

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.26

Wednesday, March 18, 2015

Twenty-sixth Day

The House of Representatives meets at the State House in Providence, Wednesday, March 18, 2015 and is called to order at 4:21 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 3 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, 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, Ucci, Williams, Winfield

ABSENT – 3: Representatives Costantino, Naughton, Trillo.

INVOCATION

The Honorable Speaker presents Reverend Giacomo Capoverdi, Church of the Immaculate Conception, Westerly 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 17, 2015 is approved.

TRANSFER OF BILL

Representative McNamara, for the Committee on Health, Education & Welfare, reports back the following measure, with recommendation of transfer to the Committee on Environment and Natural Resources:

House Bill No. 5505

BY Serpa, Shekarchi, O'Brien, Kazarian, McKiernan

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL CARE (Makes changes in the definitions of what constitutes unlawful confinement, and would apply them throughout the chapter accordingly.) {LC1078/1}

03/18/2015 Committee transferred to House Environment and Natural Resources

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

Representative Azzinaro-An Act relating to Military Affairs
An Act relating to RI Veterans Home
An Act relating to Animal Husbandry

Representative Barros-An Act relating to Taxation

Representative Blazejewski-An Act relating to Primary Elections

Representative Canario-An Act relating to Labor Relations-Employment Security Benefits

Representative Coughlin-An Act relating to Elections

Representative Edwards-An Act relating to Property Mechanics Liens

Representative Fellela-An Act relating to Military Affairs & Defense

Representative Maldonado-An Act relating to State Affairs & Human Services
An Act relating to State Affairs & Human Services

Representative O'Grady-An Act relating to Board of Elections-Mail Ballots

Representative Shekarchi-An Act relating to Labor-Labor Relations-Wage Theft

Representative Tanzi-An Act relating to Animal Husbandry-Handling Live Poultry

Representative Tobon-An Act relating to Elections

NEW BUSINESS**House Bill No. 5914****BY** Carson, Morin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - TOURISM AND ECONOMIC DEVELOPMENT (Provides additional four million dollars (\$4,000,000) to promote tourism in Rhode Island.) {LC1243/1}

03/18/2015 Introduced, referred to House Finance

House Bill No. 5915**BY** Keable, Blazejewski, Johnston, Hull, Bennett**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS (Allows retired state employee nurses to work as professors in the nursing program at a state college. It would allow them to work seventy-five (75) days or one hundred fifty (150) half days before their pension payments would be suspended.) {LC2085/1}

03/18/2015 Introduced, referred to House Finance

House Bill No. 5916**BY** Malik, Hull, McNamara, Azzinaro**ENTITLED**, AN ACT RELATING TO TAXATION - MILITARY RETIREMENT (Excludes, for the purposes of Rhode Island state income taxes, the first twenty-five thousand dollars (\$25,000) of military retirement income, paid by the state or federal government, to persons sixty-five (65) years of older.) {LC2105/1}

03/18/2015 Introduced, referred to House Finance

House Bill No. 5917**BY** Malik, Hull, McNamara, Azzinaro**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT {LC2149/1}

03/18/2015 Introduced, referred to House Finance

House Bill No. 5918

(State Police)

BY Carnevale, Almeida, Johnston, McKiernan, O'Brien**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - STOPPING, STANDING, AND PARKING RESTRICTIONS (Makes parking at any place where official signs prohibit parking subject to a fine of eighty-five dollars (\$85.00).) {LC1793/1}

03/18/2015 Introduced, referred to House Judiciary

House Bill No. 5919**BY** Slater, Keable, Lima, Ajello, Diaz**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - EXPUNGEMENT OF CRIMINAL RECORDS (Amends the provisions on expungements of criminal records to include a person who has been convicted of 5 or less misdemeanors, and has not been convicted of a felony, provided that person waits a number of years from the completion of his or sentence.) {LC2169/1}

03/18/2015 Introduced, referred to House Judiciary

House Bill No. 5920**BY** Hearn, Marcello, Serpa, Fellela, Nunes**ENTITLED**, AN ACT RELATING TO ELECTIONS - RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING (Requires appointment of a treasurer or deputy treasurer other than the candidate, once a campaign account reaches or expends of at least \$25,000, and examination of campaign accounts by such persons.) {LC2158/1}

03/18/2015 Introduced, referred to House Judiciary

House Bill No. 5921**BY** Diaz, Slater**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES IN THE CITY OF PROVIDENCE (Enables the city of Providence's board of licenses to approve the liquor license applications for a business at 1948-1950 Westminster Street (Assessor's plat 35, lot 359), located within two hundred feet (200') of a school.) {LC2132/1}

03/18/2015 Introduced, referred to House Corporations

House Bill No. 5922**BY** Filippi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF J. DOUGHERTY HOME IMPROVEMENTS, INC. {LC2210/1}

03/18/2015 Introduced, referred to House Corporations

House Bill No. 5923**BY** Keable**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (Provides that the Pascoag utility district not be required to provide retail access from nonregulated power producers, and not operate as a nonregulated power producer when selling electricity at retail outside of its service area.) {LC1960/1}

03/18/2015 Introduced, referred to House Corporations

House Bill No. 5924

(Environmental Management)

BY Ruggiero, Serpa, McKiernan, Tanzi, Carson**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE - AMOUNT OF CATCH (Makes changes to the process for setting marine species catch limits.) {LC1736/1}

03/18/2015 Introduced, referred to House Environment and Natural Resources

COMMUNICATION FROM THE SENATE

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

Senate Bill No. 68**BY** Crowley**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (Exempts the premises at 721-723 Broad Street; Central Falls (Assessor's Plat 1, lot 164) from the restrictions regarding the proximity of a liquor license to a church or school.)) {LC60/1}

03/18/2015 Referred to House Corporations

Senate Bill No. 241 SUB A**BY** Felag, Ciccone, Pichardo, DiPalma, Walaska**ENTITLED**, AN ACT RELATING TO PROPERTY -- THE RHODE ISLAND FAIR HOUSING PRACTICES ACT (Adds military status discrimination as an unlawful housing practice protecting veterans who have an honorable or administrative discharge or a member of the Armed Forces of the United States and the Rhode Island National Guard.) {LC1102/A/1}
03/18/2015 Referred to House Veterans Affairs**Senate Bill No. 278****BY** Archambault, Lombardi, Ciccone, Lombardo, McCaffrey**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS (Increases the administrative penalties for violations determined by the board of examiners of electricians.) {LC512/1}
03/18/2015 Referred to House Labor**Senate Bill No. 428****BY** Ciccone, Felag, Lombardi, Jabour, Doyle**ENTITLED**, AN ACT RELATING TO PROPERTY - RESIDENTIAL LANDLORD AND TENANT ACT (Requires full payment for all back rent upon stay of execution in landlord/tenant action and establishes rights relating to removal of tenant's personal property when execution is obtained by default.) {LC1424/1}
03/18/2015 Referred to House Judiciary**Senate Bill No. 430****BY** Ciccone, Felag, Lombardi, Jabour, Doyle**ENTITLED**, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT (Sets forth a process for tenants to retrieve their abandoned personal property from former dwelling units and the placement in storage of a tenant's personal property.) {LC1456/1}
03/18/2015 Referred to House Judiciary**Senate Bill No. 516****BY** Lombardi, McCaffrey, Lynch, Archambault**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE IN PARTICULAR ACTIONS (Provides that review of final judgments in post conviction relief proceedings be sought by the filing of a petition for writ of certiorari.) {LC1898/1}
03/18/2015 Referred to House Judiciary**Senate Bill No. 526****BY** Lynch, Fogarty, Lombardi**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - DISTRICT COURT (Eliminates the responsibility of the division of public buildings, and department of administration to acquire suitable courtrooms for the sessions of the district court.) {LC1897/1}
03/18/2015 Referred to House Judiciary

The Honorable Speaker Mattiello addresses the House in celebration of Saint Joseph's Day and Saint Patrick's Day.

ITALIAN TOAST

Representative Gregg M. Amore

INTRODUCTION OF GUEST SPEAKER

Representative Deborah Ruggiero

ITALIAN HERITAGE ADDRESS

Johnston Mayor Joseph M. Polisena

IRISH POEM

Representative Joseph M. McNamara

IRISH TOAST

Representative Daniel P. McKiernan

INTRODUCTION OF GUEST SPEAKER

Representative David A. Coughlin, Jr.

IRISH HERITAGE ADDRESS

Frank O'Donnell
Comedian and Writer

ANNOUNCEMENTS

Representative Diaz announces that the Committee on Health, Education and Welfare will meet at 5:30 o'clock P.M., in Room 101 of the State House.

Representative McKiernan announces that the Committee on Labor will meet tomorrow at 3:30 o'clock P.M., in Room 101 of the State House.

Representative Gallison announces that the Committee on Finance will meet after the reception, in Room 35 of the State House.

Leader DeSimone thanks all who participated in today's festivities and reminds members to go to Committee assignments after the reception in the House Lounge.

GUESTS

Representative Azzinaro welcomes to the House Chamber as guests Father Capoverdi and Carla Gervasini Servideo from the parish of the Immaculate Conception in Westerly.

Representatives Ucci and Fellela welcome to the Chamber as guests Johnston Mayor Joseph Polisena and Chief Judge Michael DiChiaro-Johnston Municipal Court.

Representative McKiernan welcomes Patrick Griffin of Patrick's Pub as well as his wife, Christina McKiernan to the House.

Representative Amore welcomes Sandra Almonte and Nancy Amore to the House as guests.

Representative O'Grady welcomes to the House as a guest his daughter, Anna Rose Crohan-O'Grady.

Representative Nardolillo welcomes Frank Giarrusso, brother of Representative Giarrusso to the House.

Representative Giarrusso welcomes his brother, Frank Giarrusso, Robert Rebessini, Tom Lonardo, and Alex Hall to 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.

CLOSING PRAYER

Representative Giarrusso introduces Reverend John J. Duggan from Saints John and Paul Church, Coventry for the closing prayer.

ADJOURNMENT

At 5:36 o'clock P.M. on motion of Representative Serpa, and as a further mark of respect to the memory of James Williamson seconded by Leaders DeSimone and Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX**INVOCATION****REVEREND GIACOMO CAPOVERDI**

Pregiamo

O God we thank you for the gift of this Feast Day of San Giuseppe, the Italian culture and our way of life. You have bestowed many blessings upon the Italian people: Religion, Science, Art, Architecture, Literature, Exploration, Family, Cuisine, and Music; The greatest Empire in World History, Rome, converted to the Truth of the belief in Jesus Christ and created and cultivated Western civilization as we are not still bearing the fruits of its legacy. Dante Alighieri, Leonardo Da Vinci, Michelangelo, Caravaggio, Marco Polo, Christopher Columbus, Enrico Fermi and many other Italians throughout history have brought you glory as a testimony to divinely inspired human achievement.

As the tired Masses of Italian Immigrants reached the shores of the great country of the United States of America, we thank you Lord for the opportunities the U.S.A. has provided to the huddled masses who were not looking for handouts, but for hard work. They took minimal jobs in order to educate their children to make the next generation of Italians, Judges, Doctors, and high ranking politicians.

Never let us lose what is synonymous with being Italian, love of our Faith in Jesus Christ, love of our family and love of the Blessed Virgin Mary and St. Joseph.

Adesso, preghiamo in Italiano.

Nel nome del Padre e del Figlio e dello Spirito Santo.

Ricordiamo che viviamo nella presenza di Dio.

Proteggi sempre la tua famiglia Signore,
che hai nutrito al mensa del pane di vita
nel ricordo gioioso di san Giuseppe
e custodisci in noi i doni del tuo amore di Padre.
Per Cristo nostro Signore.

Proteggi sempre la tua famiglia Signore,
che hai nutrito al mensa del pane di vita
nel ricordo gioioso di san Giuseppe
e custodisci in noi i doni del tuo amore di Padre.
Per Cristo nostro Signore.

Nel nome del Padre e del Figlio e dello Spirito Santo.
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