

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.20

Wednesday, March 4, 2015

Twentieth Day

The House of Representatives meets at the State House in Providence, Wednesday, March 4, 2015 and is called to order at 4:19 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, Ackerman, 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, Lally, Lancia, 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 – 4: Representatives Lima, Morgan, Shekarchi, Tanzi.

INVOCATION

The Honorable Speaker presents Representative Gallison 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 Tuesday, March 3, 2015 is approved.

ANNOUNCEMENTS

Representative K. Joseph Shekarchi is unable to attend session today, Wednesday March 4, 2015.

Representative Teresa Tanzi is unable to attend session today, Wednesday March 4, 2015.

NEW BUSINESS**House Bill No. 5774**

BY Costa, Trillo, Newberry, Giarrusso, Shekarchi

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --

ACQUISITION OF LAND (Provides that condemnation for a "public use" would not include the taking of private property for transfer to a private entity for the purpose of economic development or enhancement of tax revenue.) {LC1924/1}

03/04/2015 Introduced, referred to House Finance

House Resolution No. 5775

BY Messier, Johnston, Coughlin, Barros, Tobon

ENTITLED, HOUSE RESOLUTION REQUESTING THE RHODE ISLAND DEPARTMENT OF ADMINISTRATION'S DIVISION OF STATEWIDE PLANNING AND THE RHODE ISLAND COMMERCE CORPORATION TO CONDUCT A FEASIBILITY STUDY OF MCCOY STADIUM {LC1957/1}

03/04/2015 Introduced, referred to House Finance

House Bill No. 5776

(by request)

BY Morin, Phillips, Carson, O'Brien, Casey

ENTITLED, AN ACT RELATING TO EDUCATION - CURRICULUM (Mandates that public secondary schools, managed or controlled by the state, provide courses in musical performing arts as part of their curriculum effective July 1, 2015.) {LC1933/1}

03/04/2015 Introduced, referred to House Finance

House Bill No. 5777

BY Slater, Newberry, Ajello, Blazejewski, Williams

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS - TAXATION AND

REGULATION OF MARIJUANA (Removes the state's prohibition on adults using, possessing, and cultivating marijuana for personal use and establishes a system of regulated marijuana retail distribution to adults 21 and older & imposes taxes at both the wholesale and retail level.)

{LC1549/1}

03/04/2015 Introduced, referred to House Judiciary

House Bill No. 5778

BY Solomon

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Matthew V. Doria to join Courtney Brooke Fraser and Brian Paul Williams in marriage on or about September 26, 2015, within the City of Newport, Rhode Island.) {LC2001/1}

03/04/2015 Introduced, referred to House Judiciary

House Bill No. 5779**BY** McNamara, Bennett**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Scott Avedisian to join Erik Scott Manchester and Kerri Anne Roy in marriage on or about May 1, 2015, within the City of Warwick, Rhode Island.) {LC2015/1}

03/04/2015 Introduced, referred to House Judiciary

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

Representative Barros-An Act relating to Charter Schools

An Act relating to Small Loan Lender

An Act relating to Specific Regulation

An Act relating to Charter Schools

An Act relating to Motor Vehicles and Replacement Parts

Representative Bennett-An Act relating to Animal and Animal Husbandry

Representative Craven-An Act relating to Public Utility Carriers & Public Motor Vehicles

Representative DeSimone-An Act relating to Campaign Finance

Representative Diaz-An Act relating to Vehicle Plates for Lupus Foundation of New England

Representative Hull-An Act relating to Education

Representative Johnston-An Act relating to Financial Institutions

Representative Lally-An Act relating to Tax Sales & Foreclosures

Representative Lima-An Act relating to Deceptive Trade Practices

Representative McNamara-An Act relating to Post Secondary Education Performance Funding

Representative Serpa-An Act relating to Health Benefits and Federal Law

Representative Slater-An Act relating to Expungement of Criminal Records

Representative Williams-An Act relating to Maintenance of Roads and Lobbying

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 197**BY** Lombardo

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Valerie-Ventre Hutton to join Joshua Pimental and Kristina Ventre in marriage on or about April 18, 2015, within the City of Providence, Rhode Island.) {LC891/1}
03/04/2015 Referred to House Judiciary

Senate Bill No. 244**BY** Sheehan, Cote, Felag

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Travis Allen Ward to join Julianne Marie Forchione and James Ernest Joly in marriage on or about June 6, 2015, within the Town of Bristol, Rhode Island.) {LC1269/1}
03/04/2015 Referred to House Judiciary

House Bill No. 5050 SUB A**BY** Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows John Austin Murphy to join Ellen Marie Hermann and Stephen DeVoe, III, in marriage on or about July 4, 2015, within the Town of Jamestown, Rhode Island.) {LC135/A/1}
03/04/2015 Referred to House Judiciary

Senate Bill No. 268**BY** DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Rita Brant to join Kristine Alvanas and Brian Kearns in marriage on or about September 18, 2015, within the City of Newport, Rhode Island.) {LC955/1}
03/04/2015 Referred to House Judiciary

Senate Bill No. 243**BY** Algieri

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Mark A. Hodgkin to join Christine LaFrance and Raymond Farnsworth in marriage on or about June 20, 2015, within the City of Providence, Rhode Island.) {LC1219/1}
03/04/2015 Referred to House Judiciary

CALENDAR

From the Calendar are taken:

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.

Representative Craven moves passage of the act, seconded by Representatives Price, Giarrusso, Chippendale, Nardolillo, Trillo, Reilly, Kennedy, and Bennett.

Read and passed, 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, Ackerman, 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, Johnston, Kazarian, Keable, Kennedy, Lally, Lancia, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morin, Nardolillo, Naughton, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Slater, Solomon, Tobon, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

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.

Representative Craven moves passage of the act, seconded by Representatives Ruggiero, Marshall, Bennett, Abney, Carson, Barros, and Reilly.

Read and passed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows

YEAS - 68: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, 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, Johnston, Kazarian, Keable, Kennedy, Lally, Lancia, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morin, Nardolillo, Naughton, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Slater, Solomon, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

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.

Representative Craven moves passage of the act, seconded by Representatives Nunes, Serpa, Lancia, Chippendale, Giarrusso, Reilly, Barros, Casey, and Bennett.

Read and passed, on a roll call vote, 68 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 68: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, 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, Johnston, Kazarian, Keable, Kennedy, Lally, Lancia, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morin, Nardolillo, Naughton, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Slater, Solomon, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

ANNOUNCEMENTS

Representative Diaz announces that the Committee on Health, Education and Welfare will meet at the rise of the House, in Room 101 of the State House.

Representative Serpa announces that the Committee on Small Business will meet at the rise of the House, in Room 205 of the State House

Representative Handy announces that the Committee on Environment and Natural Resources will meet tomorrow at 3:30 o'clock P.M., in Room 205 of the State House.

Representative Ruggiero announces the celebration of International Women's Day and invites colleagues to a reception tomorrow, March 5th at 3:00 o'clock P.M. in the State Room of the State House.

GUESTS

Representative Fellela welcomes Dr. Bernard Di Lullo, Jr., Superintendent and Assistant Superintendent, Arthur Petrosinelli of Johnston to the House.

By unanimous consent, the House returns to:

NEW BUSINESS

House Resolution No. 5780

BY Fogarty, Winfield, Nardolillo, Lancia, Hull

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF WILLIAM H. MCGRATH {LC2000/1}

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

There is no objection.

Read and passed, on a motion of Representative Fogarty seconded by Representatives Winfield, Nardolillo, Lancia, and Hull by unanimous consent, on a rising vote.

House Resolution No. 5781

BY McNamara, Casey, Trillo

ENTITLED, HOUSE RESOLUTION EXPRESSING OUR DEEPEST SYMPATHY ON THE PASSING OF WILLIAM ABBOTT SCHWAB {LC2046/1}

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

There is no objection.

Read and passed, on a motion of Representative McNamara seconded by Representatives Casey, Bennett, and Trillo by unanimous consent, on a rising vote.

TRANSMITTAL

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

ADJOURNMENT

At 4:39 o'clock P.M. on motion of Representative Fogarty, and as a further mark of respect to the memory of William H. McGrath; on motion of Representative McNamara, and as a further mark of respect to the memory of William Abbott Schwab; seconded by Leader DeSimone and Minority Whip Trillo the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE RAYMOND E. GALLISON, JR.

Heavenly Father, we call upon you this day to place us in your hands. Grant us wisdom in our leadership and in the decisions we make on behalf of all who call Rhode Island home. Amen.

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