHEREAS, Article IX, section 7 of the Rhode Island Constitution provides: "The governor may, on extraordinary occasions, convene the general assembly at any town or city in this state, at any time not provided for by law: and in the case of danger from the prevalence of epidemic or contagious disease, in the place in which the general assembly is by law to meet, or to which it may have been adjourned, or for other urgent reasons, the governor may by proclamation convene said assembly at any other place within the state."

NOW, THEREFORE, I, GINA M. RAIMONDO, by virtue of the authority vested in me as Governor of the State of Rhode Island, pursuant to Article IX, section 7 of the Rhode Island Constitution, do hereby:

- Convene either or both houses of the Rhode Island General Assembly in session commencing the week of Monday, December 14, 2020.
- 2. The Rhode Island House of Representatives may convene at the Veterans Memorial Auditorium in Providence. The Rhode Island Senate may convene at Rhode Island College in Providence.
- The two houses of the Rhode Island General Assembly, meeting in the respective locations, may conduct their respective sessions and consider any matter as either or both houses deem appropriate.

This Proclamation shall take effect immediately and will remain in effect until such time as both houses of the General Assembly stand in adjournment or Monday, January 4, 2021, whichever is sooner.



Read and placed on file.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Thursday, July 16, 2020 is approved.

COMMUNICATIONS

Representative John Lyle is unable to attend session today, Wednesday, December 16, 2020. Representative Mario Mendez is unable to attend session today, Wednesday, December 16, 2020. Representative Robert Quattrocchi is unable to attend session today, Wednesday, December 16, 2020. Representative Marcia Ranglin-Vassell is unable to attend session today, Wednesday, December 16, 2020. Representative Stephen Ucci is unable to attend session today, Wednesday, December 16, 2020. Representative Justin Price is unable to attend session today, Wednesday, December 16, 2020.

ANNOUNCEMENTS

Deputy Speaker Lima announces the following: masks are mandatory, according to the guidelines set forth by the Vets. You will be able to access the calendar, the budget, and record your votes on these I-Pads. You also have a paper copy of the floor calendar, the consent calendar, the budget, and the budget analysis book prepared by the House Fiscal Staff. There is no new business today. This consent calendar contains 40 resolutions that will be considered in one vote. These are resolutions of congratulations or sympathy that were requested since we last met in July. In order to place these resolutions on the consent calendar, there is at least one sponsor on each resolution. The rest of the names of the top 5 sponsors will be added into the computer system after the session has concluded. These resolutions are available on tables in the lobby. Please sign them with your own pens and do this in an orderly fashion, with only one Representative at a time at each of the tables to follow social distance requirements. All of these resolutions have been read by the clerk in the House chamber and they will be added to the Capitol TV broadcast at the conclusion of today's session. We will not have announcements or introductions at the conclusion of the session. If you would like to add remarks in support of any of the resolutions, we will add those into the broadcast at a later date. Please send an email to Larry Berman and let him know that you would like to come to the House chamber to film your remarks no later than next Monday, December 21, at 5:00 p.m.

CONSENT CALENDAR

From the Consent Calendar are taken:

IN ORDER FOR WEDNESDAY, DECEMBER 16, 2020:

1. 2020-H 8150

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE JOSEPH S. ALMEIDA FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

2. 2020-H 8151

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE DENNIS M. CANARIO FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

3. 2020-H 8152

BY Shekarchi

ENTITLED, HOUSE RESOLUTION THANKING REPRESENTATIVE JAMES B. JACKSON FOR HIS DISTINGUISHED SERVICE AS A MEMBER OF THE RHODE ISLAND GENERAL ASSEMBLY

Ordered on the Consent Calendar

4. 2020-H 8153

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE ROBERT B. JACOUARD FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

5. 2020-H 8154

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE RAYMOND H. JOHNSTON, JR., FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

6. 2020-H 8155

BY Shekarchi

ENTITLED, HOUSE RESOLUTION THANKING THE HONORABLE JOHN W. LYLE, JR., FOR HIS DISTINGUISHED SERVICE IN THE RHODE ISLAND HOUSE OF REPRESENTATIVES

BY Shekarchi

ENTITLED, HOUSE RESOLUTION THANKING THE HONORABLE SPEAKER NICHOLAS A. MATTIELLO FOR HIS FOURTEEN YEARS OF DISTINGUISHED SERVICE TO THE CITIZENS OF RHODE ISLAND AND HOUSE DISTRICT 15 IN CRANSTON

Ordered on the Consent Calendar

8. 2020-H 8157

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE DANIEL P. MCKIERNAN, ESQ., FOR HIS DEDICATED SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

9. 2020-H 8158

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE MARIO F. MENDEZ FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

10. 2020-H 8159

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE CHRISTOPHER T. MILLEA FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

11. 2020-H 8160

BY Mattiello

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE MICHAEL A. MORIN FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

12. 2020-H 8161

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE JOSE R. SERODIO FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE STEPHEN R. UCCI FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

14. 2020-H 8163

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING REPRESENTATIVE MOIRA J. WALSH FOR HER SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

15. 2020-H 8164

BY Speakman

ENTITLED, HOUSE RESOLUTION JOYOUSLY CELEBRATING THE 100TH BIRTHDAY OF ARTHUR MEDEIROS

Ordered on the Consent Calendar

16. 2020-H 8165

BY Abney

ENTITLED, HOUSE RESOLUTION JOYOUSLY CELEBRATING THE 100TH BIRTHDAY OF DOROTHY K. BOYLAN

Ordered on the Consent Calendar

17. 2020-H 8166

BY Shekarchi

ENTITLED, HOUSE RESOLUTION THE JOYOUS CELEBRATION OF SAVE THE BAY'S 50TH ANNIVERSARY

Ordered on the Consent Calendar

18. 2020-H 8167

BY Diaz

ENTITLED, HOUSE RESOLUTION THANKING THE LEADERSHIP AND STAFF OF READY TO LEARN PROVIDENCE FOR MORE THAN SEVENTEEN YEARS OF IMPROVING THE QUALITY OF EARLY CHILDHOOD EDUCATION FOR OUR STATE'S MOST VULNERABLE CHILDREN

Ordered on the Consent Calendar

19. 2020-H 8168

BY Shekarchi

ENTITLED, HOUSE RESOLUTION HONORING RHODE ISLAND SUPREME COURT JUSTICE GILBERT V. INDEGLIA ON THE OCCASION OF HIS RETIREMENT

BY Shekarchi

ENTITLED, HOUSE RESOLUTION THANKING JUSTICE OF THE RHODE ISLAND SUPREME COURT, FRANCIS X. FLAHERTY, FOR HIS SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar

21. 2020-H 8170

BY Cassar

ENTITLED, HOUSE RESOLUTION HONORING JOY HEARN FOR HER SERVICE TO THE PEOPLE OF THE STATE OF RHODE ISLAND AS A MEMBER OF THE RHODE ISLAND HOUSE OF REPRESENTATIVES AND THE BARRINGTON TOWN COUNCIL

Ordered on the Consent Calendar

22. 2020-H 8171

BY Cassar

ENTITLED, HOUSE RESOLUTION THANKING THE HONORABLE KATE WEYMOUTH FOR HER SIXTEEN YEARS OF EXEMPLARY AND HONORABLE PUBLIC SERVICE ON THE BARRINGTON TOWN COUNCIL

Ordered on the Consent Calendar

23. 2020-H 8172

BY Cassar

ENTITLED, HOUSE RESOLUTION HONORING AND THANKING JULIA CALIFANO FOR HER DEDICATED SERVICE TO THE PEOPLE OF THE TOWN OF BARRINGTON

Ordered on the Consent Calendar

24. 2020-H 8173

BY Donovan

ENTITLED, HOUSE RESOLUTION HONORING AND THANKING ELIZABETH BRITO FOR HER DECADES OF TIRELESS AND DEVOTED PUBLIC SERVICE TO THE ROGERS FREE LIBRARY AND THE BRISTOL COMMUNITY

Ordered on the Consent Calendar

25. 2020-H 8174

BY Donovan

ENTITLED, HOUSE RESOLUTION HONORING AND THANKING THE HONORABLE LOUIS P. CIRILLO, RETIRED BRISTOL TOWN CLERK, FOR HIS THIRTY-EIGHT YEARS OF DISTINGUISHED PUBLIC SERVICE TO THE TOWN OF BRISTOL

BY Fogarty

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF UNITED STATES SUPREME COURT JUSTICE, RUTH BADER GINSBURG

Ordered on the Consent Calendar

27. 2020-H 8176

BY Hull

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF THE HONORABLE JOHN LEWIS

Ordered on the Consent Calendar

28. 2020-H 8177

BY Shekarchi

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF ERNEST P. BAPTISTA, JR.

Ordered on the Consent Calendar

29. 2020-H 8178

BY Abney

ENTITLED, HOUSE RESOLUTION EXTENDING DEEPEST CONDOLENCES ON THE PASSING OF VINCENT J. COLELLO, JR.

Ordered on the Consent Calendar

30. 2020-H 8179

BY Morin

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF THE HONORABLE ALBERT G. BRIEN

Ordered on the Consent Calendar

31. 2020-H 8180

BY Shekarchi

ENTITLED, HOUSE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF THE HONORABLE HOWARD I. LIPSEY, ASSOCIATE JUSTICE OF THE RHODE ISLAND FAMILY COURT

Ordered on the Consent Calendar

32. 2020-H 8181

BY Jacquard

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE JOHN E. LANNI, JR.

BY Tanzi

ENTITLED, HOUSE RESOLUTION EXTENDING DEEPEST CONDOLENCES ON THE PASSING OF JAMES BARRETT ROSS, JR.

Ordered on the Consent Calendar

34. 2020-H 8183

BY Fogarty

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF MARY ALLERTON EDDY

Ordered on the Consent Calendar

35. 2020-H 8184

BY Shekarchi

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF MRS. MAVIS ESTRIANA RANGLIN

Ordered on the Consent Calendar

36. 2020-H 8185

BY Shekarchi

ENTITLED, HOUSE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE PASSING OF NANCY J. AMORE

Ordered on the Consent Calendar

37. 2020-H 8186

BY Shekarchi

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF KEVIN JOHN KENNEDY

Ordered on the Consent Calendar

38. 2020-H 8187

BY Filippi

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF MR. STEVEN JAMES DRAPER

Ordered on the Consent Calendar

39. 2020-H 8188

BY Shekarchi

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF W. EDWARD WOOD

BY Shekarchi

ENTITLED, HOUSE RESOLUTION EXTENDING DEEPEST CONDOLENCES ON THE PASSING OF ERNEST J. FINOCCHIO, D.V.M.

Ordered on the Consent Calendar

Majority Leader Shekarchi moves passage of the Consent Calendar, seconded by Minority Leader Filippi.

The Consent Calendar prevails in concurrence, on a roll call vote, 56 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 56: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Almeida, Alzate, Amore, Azzinaro, Bennett, Blazejewski, Caldwell, Canario, Carson, Casey, Cassar, Chippendale, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Giraldo, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Marszalkowski, McNamara, Messier, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Roberts, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson.

NAYS - 0:

RECUSED - 0:

By unanimous consent, the House returns to:

CALENDAR

From the Calendar are taken:

SPECIAL ORDER OF BUSINESS IN ORDER FOR WEDNESDAY, DECEMBER 16, 2020:

1. 2020-H 7171 SUB A

BY Abney

ENTITLED, AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021

Article 1; Article 2; Article 3;

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

Chairman Abney moves passage of the act, seconded by Majority Leader Shekarchi Representatives Jacquard, McKiernan, Amore, Ruggiero, Marszalkowski, Fogarty, McEntee, O'Brien, Corvese, Cortvriend, Kazarian, Tobon, Messier, Blazejewski, Slater, Johnston, McLaughlin, Solomon, Casey, Morin, Almeida, Vella-Wilkinson, Phillips, Edwards, Hull, Carson and Tanzi.

ARTICLE 1 RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021 ARTICLE 2 RELATING TO CAPITAL DEVELOPMENT PROGRAM ARTICLE 3 RELATING TO EFFECTIVE DATE

Chairman Abney discusses the Budget.

ARTICLE 2 - RELATING TO CAPITAL DEVELOPMENT PROGRAM

Chairman Abney moves passage of the article #2, seconded by Majority Leader Shekarchi Representatives McNamara, Morin, Marszalkowski, Edwards, Craven, Speaker Mattiello, Johnston, Blazejewski, Corvese, Kennedy, McEntee, O'Brien, Ruggiero, Jacquard, Vella-Wilkinson, Speakman, Ackerman, McLaughlin, Fogarty, Kislak, Azzinaro, Slater, Cortvriend, and Tobon.

Chairman Abney discusses the article.

By unanimous consent, Minority Leader Filippi, seconded by Representative, Chippendale, Roberts, Nardone, Newberry, and Place offers a written motion to amend.

FLOOR AMENDMENT TO

2020 -- H 7171 SUBSTITUTE A

AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021

Mr. Speaker:

I hereby move to amend 2020 -- H 7171 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021", as follows:

1. In Article 2, on page 13, lines 8 through 17, by deleting the language after the language "SECTION 14.", and by inserting in place thereof

"Mail ballot election during pandemic. -- In an effort to protect electors from exposure to COVID-19, to maintain the integrity of elections, and to provide a convenient method for electors to vote by mail ballot, in addition to the witnessing or notarization requirements for mail ballots as set forth in chapter 20 of title 17 of the general laws, the board of elections and local boards of canvassers, working in conjunction with the secretary of state, shall adopt and implement a procedure for electors to provide identifying information or documentation as an alternative to the requirements of chapter 20 of title 17 when voting by mail ballot. Identifying information or documentation shall include, but not be limited to: a copy of the elector's driver's license, military identification or other government issued identification; or a statement of disclosure providing a unique identification number assigned to any of the specified forms of identification. The procedure adopted and implemented pursuant to the provisions of this section shall be promulgated in order that the boards of canvassers may reasonably ascertain that the electors signing the certifying envelopes are sufficiently identified by the provided information or documentation."

documentation.	
	Respectfully submitted,
	Representative Filippi
======	
LC004030/2	

=======

Minority Leader Filippi, Representatives Corvese, Edwards, Chippendale, Almeida, Place and McLaughlin discuss the amendment.

The motion to amend fails on a roll call vote 9 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 9: Representatives Almeida, Chippendale, Filippi, Millea, Nardone, Newberry, Place, Roberts, Shanley.

NAYS - 51: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Canario, Carson, Casey, Casimiro, Cassar, Cortvriend, Corvese, Costantino, Craven, Donovan, Edwards, Fellela, Fogarty, Giraldo, Hawkins, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lombardi, Marszalkowski, McEntee, McKiernan, McNamara, Messier, Noret, O'Brien, Phillips, Ruggiero, Serodio, Serpa, Shekarchi, Slater, Solomon, Speakman, Tanzi, Vella-Wilkinson, Williams.

RECUSED - 0:

<u>Article 2</u>, prevails on a roll call vote, 58 members voting in the affirmative and 7 members voting in the negative as follows:

YEAS - 58: 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, Giraldo, Hawkins, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Messier, Millea, Morin, Noret, O'Brien, Phillips, Ruggiero, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson, Williams.

NAYS - 7: Representatives Chippendale, Filippi, Nardone, Newberry, Place, Roberts, Serodio.

RECUSED - 0:

By unanimous consent, the House returns to:

NEW ARTICLE

By unanimous consent, Minority Leader Filippi moves new article, seconded by Representatives, Roberts, Chippendale, Place, Newberry and Nardone.

FLOOR AMENDMENT TO

2020 -- H 7171 SUBSTITUTE A

AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021

Mr. Speaker:

I hereby move to amend 2020 -- H 7171 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021", as follows:

1. By inserting the following Article:

"ARTICLE ____ RELATING TO EMERGENCY MANAGEMENT

SECTION 1. Section 30-15-9 of the General Laws in Chapter 30-15 entitled "Emergency Management" is hereby amended to read as follows:

30-15-9. Governor's responsibilities relating to disaster emergencies.

(a) The governor shall be responsible for meeting the dangers to the state and people presented

by disasters.

- (b) A state of emergency shall be declared by executive order or proclamation of the governor if he or she finds a disaster has occurred or that this occurrence, or the threat thereof, is imminent. The state of disaster emergency shall continue until the governor finds that the threat or danger has passed or the disaster has been dealt with to the extent that emergency conditions no longer exist and terminates the state of disaster emergency by executive order or proclamation, but no state of disaster emergency may continue for longer than thirty (30) days unless renewed by the governor. The general assembly, by concurrent resolution, may terminate a state of disaster emergency at any time. Thereupon, the governor shall issue an executive order or proclamation ending the state of disaster emergency and what actions are being taken to control the emergency and what action the public should take to protect themselves. All executive orders or proclamations issued under this subsection shall indicate the nature of the disaster, the area or areas threatened, and the conditions that have brought it about or that make possible termination of the state of disaster emergency. An executive order or proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent or impede, promptly filed with the agency, the secretary of state, and the city and town clerks in the area to which it applies.
- (c) An executive order or proclamation of a state of disaster emergency, shall activate the state and local disaster emergency plans applicable to the political subdivision or area in question and shall be authority for the deployment and use of any forces to which the plan or plans apply and for the use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available pursuant to this chapter or any other provision of law relating to disaster emergencies.
- (d) During the continuance of any state of disaster emergency the governor is commander-inchief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement embodied in appropriate executive orders or regulations, but nothing herein restricts the governor's authority to do so by orders issued at the time of the disaster emergency.
- (e) In addition to any other powers conferred upon the governor by law, the governor may exercise the following powers, limited in scope and duration as is reasonably necessary for emergency response:
- (1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency, provided that the suspension of any statute, order, rule or regulation will be limited in duration and scope to the emergency action requiring said suspension;
- (2) Utilize all available resources of the state government as reasonably necessary to cope with the disaster emergency and of each political subdivision of the state;
- (3) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services;
- (4) Subject to any applicable requirements for compensation under § 30-15-11, commandeer or utilize any private property if the governor finds this necessary to cope with the disaster emergency;
- (5) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if the governor deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery;
 - (6) Prescribe routes, modes of transportation, and destinations in connection with evacuation;
- (7) Control ingress and egress to and from a high risk area, the movement of persons within the area, and the occupancy of premises therein;
 - (8) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms,

explosives, and combustibles;

- (9) Make provision for the availability and use of temporary emergency shelter;
- (10) Make and promulgate such rules and regulations as the governor may deem advisable for the assigning, detailing, and making available for duty and use in any city or town of this state any of the personnel, apparatus, or equipment of any police or fire department of any other city or town, or of any volunteer fire company, or of any fire district, and that personnel shall have the same powers, duties, rights, privileges, and immunities as if performing their duties in the city or town in which they normally would be employed, but the personnel shall obey the orders of the police and fire authorities of the city or town to which assigned, detailed, or made available. When assigned, detailed, or made available as aforesaid, the city or town in which the police or firemen shall perform outside duties shall provide them with subsistence or pay them a reasonable allowance therefor, and shall also be liable for any damage to the apparatus or equipment incurred while being so used; provided, however, that a city or town shall be reimbursed by the state out of the general fund of the state for all expenses incurred under the foregoing provisions of this subsection;
- (11) Designate as a special emergency health and sanitation area, any area within the state that has been seriously damaged by disaster, or in which the existence of any military, naval, or air establishment of the United States of America or of any industrial establishment constructed or enlarged for purposes of national defense, has caused an increase in the population of that area to such an extent as to produce unusual problems of health and sanitation. It is the duty of state health authorities and the local code enforcement officials to make and enforce rules and regulations designed to prevent the introduction of any contagious or infectious disease and to safeguard the public health within the area. The governor may promulgate and enforce additional rules and regulations for the protection of the public health within areas as may be necessary;
- (12) Whenever, in the governor's opinion, due to a disaster there is liable to be a serious shortage in the supply of food, fuel, clothing, antitoxins, serums, immunizing agents, or any other pharmaceutical agents or medical supplies, or any other necessity of life or defense, and the federal authorities are not adequately dealing with the situation, promulgate such rules and regulations as he or she, from time to time, deems necessary to regulate the sale, purchase, or distribution of those necessities and to prohibit and prevent the wasting, secreting, hiding, or hoarding of, or profiteering from, those necessities; additionally, during a declared time of state or national emergency, no person, firm, or corporation shall increase the price of any item it sells or offers for sale at retail immediately prior to the proclamation of emergency or during the proclaimed state of emergency. Nothing in this section shall prohibit the fluctuation in the price of items sold at retail that occurs during the normal course of business. Any person, firm, or corporation who or that violates any provision of this subsection shall be fined not more than one hundred dollars (\$100);
- (13) Do all other things necessary to effectively cope with disasters in the state not inconsistent with other provisions of law;
- (14) Adopt and enforce measures to provide for the safe disposal of infectious waste as may be reasonable and necessary for emergency response due to a state disaster emergency. Such measures may include, but are not limited to, the collection, storage, handling, destruction, treatment, transportation, and disposal of infectious waste;
- (15) Adopt and enforce measures to provide for the safe disposal of corpses as may be reasonable and necessary for emergency response due to a state disaster emergency. Such measures may include, but are not limited to, the embalming, burial, cremation, interment, disinterment, transportation, and disposal of corpses; and
- (16) Compel a person to submit to a physical examination and/or testing as necessary to diagnose or treat the person. The medical examination and/or testing may be performed by any qualified person authorized by the department of health and must not be reasonably likely to result in serious harm to the

affected individual. The medical examination and/or testing shall be performed immediately upon the order of the department of health without resort to judicial or quasi-judicial authority. If the department of health is uncertain whether a person who refuses to undergo medical examination and/or testing may have been exposed to an infectious disease or otherwise poses a danger to public health, the department of health may subject the individual to isolation or quarantine pursuant to § 23-8-4.

- (f)(1) All funds received from the federal government relating to the COVID-19 pandemic and designated by the governor or the federal government for businesses, small businesses and job training purposes or assistance shall be transferred by the governor to the small business advocacy council created pursuant to chapter 91 of title 42.
- (2) The small business advocacy council is hereby authorized to establish programs and manage the funds received from the governor and shall disburse the funds for businesses, small businesses and job training purposes or assistance.
- (3) Any legislative appointee serving on the small business advocacy council shall not participate, directly or indirectly, in any manner with respect to the establishment of the programs, management or disbursement of these funds for the purposes of this section.

SECTION 2. This article shall take effect upon passage."

	Respectfully submitted,
	Representative Filippi
LC003746/9	

Minority Leader Filippi, Representatives Blazejewski, Chippendale, Nardone, Carson, Place, McLaughlin and Kazarian discuss the new article.

<u>New Article</u> fails on a roll call vote, 10 members voting in the affirmative and 57 members voting in the negative as follows:

YEAS - 10: Representatives Chippendale, Costantino, Filippi, McLaughlin, Millea, Morin, Nardone, Newberry, Place, Roberts.

NAYS - 57: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Canario, Carson, Casey, Casimiro, Cassar, Cortvriend, Corvese, Craven, Diaz, Donovan, Edwards, Fellela, Fogarty, Giraldo, Handy, Hawkins, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McKiernan, McNamara, Messier, Noret, O'Brien, Phillips, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson, Williams.

RECUSED - 0

By unanimous consent, the House returns to:

ARTICLE 1 - RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021

Chairman Abney moves passage of Article # 1, seconded by Majority Leader Shekarchi, Representatives Carson, Ruggiero, Marszalkowski, Serodio, Amore, Noret, Craven, Donavon, Ackerman, Jacquard, McNamara, Cortvriend, O' Brien, McLaughlin, Fogarty, Corvese, Speaker Mattiello, Kazarian, Solomon, Blazejewski, Bennett, McEntee, Millea, Vella-Wilkinson, Johnston, Speakman, Handy, Phillips, Diaz, Morin, Edwards, Azzinaro, Kennedy, Tobon, Barros and Casimiro.

Chairman Abney discusses Article #1.

By unanimous consent, Minority Whip Chippendale, seconded by Minority Leader Filippi, Representatives Place, Nardone, Newberry and Roberts offers a written motion to amend.

FLOOR AMENDMENT TO

2020 -- H 7171 SUBSTITUTE A

AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021

Mr. Speaker:

I hereby move to amend 2020 -- H 7171 SUBSTITUTE A, entitled "AN ACT RELATING TO MAKING APPROPRIATIONS IN SUPPORT OF FY 2021", as follows:

1. In Article 1, page 53, by inserting the following between lines 1 and 2:

"SECTION 38. Notwithstanding any other provision of law or of this act to the contrary, there is hereby authorized up to twenty-five (25) additional full time equivalent ("FTE") positions at the department of children, youth, and families. These positions shall be funded by cost savings realized by the state through personnel actions taken by the governor, including, but not limited to, reduction in non-contractual salaries and benefits, the elimination of non-contractual FTEs, and the reduction of unfulfilled FTEs. These positions may be added to the department as the savings are realized, and it is not necessary for all twenty-five (25) FTE positions to be funded before the FTE positions may be added to the department. The governor is authorized to take such actions and use best efforts to fully realize the cost savings authorized by this section and to fund these positions and to otherwise implement the provisions of this section."

2. In Article 1, page 53, line 2, by deleting the section number "38", and by inserting in place thereof the section number "39".

Respectfully submitted
 Representative Chippendale

LC004028/7

Minority Whip Chippendale, Minority Leader Filippi, Representatives Serpa, Marszalkowski, Newberry, Roberts and Jacquard discuss the amendment.

The motion to amend fails on a roll call vote 14 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 14: Representatives Almeida, Casey, Chippendale, Costantino, Filippi, Fogarty, Lombardi, McLaughlin, Millea, Nardone, Newberry, Phillips, Place, Roberts.

NAYS - 51: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Carson, Casimiro, Cassar, Cortvriend, Corvese, Craven, Diaz, Donovan, Edwards, Fellela, Giraldo, Handy, Hawkins, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Marszalkowski, McEntee, McKiernan, McNamara, Messier, Morin, Noret, O'Brien, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Vella-Wilkinson, Williams.

RECUSED - 0:

Article 1 prevails, on a roll call vote, 61 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 61: 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, Giraldo, Handy, Hawkins, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Messier, Millea, Morin, Noret, O'Brien, Phillips, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson, Williams.

NAYS - 6: Representatives Chippendale, Filippi, Nardone, Newberry, Place, Roberts.

RECUSED - 0:

ARTICLE 3 - RELATING TO EFFECTIVE DATE

Chairman Abney moves passage of article # 3 seconded by Representatives Marszalkowski, McNamara, Ruggiero, McLaughlin, Majority Leader Shekarchi, Edwards, Azzinaro, Fella, Phillips, Cortvriend, Johnston, Bennett, Diaz, Blazejewski and O' Brien.

Article 3 prevails, on a roll call vote, 60 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Carson, Casey, Casimiro, Cassar, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Fogarty, Giraldo, Handy, Hawkins, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Messier, Millea, Morin, Noret, O'Brien, Phillips, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson, Williams.

NAYS - 6: Representatives Chippendale, Filippi, Nardone, Newberry, Place, Roberts.

RECUSED - 0:

Chairman Abney thanks and commends the Finance Committee and the Fiscal Staff for their dedication and hard work.

Chairman Abney moves passage of <u>2020-H 7171 SUB A</u>, seconded by Representatives Marszalkowski, Ruggiero, Amore, Serodio Ackerman, Noret, Jacquard, Carson, Tanzi, McNamara, McLaughlin, Fogarty, Corvese, Diaz, Bennett, Edwards, Slater, McEntee, Craven, Kazarian, Speaker Mattiello, Blazejewski, Cortvriend, O' Brien, Millea, Vella-Wilkinson, Tobon, Phillips, Morin, Azzinaro, Solomon, Johnston, Casey and Donovan.

Minority Leader Filippi and Representatives Tanzi, Williams, Alzate, McNamara, Diaz, Place, Tobon, Roberts discuss the Budget.

Speaker Mattiello, Representatives Williams, McNamara, and Diaz commends the Fiscal Staff and the Finance Committee on their hard work.

.

THE BUDGET 2020-H 7171 SUB A is read and passed, on a roll call vote, 60 members voting in the affirmative and 6 members voting in the negative as follows:

YEAS - 60: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Alzate, Amore, Azzinaro, Barros, Bennett, Blazejewski, Caldwell, Carson, Casey, Casimiro, Cassar, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Fogarty, Giraldo, Handy, Hawkins, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Messier, Millea, Morin, Noret, O'Brien, Phillips, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson, Williams.

NAYS - 6: Representatives Chippendale, Filippi, Nardone, Newberry, Place, Roberts.

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.

NOW PRESIDING

At 4:34 o'clock P.M. The Honorable Deputy Speaker Lima yields the rostrum to the Honorable Speaker Pro Tempore Kennedy.

By unanimous consent, the House returns to:

CALENDAR

2. Nomination of The Honorable Melissa A. Long VICE Associate Justice Francis X. Flaherty as Associate Justice of the Rhode Island Supreme Court.

Committee on Judiciary recommends that the House give its Advice and Consent to this nomination.

Chairman Craven discusses the Nomination.

Chairman Craven moves passage of the Nomination, seconded by Representatives Abney, Donovan, Ackerman, Majority Leader Shekarchi, Noret, Serodio, Marszalkowski, Amore, Ruggiero, Ajello, Hull, Tanzi, Jacquard, Lombardi, Fogarty, McLaughlin, McNamara, McKiernan, O'Brien, Williams, Almeida, Speakman, Millea, Vella-Wilkinson, McEntee, Carson, Cortvriend, Cassar, Kislak, Slater, Edwards, Bennett, Diaz, Corvese, Chippendale, Roberts, Nardone, Newberry, Filippi, Place, Knight,

Shanley, Speaker Mattiello, Kazarian, Tobon, Johnston, Casimiro, Alzate, Giraldo, Blazejewski, Solomon, Casey, Barros, Lima, and Constantino.

Representative McEntee discusses the Nomination.

Read and passed, on a roll call vote, 64 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 64: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Alzate, Amore, Barros, Bennett, Blazejewski, Caldwell, Carson, Casey, Casimiro, Cassar, Chippendale, Cortvriend, Corvese, Costantino, Craven, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Giraldo, Hawkins, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McKiernan, McLaughlin, McNamara, Messier, Millea, Morin, Nardone, Newberry, Noret, O'Brien, Phillips, Place, Roberts, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson, Williams.

NAYS - 0:

RECUSED - 0:

3. Nomination of The Honorable Erin Lynch Prata VICE Associate Justice Gilbert V. Indeglia as Associate Justice of the Rhode Island Supreme Court.

Committee on Judiciary recommends that the House give its Advice and Consent to this nomination.

Chairman Craven discusses the Nomination.

Chairman Craven moves passage of the act, seconded by Representatives Abney, Donavan, Majority Leader Shekarchi, Ackerman, Carson, Serodio Ruggiero, McKiernan, McEntee, O'Brien, Millea, Almeida, Caldwell, Vella-Wilkinson, Ajello, Hull, Lombardi, Fogarty, Tanzi, Jacquard, McNamara, Cortvriend, Cassar, Kislak, Slater, Edwards, Bennett, Diaz, Corvese, Newberry, Knight, Shanley, Speaker Mattiello, Barros, Tobon, Kazarian, Casimiro, Giraldo, Blazejewski, Solomon, Phillips, Alzate, Casey and Johnston.

Representative Place, Newberry and Craven discuss the Nomination of The Honorable Erin Lynch Prata.

Read and passed, on a roll call vote 58 members voting in the affirmative and 5 members voting in the negative as follows:

YEAS - 58: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Alzate, Amore, Barros, Bennett, Blazejewski, Caldwell, Carson, Casey, Casimiro, Cassar, Cortvriend, Corvese, Craven, Diaz, Donovan, Edwards, Fellela, Filippi, Fogarty, Giraldo, Hawkins, Hull, Jacquard, Johnston, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McKiernan, McNamara, Messier, Millea, Morin, Newberry, Noret, O'Brien, Phillips, Ruggiero, Serodio, Serpa, Shanley, Shekarchi, Slater, Solomon, Speakman, Tanzi, Tobon, Vella-Wilkinson, Williams.

NAYS - 5: Representatives Chippendale, McLaughlin, Nardone, Place, Roberts.

RECUSED - 0:

NOW PRESIDING

Deputy Speaker Lima takes back the rostrum at 5:07 pm.

ANNOUNCEMENTS

Majority Leader Shekarchi commends House Finance Committee for the great work on the budget. The House Fiscal Staff led by Sharon Reynolds Ferland. The House Judiciary Committee for the advice and consent of the 2 judges. Deputy Speaker Charlene Lima and Speaker Pro Tempore Brian Kennedy for doing such an excellent job presiding, the IT department, led by Nick Budano, for handling the technology end of things and hooking up the I-pad voting, Stacy Custer for handling the arrangements for the Vets and other staff for making it all work. And finally, and most importantly, a heart-felt farewell to the 14 members who won't be returning next session. I have enjoyed working with every one of you and I hope we will have lifelong friendships. Thank you for the time and effort you have put into your work as Representatives on behalf of your communities and the state. I especially want to thank Speaker Mattiello, who has so graciously allowed me to handle the budget details and has offered me excellent guidance and wisdom. He has been a great friend and this chamber will miss him.

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.

(For Transmittals to Governor, see Appendix of this Journal.)

ADJOURNMENT

At 5:14 o'clock P.M. on behalf of Deputy Speaker Lima on motion of Leader Shekarchi, and as a further mark of respect to the memory of U.S. Supreme Court Justice Ruth Bader Ginsberg; Honorable John Lewis, Ernest P. Baptista, Jr., Vincent J. Colello, Jr., Honorable Albert G. Brien, R.I. Family Court Associate Justice Howard I. Lipsey, Honorable John E. Lanni, Jr., James Barrett Ross, Jr., Mary Allerton Eddy, Mavis Estriana Ranglin, Nancy J. Amore, Kevin John Kennedy, Luigi Tanzi, Steven James Draper, W. Edward Wood, Dr. Ernest J. Finocchio, Elton Wineman, Lt. Russell Freeman and Jorge F. Cardenas seconded by Majority Whip Edwards and Minority Leader Filippi the House adjourns, on a unanimous rising vote.

Diane M. DePina Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE REBECCA M. KISLAK

Tonight, we gather as a legislature to pass a budget for the people of Rhode Island, on what is sure to be a dark and snowy night. Jews will be lighting the 7th candle for Chanukkah, our Festival of Lights. The Rabbis of ancient days debated the right ways to do things, much like we debate what policies to enact. With respect to Chanukaah, the sages debated whether we would observe the holiday by starting with 8 candles and lighting one fewer every night, or increasing from one candle to 8, which is the practice that won and how we celebrate, by bringing a little more light into our homes every night of the holiday. Winter days are very short. That might be one reason why so many of us celebrate holidays that bring more light into the world. While we Jews are celebrating Chanukkah, others are getting ready for solstice, Christmas and Kwanza. May we all tonight think about bringing more light into the world as we undertake our responsibilities as legislators.