

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.25

Tuesday, March 17, 2015

Twenty-fifth Day

The House of Representatives meets at the State House in Providence, Tuesday, March 17, 2015 and is called to order at 4:22 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, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carnevale, Carson, Casey, Chippendale, Corvese, Costa, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Keable, Kennedy, Lally, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Newberry, Nunes, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Williams, Winfield

ABSENT – 5: Representatives Costantino, Kazarian, Naughton, O'Brien, Trillo.

INVOCATION

The Honorable Speaker presents Representative Reilly 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, March 12, 2015 is approved.

ANNOUNCEMENTS

Representative Katherine Kazarian is unable to attend session today, March 17, 2015, due to illness.

Representative Joseph Trillo is unable to attend session Tuesday, March 17th thru Thursday, March 19th 2015.

Representative William O'Brien is unable to attend session today, March 17th, 2015.

COMMUNICATION

The Honorable Speaker announces the receipt of the following communication:



State of Rhode Island and Providence Plantations

HOUSE OF REPRESENTATIVES
REPRESENTATIVE DONALD J. LALLY, JR. *District 33*
Speaker Pro Tempore

March 17, 2015

The Honorable Nicholas A. Mattiello
Speaker of the House
State of Rhode Island
82 Smith Street
Providence, RI 02903

Dear Mr. Speaker and Members of the RI House of Representatives:

As you may be aware, I have been deliberating on whether or not to continue in my present position as Rhode Island State Representative for District 33. I decided that it is time for me to step down, effective immediately, as Rhode Island State Representative for District 33.

I decided to run for re-election in 2014, given the circumstances of last session, to do what I could in my leadership role to see that the House would stay on task. Mr. Speaker, I am confident that you will continue to lead the House and the State of Rhode Island to more prosperous times.

I have served my district for over 25 years and my constituents in Narragansett and South Kingstown deserve to have a representative who has the enthusiasm, energy, commitment, and burning desire to represent them throughout the entire year. This legislative body is not a part-time legislature. It has become a year-round commitment.

We have two children: Jessica, who attended the University of Rhode Island for four years and is now finishing her second year of a Doctorate program in Audiology at the University of Connecticut; Our son, Connor, is finishing his first year at the University of Rhode Island in Business. I need to dedicate more time to my law practice.

Recently, I lost both of my parents and it led me to reflect upon how important family truly is. Few people realize what a commitment it is to serve in the General Assembly. My wife, Sandi, has supported me in my endeavor to represent the constituents of District 33 and we have done the best we could to balance the commitment of this office with the responsibilities of our family. As Chairman of Judiciary, I gave my son's Little League schedule to my secretary so she could schedule around it for committee meetings.

I have truly loved being a part of the legislative process, whether it was in teaching new members how to navigate the system; reaching across the aisle to work with the Republican members; or working within my own party. They say that good legislation is like making good sausage... but you do not want to see how it is made. I have always enjoyed rolling up my sleeves and getting involved in making the "sausage". Maybe that is why I stayed so long.

Speaker Nicholas A. Mattiello

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During my tenure, I have met colleagues who will be friends of mine for life. Some of the finest people I have ever met, with few exceptions, have been in this House, the Senate, and the Governors' offices. The time has come for me to move on.

I want to thank you, Mr. Speaker, for allowing me to serve on your leadership team. To my fellow members in the House, both past and present, as well as my constituents over all of these years, it has been an honor and a privilege to serve.

Sincerely,


Representative Donald J. Lally, Jr.
33rd District

Received and placed on file.

Representative Lally addresses the members of the House. The Honorable Speaker Mattiello, Leader DeSimone, along with Representatives Kennedy, Corvese, Williams, Keable McNamara, Costa, Lima, and Fogarty wish Representative Don Lally well.

RULE 7D

The following bills were announced pursuant to Rule 7D:

Representative Craven-An Act relating to Elections & Campaign Contributions & Expenditure Reporting

Representative Diaz-An Act relating to Alcoholic Beverages Retail License in the City of Providence

Representative Hearn-An Act relating to Campaign Finance & Audits

Representative Ruggiero-An Act relating to Lean Government & Improving Our Fisheries

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, MARCH 17, 2015:

- 1. 2015-H 5370**
BY Keable
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- THREATS AND EXTORTION

Committee on Judiciary recommends passage.

Representative Keable moves passage of the act, seconded by Representatives DeSimone, Melo, Edwards, Solomon, Coughlin, Tobon, Barros, Abney, Lancia, Roberts, Nardolillo, Giarrusso, Morgan, Casey, McNamara, Malik, Azzinaro, Corvese, Hull, Bennett, Shekarchi, Morin, Almeida, Carson, Maldonado, Fogarty, Ackerman, Costa, and Johnston.

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, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carnevale, Carson, Casey, Chippendale, Corvese, Costa, Coughlin, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Keable, Kennedy, Lally, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Nunes, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

2. 2015-H 5461 SUB A

BY Keable

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
MOTORCYCLES

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

Representative Keable moves passage of the act, seconded by Representatives McLaughlin, Casey, Azzinaro, Corvese, Bennett, Costa, Giarrusso, Morgan, Reilly, Roberts, Nardolillo, Chippendale, Price, Lancia, Filippi, Phillips, Melo, Tobon, Coughlin, Johnston, Blazejewski, Hull, Lombardi, Ruggiero, Lima, and Canario.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carnevale, Carson, Casey, Chippendale, Corvese, Costa, Coughlin, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Keable, Kennedy, Lally, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Nunes, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

By unanimous consent, the House returns to:

ANNOUNCEMENTS

Representative Lancia wishes Louise Couture a very Happy “90th” Birthday. Her brother, Peter Coelho, was a Representative in this Chamber in the 1970’s.

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

Representative Keable announces that the Committee on Judiciary will meet at the rise of the House, in Room 101 of the State House.

GUESTS

Representative Carson welcomes to the House Chamber as guests Bari Freeman, Executive Director, and Dawn Euer, Board Chair of Bike Newport.

Representatives Ucci and Azzinaro welcome to the Chamber Michael Toscano.

NEW BUSINESS

House Resolution No. 5909

BY Melo

ENTITLED, HOUSE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE PASSING OF JOSE PACHECO {LC2209/1}

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

There is no objection.

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

House Resolution No. 5910

BY Carson, Canario, Abney, Reilly, Ruggiero

ENTITLED, HOUSE RESOLUTION HONORING BIKE NEWPORT AND CELEBRATING THEIR 2015 ANNUAL EVENT, THEMED "THE FIRST MILE", ON MARCH 19, 2015, AND RECOGNIZING ALL THE COMMITTED BICYCLISTS ON AQUIDNECK ISLAND {LC2072/1}

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

There is no objection.

Read and passed, on a motion of Representative Carson seconded by Representatives Canario, Abney, Reilly, Ruggiero, and Tanzi and by unanimous consent, on a voice vote.

House Resolution No. 5911

BY DeSimone, Chippendale

ENTITLED, HOUSE RESOLUTION EXTENDING CONDOLENCES {LC2205/1}

Leader DeSimone requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 5912

BY DeSimone, Chippendale

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2204/1}

Leader DeSimone requests unanimous consent for immediate consideration.

There is no objection.

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

House Resolution No. 5913

BY Filippi, Kennedy, Mattiello, Ruggiero, Ajello

ENTITLED, HOUSE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF HENRY A. WALSH, JR. {LC2211/1}

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

There is no objection.

Read and passed, on a motion of Representative Filippi seconded by Representatives Kennedy, McNamara, Costa, Melo, Tobon, Abney, Nardolillo, Chippendale, Price, Giarrusso, Reilly, Edwards, Solomon, Coughlin, Johnston, Blazejewski, McLaughlin, Messier, Casey, Azzinaro, Corvese, Diaz, Slater, Hull, Bennett, Ajello, Hearn, Marcello, Serpa, Fellela, Maldonado, Fogarty, Ackerman, O'Grady, Regunberg, Amore, Tanzi, Lombardi, Handy, Lima, Ruggiero, Carson, Morin, McKiernan, Marshall, and Williams by unanimous consent, on a rising vote.

By unanimous consent, the House returns to:

ANNOUNCEMENTS

Representative Gallison announces that the Committee on Finance will meet today at the rise of the House, tomorrow at 5:30 P.M. and Thursday, at the rise in Room 35 of the State House.

Representative Gallison announces all members should have received today on their desks "Budget at a First Glance". Representative Gallison also announces there will be a Budget Briefing on Thursday, March 26th. All members are invited.

Representative McNamara announces that the Committee on Health, Education and Welfare will meet at the rise of the House and the Senate, in the Senate Lounge of the State House.

Speaker Mattiello and Representatives McNamara wish everyone a Happy Saint Patrick's Day.

Representative McLaughlin wishes all a Happy Saint Patrick's Day and Saint Joseph's Day.

Representative Malik wishes his wife, Mary a Happy "36th" Anniversary.

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.

REPORTS OF COMMITTEES

TRANSFER OF BILL

Representative Craven, for the Committee on Municipal Government, reports back the following measure, with recommendation of transfer to the Committee on Health, Education, and Welfare:

House Bill No. 5800

BY Barros, Tobon, Abney, Coughlin, Johnston

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- BREED-SPECIFIC REGULATION (Makes all municipal animal breed-specific regulating ordinances enacted before July 16, 2013, binding and enforceable.) {LC1257/1}

03/17/2015 Committee transferred to House H.E.W.

COMMITTEE ON CORPORATIONS

Representative Kennedy, for the Committee on Corporations, reports back the following measure, with recommendation of passage:

House Bill No. 5785**BY** Marshall, Malik**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF OCEAN STATE PLAZA, INC. {LC2022/1}

03/17/2015 Placed on House Calendar (03/19/2015)

COMMITTEE ON FINANCE

Representative Gallison, for the Committee on Finance, reports back the following measure, with recommendation of passage:

House Bill No. 5798**BY** O'Grady, Ackerman, Phillips, Casey, Morin**ENTITLED**, AN ACT RELATING TO TWIN RIVER CASINO GAMBLING (Removes a provision in the 2005 public laws which prohibits the construction of a hotel on the Twin River premises in Lincoln, Rhode Island.) {LC1954/1}

03/17/2015 Placed on House Calendar (03/19/2015)

COMMITTEE ON JUDICIARY

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

House Bill No. 5842**BY** Carson**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Felix Betro, Esq., to join Louis Rossi and Stephanie Zeidenberg in marriage on or about November 7, 2015, within the City of Newport, Rhode Island.) {LC2095/1}

03/17/2015 Placed on the House Consent Calendar (03/19/2015)

House Bill No. 5843**BY** Tanzi**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Elizabeth Ann Elrick to join Nancy Elizabeth Leslie and Maria Louise Meleschnig in marriage on or about August 1, 2015, within the Town of South Kingstown, Rhode Island.) {LC2107/1}

03/17/2015 Placed on the House Consent Calendar (03/19/2015)

House Bill No. 5875**BY** Corvese**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Craig Volatile-Wood to join Courtney Cramer and Liam Murname in marriage on or about April 25, 2015, within the Town of North Providence, Rhode Island.) {LC2150/1}

03/17/2015 Placed on the House Consent Calendar (03/19/2015)

House Bill No. 5876**BY** Newberry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Kenneth Perry to join Jennifer Paiz and Michael Mason in marriage on or about July 4, 2015, within the Town of Glocester, Rhode Island.) {LC2114/1}
03/17/2015 Placed on the House Consent Calendar (03/19/2015)

ADJOURNMENT

At 5:11 o'clock P.M. on motion of Representative Edwards, and as a further mark of respect to the memory of Paula Ward Cuomo; on motion of Representative Melo, and as a further mark of respect to the memory of Jose Pacheco; on motion of Representatives Lombardi and Lima and as a further mark of respect to the memory of Norman A. Elman; on motion of Representative Serpa, and as a further mark of respect to the memory of Dorothy C. Serpa; on motion of Representative Filippi, and as a further mark of respect to the memory of Henry A. Walsh, Jr.; on motion of Representative Gallison, and as a further mark of respect to the memory of Ambrose Carroll; seconded by Leader DeSimone and Representative Chippendale the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DANIEL PATRICK REILLY

Dear Lord: As we gather here let us all follow the example of Saint Patrick whom we honor today. After being freed from slavery at age 20, St. Patrick turned to a life of prayer and service to others. He returned to Ireland, despite great risk, to bring enlightenment to its people. We pray you give us the courage to follow in his footsteps. Amen.

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, MARCH 19, 2015:

- 1. 2015-H 5785**
BY Marshall
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF OCEAN STATE PLAZA, INC.

Committee on Corporations recommends passage.

- 2. 2015-H 5798**
BY O`Grady
ENTITLED, AN ACT RELATING TO TWIN RIVER CASINO GAMBLING

Committee on Finance recommends passage.

Francis McCabe
Clerk of the House

Tuesday, March 17, 2015

APPENDIX

CONSENT CALENDAR

IN ORDER FOR THURSDAY, MARCH 19, 2015:

- 1. 2015-H 5842**
BY Carson
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
- 2. 2015-H 5843**
BY Tanzi
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
- 3. 2015-H 5875**
BY Corvese
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.
- 4. 2015-H 5876**
BY Newberry
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Francis McCabe
Clerk of the House

Tuesday, March 17, 2015