

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 sixth day of January in the year of Our Lord two thousand and fifteen.

Volume 142, No.10

Tuesday, February 3, 2015

Tenth Day

The House of Representatives meets at the State House in Providence, Tuesday, February 3, 2015 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 72 members present and 3 members absent as follows:

PRESENT - 72: The Honorable Speaker Mattiello and Representatives Abney, Ajello, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carnevale, Carson, Casey, Chippendale, Corvese, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Newberry, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Ucci, Williams, Winfield

ABSENT – 3: Representatives Ackerman, Lally, Naughton.

INVOCATION

The Honorable Speaker presents Representative Costa 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, January 29, 2015 is approved.

ANNOUNCEMENT

Representative Mia Ackerman is unable to attend session today, Tuesday, February 3rd, 2015, due to illness.

COMMUNICATION

The Honorable Speaker announces the receipt of the following communication:



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF GOVERNOR GINA M. RAIMONDO

Gina M. Raimondo, Governor

February 2, 2015

Honorable Nicholas A. Mattiello, Speaker
Rhode Island House of Representatives
Room 323, the State House
Providence, Rhode Island 02903

Honorable Teresa Paiva Weed
Rhode Island Senate
Room 318, the State House
Providence, Rhode Island 02903

Dear Speaker Mattiello and President Paiva Weed:

Pursuant to section 35-3-7 of the Rhode Island General Laws, the Governor's budget is due on or before Thursday, February 5, 2015. As a new Governor, and consistent with the practice of previous Governors, I respectfully request an extension of time up to and including March 12, 2015, within which to submit my budget. I have discussed this matter with both of you, and greatly appreciate your willingness to accommodate this request. Enclosed is draft legislation to this effect for your review.

Thank you for your courtesy and cooperation.

Yours sincerely,



Gina M. Raimondo

cc: Leo Skenyon, Chief of Staff
Speaker of the House
Tom Papa, Chief of Staff
Senate President

Enclosure

Received and placed on file.

CONSENT CALENDAR

From the Consent Calendar are taken:

IN ORDER FOR TUESDAY, FEBRUARY 03, 2015:

1. **2015-H 5048**
BY Malik
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

2. **2015-H 5049**
BY Handy
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

3. **2015-H 5050**
BY Ruggiero
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

4. **2015-H 5072**
BY Abney
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

5. **2015-H 5073**
BY Canario
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Leader DeSimone moves passage of the Consent Calendar, seconded by Leader Newberry.

The Consent Calendar prevails on a roll call vote, 66 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Mattiello and Representatives Abney, Ajello, Almeida, Amore, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Chippendale, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan,

Morin, Nardolillo, Newberry, Nunes, O'Brien, O'Grady, Palangio, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Ucci, Williams, Winfield.

NAYS - 3: Representatives Azzinaro, Corvese, Phillips.

RECUSED - 0:

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, FEBRUARY 03, 2015:

1. 2015-H 5004 SUB A

BY Newberry

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF NORTH SMITHFIELD

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

Representative Craven moves passage of the act, seconded by Representatives Bennett, Newberry, Reilly, Phillips, Marshall, Hull, Shekarchi, and Morin.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Mattiello and Representatives Abney, Ajello, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Chippendale, Corvese, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Newberry, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

2. 2015-S 6 SUB A

BY O'Neill

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF NORTH SMITHFIELD

Ordered to be placed on the Calendar for passage in concurrence.

Representative Craven moves passage of the act, seconded by Representatives Newberry, Bennett, Reilly, Morin, and Marshall.

The bill marked Substitute "A" is read and passed, in concurrence and the original bill indefinitely postponed, on a roll call vote, 70 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 70: The Honorable Speaker Mattiello and Representatives Abney, Ajello, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Chippendale, Corvese, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Newberry, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

NEW BUSINESS

House Bill No. 5264

BY DeSimone, Gallison, Newberry

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- STATE BUDGET (Extends the deadline for the governor to submit to the general assembly the budget for the fiscal year ending June 30, 2016, not later than Thursday, March 12, 2015.) {LC828/1}

Leader DeSimone requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Leader DeSimone seconded by Leader Newberry and Representatives Gallison, Abney, Marshall, Tanzi, Ruggiero, Reilly, Azzinaro, Bennett, and Shekarchi on a roll call vote, 69 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 69: The Honorable Speaker Mattiello and Representatives Abney, Ajello, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Chippendale, Corvese, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morin, Nardolillo, Newberry, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi,

Tobon, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

ANNOUNCEMENT

Representative Azzinaro announces that the Committee on Rules will meet at the rise of the House, in Room 135 of the State House.

By unanimous consent, the House returns to:

NEW BUSINESS

House Resolution No. 5265

BY Azzinaro, Kennedy

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF DR. ANTHONY JOSEPH DIMAIO {LC887/1}

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

There is no objection.

Read and passed, on a motion of Representative Azzinaro seconded by Representative Kennedy by unanimous consent, on a rising vote.

By unanimous consent, the House returns to:

ANNOUNCEMENTS

Representative Kennedy announces that the Committee on Corporations will meet at the rise of the House, in Room 203 of the State House

Representative Lima wishes Representative Tobon a Happy Birthday.

By unanimous consent, the House returns to:

NEW BUSINESS

House Resolution No. 5266

BY Lima, Nardolillo

ENTITLED, HOUSE RESOLUTION CONGRATULATING ROBERT KENYON ON RECEIVING HIS LONG OVERDUE MILITARY MEDALS EARNED WHILE SERVING OUR NATION IN WORLD WAR II {LC899/1}

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

There is no objection.

Read and passed, on a motion of Representative Lima seconded by Representatives Nardolillo, Marshall, Kennedy, Abney, and Tobon by unanimous consent, on a voice vote.

House Resolution No. 5267

BY DeSimone, Newberry

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC930/1}

Leader DeSimone requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Leader DeSimone seconded by Leader Newberry by unanimous consent, on a voice vote.

House Resolution No. 5268

BY DeSimone, Newberry

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES {LC931/1}

Leader DeSimone requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Leader DeSimone seconded by Leader Newberry by unanimous consent, on a rising vote.

House Resolution No. 5269

BY Hull, O'Brien, Corvese, Costantino, DeSimone

ENTITLED, HOUSE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF VIRGINIA P. LOMBARDI {LC958/1}

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

There is no objection.

Read and passed, on a motion of Representative O'Brien seconded by Representatives Hull, Corvese, Costantino, DeSimone, Lombardi, McKiernan, Ucci, Newberry, Almeida, Winfield, Craven, Shekarchi, Trillo, Costa, Giarrusso, Morgan, Tobon, Barros, Marshall, and Bennett by unanimous consent, on a rising vote.

GUEST

Representative Handy welcomes his son, Alexander Handy, to the House.

By unanimous consent, the House returns to:

ANNOUNCEMENTS

Representative Almeida acknowledges Sheriff Joe Moran, former Representative of the House.

Representative Almeida announces the beginning of Black History Month and acknowledges the Black and Latino Caucus, consisting of Representatives Williams, Abney, Diaz, Hull, Tobon, Barros, Maldonado and Senators Metts and Pichardo.

Representative Keable announces that the Committee on Judiciary will meet 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. 5270**

BY Williams, Almeida, Diaz, Hull, Abney

ENTITLED, HOUSE RESOLUTION PROCLAIMING THE MONTH OF FEBRUARY AS "BLACK HISTORY MONTH" IN THE STATE OF RHODE ISLAND {LC94/1}

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

There is no objection.

Read and passed, on a motion of Representative Williams seconded by Representatives Almeida, Diaz, Hull, Abney, Barros, Tobon, Chippendale, Phillips, Costa, Giarrusso, Morgan, Melo, Filippi, Lancia, Roberts, Newberry, Edwards, Solomon, Coughlin, Blazejewski, Reilly, Price, McLaughlin, MacBeth, Messier, Casey, Malik, McNamara, Azzinaro, Corvese, Slater, Hull, Bennett, Ajello, Jacquard, Nunes, Hearn, Serpa, Fellela, Costantino, Shekarchi, Lima, Gallison, Maldonado, Fogarty, O'Grady, DeSimone, Palangio, Regunberg, Amore, Tanzi, Lombardi, Handy, Ruggiero, Carson, Morin, Craven, Canario, Almeida, McKiernan, O'Brien, Marshall, Ucci, Keable, Johnston, Marcello, Trillo, and Kazarian by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

ANNOUNCEMENTS

The Honorable Speaker congratulates the New England Patriots along with all New England fans.

Representative Gallison announces tomorrow at the rise of the House there will be a staff briefing on Medicaid and Human Services in Room 35.

By unanimous consent the House returns to:

NEW BUSINESS

House Resolution No. 5271

BY Gallison, Malik, Marshall

ENTITLED, HOUSE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF MARIA F. CANARIO {LC809/1}

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

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Representatives Malik, Marshall, Reilly, Nardolillo, Abney, Canario and Bennett by unanimous consent, on a rising vote.

House Resolution No. 5272

BY Marshall, Phillips, Keable, DeSimone, Newberry

ENTITLED, HOUSE RESOLUTION CONGRATULATING ROBERT KRAFT, BILL BELICHICK AND HIS COACHING STAFF, AND THE ENTIRE NEW ENGLAND PATRIOTS TEAM AND ORGANIZATION ON WINNING SUPER BOWL XLIX {LC939/1}

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

There is no objection.

Read and passed, on a motion of Representative Marshall seconded by Representatives Phillips, Keable, DeSimone, Newberry, Casey, McNamara, Jacquard, Shekarchi, Blazejewski, O'Brien, McKiernan, Williams, Costantino, Kennedy, Slater, Trillo, Costa, Giarrusso, Morgan, Reilly, Nardolillo, Price, Abney, Edwards, Solomon, Coughlin, Johnston, Messier, Azzinaro, Bennett, Ajello, Gallison, Maldonado, Fogarty, Canario, Ruggiero, Carson, Morin, and Lancia, by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

ANNOUNCEMENT

Leader DeSimone announces Jason Gramitt of the Rhode Island Ethics Commission will provide training to Representatives in the House Lounge tomorrow at the rise of the House.

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to Her Excellency, the Governor, to the Honorable Secretary of State, and the Honorable Senate forthwith.

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

ADJOURNMENT

At 5:02 o'clock P.M. on motion of Representative Azzinaro, and as a further mark of respect to the memory of Anthony Joseph DiMaio; on motion of Representative Gallison, and as a further mark of respect to the memory of Maria F. Canario; on motion of Representative Bennett and as a further mark of respect to the memory of Thomas J. Savoie; on motion of Representative O'Brien, and as a further mark of respect to the memory of Virginia P. Lombardi; on motion of Representative Slater, and as a further mark of respect to the memory of Erick Suazo; seconded by Leaders DeSimone and Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DOREEN M. COSTA

Dear God: We seek your help with our session today. Guide our hearts and our minds in the spirit of fairness. Please share a little of your wisdom to help us do right by all our citizens. Amen.

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, FEBRUARY 04, 2015:

- 1. 2015-H 5007**
BY O`Grady
ENTITLED, HOUSE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY AND ASSESS RHODE ISLAND'S "FAIR FUNDING FORMULA"

Committee on Finance recommends passage.

- 2. 2015-H 5008**
BY Ruggiero
ENTITLED, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO PURCHASE 138 NARRAGANSETT AVENUE IN SAID TOWN AND TO FINANCE THE PURCHASE AND RENOVATION THEREOF BY THE ISSUANCE OF NOT MORE THAN \$1,500,000 BONDS AND NOTES THEREFOR

Committee on Finance recommends passage.

Francis McCabe
Clerk of the House

Tuesday, February 3, 2015

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 6 SUB A

BY O'Neill, Cote, Fogarty

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF NORTH SMITHFIELD (Ratifies the 2014 amendment to the North Smithfield town charter and would provide for the town charter's amendment to be applicable to state law relative to school committee composition, election and terms of members.){LC327/A/1}