

**State of Rhode Island and Providence Plantations**

**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.36

Thursday, April 9, 2015

Thirty-sixth Day

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The House of Representatives meets at the State House in Providence, Thursday, April 9, 2015 and is called to order at 4:26 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 4 members absent as follows:

**PRESENT - 70:** The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Almeida, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carnevale, Carson, Casey, Chippendale, Corvese, Costa, Costantino, 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, Trillo, Ucci, Williams, Winfield

**ABSENT – 4:** Representatives Ajello, Amore, Coughlin, Naughton.

**INVOCATION**

The Honorable Speaker presents Representative Ucci 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 Wednesday, April 8, 2015 is approved.

**ANNOUNCEMENTS**

Representative Ajello is unable to attend session today, Thursday, April 9, 2015.

Representative Coughlin is unable to attend session today, Thursday, April 9, 2015.

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

Representative Ajello-An Act relating to Firearm and High Capacity Magazines

Representative Filippi-An Act relating to Water Born Landing Fees

Representative Phillips-An Act relating to Government Model for Intergovernment Co-operation

**NEW BUSINESS****House Bill No. 6054**

**BY** Newberry

**ENTITLED**, AN ACT RELATING TO ELECTIONS - PRESIDENTIAL PRIMARIES

(Changes the date for presidential party primaries from the fourth Tuesday in April to the fourth Tuesday in March beginning in 2016.) {LC2415/1}

04/09/2015 Introduced, referred to House Judiciary

**House Bill No. 6055**

**BY** Newberry

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Kenneth Terry to join Jennifer Paiz and Michael Mason in marriage on or about July 4, 2015, within the Town of Glocester, Rhode Island.) {LC2421/1}

04/09/2015 Introduced, referred to House Judiciary

**House Bill No. 6056**

**BY** Carnevale, Corvese, O'Brien

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES (Permits the holder of a wholesaler's Class C license to sell alcohol to manufacturers of food products in connection with the manufacture of such products.) {LC2363/1}

04/09/2015 Introduced, referred to House Corporations

**House Bill No. 6057**

**BY** McNamara

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - RHODE ISLAND ACCESS TO MEDICAL TECHNOLOGY INNOVATION ACT (Provides certain in-state health care facilities with an exemption from the Determination of Need for New Health Care Equipment and New Institutional Health Service Requirement Acts.) {LC2143/1}

04/09/2015 Introduced, referred to House H.E.W.

**COMMUNICATION FROM THE SENATE**

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

**Senate Bill No. 800**

**BY** Lombardi, Archambault

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF WINCOR NIXDORF, INC. {LC2368/1}

04/09/2015 Referred to House Corporations

**Senate Bill No. 189**

(by request)

**BY** Coyne, Cote, Conley

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY (Removes the prohibition of the town of Barrington from issuing Class A licenses.) {LC573/1}

04/09/2015 Referred to House Municipal Government

**Senate Bill No. 567 as amended**

(Attorney General)

**BY** Lombardi, Archambault, Conley, Algieri, Nesselbush

**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - COMPUTER CRIME

(Prohibits the unauthorized and intentional access of another's computer with the intent to view confidential information. Violators would be guilty of a felony and subject to imprisonment for up to 5 years and a fine of not more than \$5,000.) {LC1056/1}

04/09/2015 Referred to House Judiciary

**CALENDAR**

From the Calendar are taken:

**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.

Representative McNamara moves passage of the resolution, seconded by Representatives Gallison, Costa, Giarrusso, Roberts, Nardolillo, Price, Barros, Abney, Johnston, Messier, Casey,

Corvese, Azzinaro, Diaz, Slater, Almeida, Keable, Maldonado, Fogarty, Ruggiero, Carson, Morin, Kennedy, Bennett, Kazarian, Reilly, and Marshall.

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, Almeida, Azzinaro, Barros, Bennett, Canario, Carnevale, Carson, Casey, Chippendale, Corvese, Costa, Costantino, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, 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, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

2. **2015-H 5869**  
**BY** Shekarchi  
**ENTITLED**, AN ACT RELATING TO ELECTIONS -- ELECTION OFFENSES

Committee on Judiciary recommends passage.

Majority Leader DeSimone moves to recommit. There is no objection.

Read and recommitted to the Committee on Judiciary.

### **CONSENT CALENDAR**

From the Consent Calendar are taken:

#### **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.

Leader DeSimone moves passage of the Consent Calendar, seconded by Leader Newberry.

The Consent Calendar prevails on a roll call vote, 66 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 66: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Almeida, Azzinaro, Barros, Bennett, Canario, Carnevale, Carson, Casey, Chippendale, Corvese, Costa, Costantino, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McKiernan, 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, Trillo, Ucci, Williams, Winfield.

NAYS - 0:

RECUSED - 0:

#### ANNOUNCEMENTS

Representative Fellela invites members to a 5K race Sunday, April 12<sup>th</sup> from 9:00-12:00 at Slater Park which will benefit RI CORP-children in group and foster homes.

Representative Handy announces that the Committee on Environment and Natural Resources will meet at the rise of the House, in the House Lounge of the State House.

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

Representative McLaughlin asks all members to keep Ralph Fagnoli, Head Doorkeeper for the House, in their prayers while he recovers from knee surgery.

Representative Ucci wishes a Happy Birthday to Mia Ross, House page.

By unanimous consent, the House returns to:

**NEW BUSINESS****House Resolution No. 6058****BY** Ackerman, Tanzi, Fogarty, Maldonado, Naughton**ENTITLED**, HOUSE RESOLUTION PROCLAIMING APRIL, 2015, TO BE "SEXUAL ASSAULT AWARENESS MONTH" IN THE STATE OF RHODE ISLAND {LC2385/1}

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

There is no objection.

Read and passed, on a motion of Representative Ackerman seconded by Representatives Tanzi, Fogarty, Maldonado, Serpa, Fellela, Williams, Carson, Ruggiero, Messier, Diaz, Lima, Roberts, Hearn, Kazarian, MacBeth, Costa, Giarrusso, Morgan, Reilly, Chippendale, Price, Phillips, Lancia, Tobon, Abney, Edwards, Solomon, Bennett, Casey, Hull, O'Grady, Palangio, Regunberg, Lombardi, Morin, Craven, Carnevale, Marshall, Melo, Keable, Johnston, Marcello, and the entire House of Representatives by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

**ANNOUNCEMENTS**

Representative Craven announces that the Committee on Municipal Government will meet at the rise of the House, in Room 205 of the State House.

Representative Gallison announces that the Committee on Finance will continue its hearing at the rise of the House, in Room 35 of the State House.

By unanimous consent, the House returns to:

**NEW BUSINESS****House Resolution No. 6059****BY** Gallison, Mattiello, DeSimone, Newberry, Marshall**ENTITLED**, HOUSE RESOLUTION EXPRESSING CONDOLENCES TO THE LIMA FAMILY ON THE PASSING OF THE HONORABLE GEORGE CHARLES LIMA, SR. {LC2441/1}

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

There is no objection.

Read and passed, on a motion of Representative Gallison seconded by Speaker Mattiello, Leaders DeSimone, Newberry, Representatives Marshall, Edwards, Solomon, Reilly, Abney, Lombardi and O'Brien and by unanimous consent, on a rising vote.

By unanimous consent, the House returns to:

### ANNOUNCEMENTS

Representative McNamara wishes a Happy Birthday to Representative Malik on Monday, April 13<sup>th</sup>.

Representative Giarrusso wishes good luck to the PC Friars Hockey Team in the final 4.

### 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.

### NEW BUSINESS

#### **House Bill No. 6060**

**BY** Craven, Lombardi

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows James F. Dube to join Elizabeth M. Sladen and Jeffrey L. Dubuc in marriage on or about August 22, 2015, within the Town of Barrington, Rhode Island.) {LC2423/1}

04/09/2015 Introduced, referred to House Judiciary

#### **House Bill No. 6061**

**BY** Mattiello

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Margaret Hassan to join Elizabeth Marie Gionet Halliday and Patrick John Murphy in marriage on or about September 26, 2015, within the Town of Little Compton, Rhode Island.) {LC2424/1}

04/09/2015 Introduced, referred to House Judiciary

#### **House Bill No. 6062**

**BY** Messier

**ENTITLED**, AN ACT RELATING TO TAXATION - TAX SALES (Requires purchaser of tax sale property, not the redeeming party, to pay collector's deed recording fee with reimbursement by any redeeming party, if any.) {LC2412/1}

04/09/2015 Introduced, referred to House Judiciary

**House Bill No. 6063****BY** Phillips, Costantino, Coughlin, Marshall, Fogarty**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- INTERLOCAL CONTRACTING, JOINT ENTERPRISES AND SHARED SERVICES (Allows cities and towns and other governmental units to enter into agreements to provide shared services, activities and facilities.) {LC2428/1}

04/09/2015 Introduced, referred to House Municipal Government

**REPORTS OF COMMITTEES****COMMITTEE ON CORPORATIONS**

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

**House Bill No. 6036****BY** Shekarchi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE WESCOM GROUP LLC {LC2377/1}

04/09/2015 Placed on House Calendar (04/14/2015)

**House Bill No. 6037****BY** Shekarchi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE TERN INN, INC. {LC2378/1}

04/09/2015 Placed on House Calendar (04/15/2015)

**COMMITTEE ON JUDICIARY**

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

**House Bill No. 5789 SUB A****BY** DeSimone, Craven, Ruggiero, Abney, Hearn**ENTITLED**, AN ACT RELATING TO ELECTIONS - RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING (Requires candidates and political action committees to file a copy of the next bank statement from their campaign account that is issued after they file their final on-going quarterly campaign finance report to the board of elections.) {LC2042/A/1}

04/09/2015 Placed on House Calendar (04/14/2015)

**House Bill No. 5840 SUB A****BY** Craven, Marshall, Morin, Keable, Tobon**ENTITLED**, AN ACT RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING (Requires candidates for public office and office holders to maintain separate campaign accounts exclusively for campaign funds)



and would also apply to political action committees.) {LC2058/A/1}  
04/09/2015 Placed on House Calendar (04/14/2015)

**House Bill No. 5920 SUB A**

**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 \$10,000, and examination of campaign accounts by such persons.) {LC2158/A/1}

04/09/2015 Placed on House Calendar (04/14/2015)

**House Bill No. 5246**

**BY** Corvese, Ucci, Lombardi, Edwards, Melo

**ENTITLED**, AN ACT RELATING TO ELECTIONS - GENERAL STATE OFFICERS (Enables the general assembly in grand committee to fill a vacancy in the office of the lieutenant governor.) {LC543/1}

04/09/2015 Placed on House Calendar (04/15/2015)

**COMMITTEE ON LABOR**

Representative Shekarchi, for the Committee on Labor, reports back the following measure, with recommendation of passage:

**House Bill No. 5590 SUB A**

**BY** Tobon, Melo, Abney, Solomon, Coughlin

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES (Allows, subject to an employer's consent, an employee to set up a payroll card account with his or her financial institution which can accept electronic transfer credit of wages from employer.) {LC1509/A/2}

04/09/2015 Placed on House Calendar (04/15/2015)

**COMMITTEE ON VETERANS' AFFAIRS**

Representative Malik for the Committee on Veterans' Affairs, reports back the following measure, with recommendation of passage:

**House Bill No. 5942**

(Emergency Management Agency)

**BY** Fellela, Ucci, Winfield, Carnevale, Serpa

**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- EMERGENCY MANAGEMENT (Makes technical amendment to the general laws to reflect changes to the structure of the emergency management agency and would change the title of the executive director to "director.") {LC1757/1}

04/09/2015 Placed on House Calendar (04/15/2015)

**TRANSFER OF BILLS**

**Representative Gallison, for the Committee on Finance, reports back the following measure, with recommendation of transfer to the Committee on Health, Education & Welfare:**

**House Bill No. 5792**

**BY** McNamara, Naughton, Ruggiero, Amore, Lombardi

**ENTITLED**, AN ACT RELATING TO EDUCATION -- POSTSECONDARY EDUCATION PERFORMANCE FUNDING (Establishes "The Performance Funding Act of 2015" to provide a mechanism for funding Rhode Island's post-secondary state schools based upon the number of students earning degrees and credits at those schools.)

{LC2024/1}

04/10/2015 Committee transferred to House H.E.W.

**Representative McNamara, for the Committee on Health, Education & Welfare, reports back the following measure, with recommendation of transfer to the Committee on Finance:**

**House Bill No. 5506**

**BY** Gallison, Bennett, Casey, Edwards, Canario

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES (Specifies the maximum number of patients assigned to a registered nurse in various facilities.) {LC1506/1}

04/10/2015 Committee transferred to House Finance

**ADJOURNMENT**

At 4:45 o'clock P.M. on motion of Representatives Gallison and Marshall, and as a further mark of respect to the memory of the Honorable George C. Lima, Sr.; seconded by Leaders DeSimone and Newberry the House adjourns, on a unanimous rising vote.

**Linda M. McElroy**  
Recording Clerk

**APPENDIX**

**INVOCATION**

**REPRESENTATIVE STEPHEN R. UCCI**

Dear Lord: We pray that you bless this House of Representatives. Help us to work with real commitment to resolving the problems that face our State. Guide us to do only that which is just and wise in all our decisions. Amen.

**APPENDIX****CALENDAR****IN ORDER FOR TUESDAY, APRIL 14, 2015:**

1. **2015-H 6036**  
**BY** Shekarchi  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE WESCOM GROUP LLC

Committee on Corporations recommends passage.

2. **2015-H 5789 SUB A**  
**BY** DeSimone  
**ENTITLED**, AN ACT RELATING TO ELECTIONS - RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING

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

3. **2015-H 5840 SUB A**  
**BY** Craven  
**ENTITLED**, AN ACT RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING

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

4. **2015-H 5920 SUB A**  
**BY** Hearn  
**ENTITLED**, AN ACT RELATING TO ELECTIONS - RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING

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

**IN ORDER FOR WEDNESDAY, APRIL 15, 2015:**

1. **2015-H 6037**  
**BY** Shekarchi  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE TERN INN, INC.

Committee on Corporations recommends passage.

2.     **2015-H 5590 SUB A**  
       **BY** Tobon  
       **ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
       PAYMENT OF WAGES

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

3.     **2015-H 5246**  
       **BY** Corvese  
       **ENTITLED**, AN ACT RELATING TO ELECTIONS - GENERAL STATE OFFICERS

Committee on Judiciary recommends passage.

4.     **2015-H 5942**  
       **BY** Fellela  
       **ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --  
       EMERGENCY MANAGEMENT

Committee on Veterans' Affairs recommends passage.

**Francis McCabe**  
Clerk of the House

**Thursday, April 09, 2015**