

**State of Rhode Island and Providence Plantations**

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**JOURNAL**  
**-OF THE-**  
**HOUSE OF REPRESENTATIVES**

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**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.

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Volume 142, No.19

Tuesday, March 3, 2015

Nineteenth Day

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The House of Representatives meets at the State House in Providence, Tuesday, March 3, 2015 and is called to order at 4:17 o'clock P.M., by the Honorable Nicholas A. Mattiello, Speaker.

The roll is called and a quorum is declared present with 70 members present and 5 members absent as follows:

**PRESENT** - 70: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, 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, Jacquard, Johnston, Kazarian, Keable, Kennedy, Lally, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morin, Nardolillo, Naughton, Newberry, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Slater, Solomon, Tobon, Trillo, Ucci, Williams, Winfield

**ABSENT** – 5: Representatives Almeida, Carnevale, Morgan, Shekarchi, Tanzi.

**INVOCATION**

The Honorable Speaker presents Representative Ruggiero 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, February 26, 2015 is approved.

**ANNOUNCEMENTS**

Representative Joseph Almeida is unable to attend session today, Tuesday, March 3<sup>rd</sup>, 2015.

Representative Teresa Tanzi is unable to attend session today, Tuesday, March 3<sup>rd</sup>, 2015.

**REPORT OF COMMITTEE****TRANSFER OF BILL**

Representative Keable, for the Committee on Judiciary, reports back the following measure, with recommendation of transfer to the Committee on Corporations:

**House Bill No. 5471**

**BY** Corvese, Winfield, Carnevale, Slater

**ENTITLED**, AN ACT RELATING TO INSURANCE -- UNFAIR PRACTICES (Creates a new private cause of action against insurance companies that engage in unfair claims settlement practices and unfair and deceptive competition and practices.) {LC1382/1}

02/27/2015 Committee transferred to House Corporations

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

Representative Almeida-An Act relating to Expungement of Tax Credits

Representative Almeida-An Act relating to Racial Profile

Representative Costa-An Act relating to Public Property

Representative Morin-An Act relating to Education

Representative Ucci-An Act relating to Taxation

Representative Ucci-An Act relating to Taxation

**CALENDAR**

From the Calendar are taken:

**IN ORDER FOR TUESDAY, MARCH 03, 2015:****1. 2015-H 5494**

**BY** Barros

**ENTITLED**, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO BE

KNOWN AS "THE 1696 HISTORICAL COMMISSION" OF RHODE ISLAND AND THE UNITED STATES

Committee on Health, Education & Welfare recommends passage.

Representative McNamara moves passage of the resolution, seconded by Representatives Barros, Johnston, Hull, Blazejewski, Kazarian, Williams, Solomon, Coughlin, McLaughlin, Messier, Ajello, Naughton, Maldonado, Fogarty, Ackerman, Regunberg, Amore, Ruggiero, Carson, Ucci, Marshall, Bennett, Azzinaro, and Giarrusso.

Read and passed, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, 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, Lally, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McLaughlin, McNamara, Melo, Messier, Morin, Nardolillo, Naughton, Newberry, Nunes, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Slater, Solomon, Tobon, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

**2. 2015-S 79**

**BY Metts**

**ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE 1696 HISTORICAL COMMISSION" OF RHODE ISLAND AND THE UNITED STATES**

Committee on Health, Education & Welfare recommends passage in concurrence.

Representative McNamara moves passage of the resolution, seconded by Representatives Johnston and DeSimone.

Read and passed, in concurrence, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, 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, Lally, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McLaughlin, McNamara,

Melo, Messier, Morin, Nardolillo, Naughton, Newberry, Nunes, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Slater, Solomon, Tobon, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

### GUEST

Representative Diaz welcomes to the House Chamber as a guest Aquiles Ledesma, State Representative from the Dominican Republic.

### ANNOUNCEMENT

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

### NEW BUSINESS

#### **House Resolution No. 5771**

**BY** DeSimone, Newberry

**ENTITLED**, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC1996/1}

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. 5772**

**BY** DeSimone, Newberry

**ENTITLED**, HOUSE RESOLUTION EXTENDING CONDOLENCES {LC1997/1}

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.

By unanimous consent, the House returns to:

**ANNOUNCEMENTS**

Representative Keable congratulates Representative Chris Blazejewski and his wife Amy on the first anniversary of the birth of their daughter, Aria Gada Blazejewski.

Representative Costa 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. 5773**

**BY** Giarrusso, Costa, Marcello, Naughton, Ruggiero

**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES TO THE LENIHAN FAMILY ON THE PASSING OF THE HONORABLE J. MICHAEL LENIHAN {LC2002/1}

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

There is no objection.

Read and passed, on a motion of Representative Giarrusso seconded by Representatives Costa, Marcello, Trillo, Nardolillo, Abney, Melo, Kazarian, Coughlin, Edwards, Lally, Blazejewski, Diaz, Slater, Solomon, Bennett, Hull, Barros, Ajello, Naughton, Hearn, Maldonado, Fogarty, Ackerman, O'Grady, Canario, Ruggiero, and Reilly by unanimous consent, on a rising vote.

Representatives Giarrusso, Handy, and Marcello discuss the resolution.

By unanimous consent, the House returns to:

**ANNOUNCEMENTS**

Representative Gallison announces that the Committee on Finance will meet today at the rise and also on Thursday at the rise of the House, in Room 35 of the State 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 Transmittals to Governor, see Appendix of this Journal.)

**REPORTS OF COMMITTEE  
COMMITTEE ON JUDICIARY**

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

**House Bill No. 5640**

**BY** Lally

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Randall Shepard to join Eve Elliott and Jesse Bousquet, Jr., Esq., in marriage on or about September 26, 2015, within the Town of New Shoreham.) {LC1461/1}

03/03/2015 Placed on the House Consent Calendar (03/05/2015)

**House Bill No. 5664**

**BY** DeSimone

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Nicholas A. Mattiello to join Tiffany Maria Carnevale and Frank J. Russo, Jr., in marriage on or about July 2, 2015, within the City of Newport, Rhode Island.) {LC1724/1}

03/03/2015 Placed on the House Consent Calendar (03/05/2015)

**House Bill No. 5665**

**BY** Gallison, Marshall

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows The Honorable Matt M. Railey to join Kimberly Frances Morse and Brian Benjamin McDevitt Goldberger in marriage on or about June 27, 2015, within the Town of Middletown, Rhode Island.) {LC134/1}

03/03/2015 Placed on the House Consent Calendar (03/05/2015)

**ADJOURNMENT**

At 4:36 o'clock P.M. on motion of Representative Giarrusso, and as a further mark of respect to the memory of Senator J. Michael Lenihan; seconded by Leaders DeSimone and Newberry the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
Recording Clerk

**APPENDIX****INVOCATION****REPRESENTATIVE DEBORAH L. RUGGIERO**

Heavenly Father: We thank you for the rich blessings that you bestowed upon our state. We ask you to pray for all the men and women who have entered public service. Give them great wisdom and steadfast resolve in their decisions. Fill them with unquenchable zeal for serving those in need. Amen.

**APPENDIX****CALENDAR****IN ORDER FOR WEDNESDAY, MARCH 04, 2015:**

- 1. 2015-H 5126**  
**BY** Price  
**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF RICHMOND

Committee on Municipal Government recommends passage.
- 2. 2015-H 5319**  
**BY** Ruggiero  
**ENTITLED**, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN

Committee on Municipal Government recommends passage.
- 3. 2015-H 5043**  
**BY** Nardolillo  
**ENTITLED**, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES--COVENTRY

Committee on Municipal Government recommends passage.



**APPENDIX**

**CONSENT CALENDAR**

**IN ORDER FOR THURSDAY, MARCH 05, 2015:**

- 1. 2015-H 5640**  
**BY** Lally  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 2. 2015-H 5664**  
**BY** DeSimone  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 3. 2015-H 5665**  
**BY** Gallison  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

**Francis McCabe**  
Clerk of the House

**Tuesday, March 03, 2015**

**APPENDIX**

**TRANSMITTED TO THE GOVERNOR**

**Senate Resolution No. 79**

**BY** Metts, Pichardo, Nesselbush, Crowley, Sheehan

**ENTITLED**, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS "THE 1696 HISTORICAL COMMISSION" OF RHODE ISLAND AND THE UNITED STATES (Extends the reporting date of the special legislative commission to be known as "The 1696 Historical Commission" from January 6, 2015 to August 1, 2015, and said commission expires on October 15, 2015.) {LC693/1}