

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.34

Tuesday, April 7, 2015

Thirty-fourth Day

The House of Representatives meets at the State House in Providence, Tuesday, April 7, 2015 and is called to order at 4:14 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, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Keable, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, Newberry, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Williams, Winfield

ABSENT – 3: Representatives Kazarian, Nunes, Ucci.

INVOCATION

The Honorable Speaker presents Representative Canario 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, April 2, 2015 is approved.

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

Representative Filippi-An Act relating to Criminal Offenses

Representative Messier-An Act relating to Tax Exempt Status

Representative Ruggiero-An Act relating to Education

Representative Ucci-An Act relating to Courts

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, APRIL 07, 2015:**1. 2015-H 5770**

BY Lally

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- ELECTRONIC IMAGING DEVICES

Committee on Judiciary recommends passage.

Leader DeSimone moves to recommit. There is no objection.

Read and recommitted to the Committee on Judiciary.

2. 2015-H 5755

BY Handy

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RESPONSIBLE RECYCLING, REUSE, AND DISPOSAL OF MATTRESSES

Committee on Environment and Natural Resources recommends passage.

Representative Handy moves passage of the act, seconded by Representatives DeSimone, O'Grady, Ackerman, Ajello, and Carson.

Representatives Newberry and Handy discuss the act.

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, Carson, Casey, Chippendale,

Corvese, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, Newberry, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

3. 2015-H 5166 SUB A

BY Serpa

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

Representative Serpa moves passage of the act, seconded by Representatives Phillips, Melo Tobon, Barros, Abney, Edwards, Solomon, Coughlin, Johnston, Blazejewski, Casey, Diaz, Slater, Bennett, Hull, Fellela, Shekarchi, Maldonado, Ackerman, Handy, Carson, Morin, Almeida, McKiernan, O'Brien, Marshall, and Trillo.

Representative Newberry and Serpa discuss the act. Representative Newberry requests to vote in Sections. The Honorable Speaker Mattiello rules it is divisible.

The bill marked Substitute "A" is read and the original bill indefinitely postponed.

Section 1, through 31-10.3-20 ending on line 1, page 2, prevails on a roll call vote, 61 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 61: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carnevale, Carson, Casey, Corvese, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Fogarty, Gallison, Handy, Hearn, Hull, Jacquard, Johnston, Keable, Kennedy, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morin, Naughton, O'Brien, O'Grady, Palangio, Phillips, Regunberg, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Williams, Winfield.

NAYS - 10: Representatives Chippendale, Filippi, Giarrusso, Lancia, Morgan, Nardolillo, Newberry, Price, Reilly, Roberts.

RECUSED - 0:

Section 2, beginning on line 2, page 2, 31-10.3-23 to the end of the act prevails on a roll call vote, 71 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 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, Keable, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, Newberry, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

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

Representative Solomon wishes a Happy Birthday to Majority Whip Jay Edwards.

GUESTS

Representative DeSimone welcomes to the House Chamber as a guest Anea Garcia, a former Page of the House from 2009 to 2013. She currently holds the title of Miss Rhode Island USA and will be competing in the Miss USA competition later this year.

The Honorable Speaker Mattiello along with Representatives Almeida, Diaz, Slater, and Lombardi congratulate and welcome Miss Rhode Island to the House. Speaker Mattiello Representatives Diaz and Lombardi also welcome Ida Garcia, grandmother of Miss Rhode Island, Anea Garcia.

NEW BUSINESS

House Resolution No. 6044

BY DeSimone, Newberry

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2403/1}

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. 6045**BY** DeSimone, Newberry**ENTITLED**, HOUSE RESOLUTION EXTENDING CONDOLENCES {LC2402/1}

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. 6046**BY** Abney, Carson, Ruggiero**ENTITLED**, HOUSE RESOLUTION CONGRATULATING ARTHUR PAIVA ON BEING SELECTED "CITIZEN OF THE YEAR" BY THE NEWPORT ELKS LODGE #104 {LC2379/1}

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

There is no objection.

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

House Resolution No. 6047**BY** Corvese, Azzinaro, Ucci, Shekarchi, Kennedy**ENTITLED**, HOUSE RESOLUTION CELEBRATING "NATIONAL CANCER REGISTRARS WEEK" ON APRIL 6TH THROUGH THE 10TH, 2015, IN THE STATE OF RHODE ISLAND {LC2312/1}

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

There is no objection.

Read and passed, on a motion of Representative Corvese seconded by Representatives Azzinaro, Shekarchi, and Kennedy by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

ANNOUNCEMENTS/GUEST

Representative Canario also wishes Representative Edwards a Happy Birthday and welcomes his wife, Donna to the Chamber.

Representative Gallison announces that the members should have received the Budget Analysis prepared by the fiscal staff and also the Committee on Finance will meet 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.

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

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

House Bill No. 6003

BY Trillo

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Marc S. Weinberg to join Jona Mici and Justin Andrew Weinberg in marriage on or about August 21, 2015, within the Town of Bristol, Rhode Island.) {LC2286/1}

04/07/2015 Placed on the House Consent Calendar (04/09/2015)

House Bill No. 6018

BY Hearn

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Arthur M. Diamond to join Brian Benjamin McDevitt Goldberger and Kimberly Francis Morse in marriage on or about June 27, 2015, within the Town of Middletown, Rhode Island.) {LC2342/1}

04/07/2015 Placed on the House Consent Calendar (04/09/2015)

House Bill No. 6019

BY Ruggiero, Reilly

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Joe Szafarowicz to join Katlynn Szafarowicz and Gian Vicuna in marriage on or about June 6, 2015, within the Town of Middletown, Rhode Island.) {LC2341/1}

04/07/2015 Placed on the House Consent Calendar (04/09/2015)

House Bill No. 6020

BY Handy, Craven, McKiernan, Mattiello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Michael J. Mulcahy, II, to join Jennifer L. Mulcahy and Daniel P. O'Brien in marriage on or about September 27, 2015, within the Town of West Greenwich, Rhode Island.) {LC2343/1}

04/07/2015 Placed on the House Consent Calendar (04/09/2015)

ADJOURNMENT

At 4:46 o'clock P.M. on motion of Representative Williams, and as a further mark of respect to the memory of June Massey; on motion of Representative Maldonado, and as a further mark of respect to the memories of Tiffany Sical and Bryan Rodriguez; on motion of Representative Giarrusso and as a further mark of respect to the memory of Roland Bessette; seconded by Leaders DeSimone and Newberry the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DENNIS M. CANARIO

Lord we ask you to bless the members of this the peoples' House. Inspire us to labor for justice and righteousness in our communities and our State. Always remind us that we are the voice for all our citizens, especially those whose voices are often not heard, but whom need us the most. Amen.

APPENDIX**CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 08, 2015:**

1. **2015-H 5261**
 BY Ucci
 ENTITLED, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTION
 AND VOTING EQUIPMENT, AND SUPPLIES

 Committee on Finance recommends passage.
2. **2015-H 5846**
 BY Diaz
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE RHODE
 ISLAND LUPUS EDUCATION AND AWARENESS PLAN

 Committee on Health, Education & Welfare recommends passage.
3. **2015-H 5881**
 BY Johnston
 ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
 MISCELLANEOUS RULES

 Committee on Judiciary recommends passage.

IN ORDER FOR THURSDAY, APRIL 09, 2015:

1. **2015-H 5580**
 BY Gallison
 ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATES FOR
 THE JOINT RESOLUTIONS RESPECTFULLY REQUESTING THE RHODE
 ISLAND DISABILITIES COUNCIL EXAMINE AND REFINE ITS CURRENT
 POLICIES AND PRACTICES

 Committee on Health, Education & Welfare recommends passage.
2. **2015-H 5869**
 BY Shekarchi
 ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTION OFFENSES

 Committee on Judiciary recommends passage.

Francis McCabe
Clerk of the House

Thursday, April 02, 2015

APPENDIX

CONSENT CALENDAR

IN ORDER FOR THURSDAY, APRIL 09, 2015:

1. **2015-H 6003**
 BY Trillo
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
2. **2015-H 6018**
 BY Hearn
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
3. **2015-H 6019**
 BY Ruggiero
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
4. **2015-H 6020**
 BY Handy
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

Francis McCabe
Clerk of the House

Tuesday, April 07, 2015