

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.55

Tuesday, June 2, 2015

Fifty-fifth Day

The House of Representatives meets at the State House in Providence, Tuesday, June 2, 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 73 members present and 1 member absent as follows:

PRESENT - 73: 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, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, MacBeth, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, Newberry, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Ucci, Williams, Winfield

ABSENT – 1: Representative Carnevale.

INVOCATION

The Honorable Speaker presents Representative Azzinaro 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, May 28, 2015 is approved.

ANNOUNCEMENT

Representative John Carnevale is unable to attend session today, Tuesday, June 2, 2015.

NEW BUSINESS**House Bill No. 6267****BY** Gallison

ENTITLED, AN ACT RELATING TO AUTHORIZING AN AMENDMENT TO THE NEWPORT GRAND MASTER VIDEO LOTTERY TERMINAL CONTRACT AND PARI-MUTUEL LICENSEES (Amends the Newport Grand Master Video Lottery Terminal Contract and authorizes the division of lotteries to enter into a fourth amendment to the Master Contract.) {LC2800/1}

06/02/2015 Introduced, referred to House Finance

House Bill No. 6268**BY** Ruggiero, Shekarchi, Abney

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES -- TOWN OF MIDDLETOWN (Permits the town of Middletown to grant a proposed Class BV liquor license within 200' feet of a church.) {LC2777/1}

06/02/2015 Introduced, referred to House Municipal Government

CALENDAR

From the Calendar are taken:

IN ORDER FOR TUESDAY, JUNE 02, 2015:**1. 2015-H 5426 SUB A****BY** Craven

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - RHODE ISLAND WELL DRILLING CONTRACTORS LICENSING LAW

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

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, June 10, 2015.

2. 2015-H 5977**BY** Craven

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - DRILLING OF DRINKING WATER WELLS

Committee on Corporations recommends passage.

Read, and by unanimous consent, ordered to be placed on the Calendar for Wednesday, June 10, 2015.

3. 2015-H 5074 SUB A

BY Bennett

ENTITLED, AN ACT AN ACT RELATING TO LABOR AND LABOR RELATIONS
- MINIMUM WAGE

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

Representative Shekarchi moves passage of the act, seconded by Representatives Bennett, Hull, Corvese, McNamara, Messier, Morin, Tobon, Abney, Kazarian, Coughlin, Solomon, Edwards, Casey, Keable, Johnston, Blazejewski, Slater, Ajello, Fellela, Maldonado, Fogarty, Regunberg, Amore, Handy, Ruggiero, Almeida, McKiernan, O'Brien, Williams, Winfield, Marshall, and Ucci.

By unanimous consent, Representative Morgan, seconded by Representatives Newberry, Giarrusso, Reilly, Roberts, Nardolillo, Chippendale, Price, Lancia, and Filippi, offers a written motion to amend.

**FLOOR AMENDMENT
TO
2015 -- H 5074 SUBSTITUTE A**

AN ACT AN ACT RELATING TO LABOR AND LABOR RELATIONS - MINIMUM WAGE

Mr. Speaker:

I hereby move to amend 2015 -- H 5074 SUBSTITUTE A, entitled "AN ACT AN ACT RELATING TO LABOR AND LABOR RELATIONS - MINIMUM WAGE", as follows:

1. On page 1, line 18, by inserting the following language after the language "hour."

"Provided, however, the provisions of this subsection shall not apply to any employer who employs a person who is twenty (20) years of age or younger and who possesses a high school diploma or GED degree and that is the persons highest degree, or is in a school program and working toward a high school diploma or GED degree. Employers who employ the individuals so described shall continue to pay the rate of nine dollars (\$9.00) per hour as a minimum wage."

Respectfully submitted,

Representative Morgan

Representatives Morgan, Hull, Newberry, Blazejewski, Almeida, McNamara, O'Grady, Handy, Chippendale, McLaughlin, Regunberg, Palangio, Ucci, Lancia, Marshall, and DeSimone discuss the amendment.

The motion to amend fails on a roll call vote 7 members voting in the affirmative and 64 members voting in the negative as follows:

YEAS - 7: Representatives Filippi, Giarrusso, Morgan, Newberry, Price, Reilly, Roberts.

NAYS - 64: 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, Fogarty, Gallison, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morin, Nardolillo, Naughton, Nunes, O'Brien, O'Grady, Palangio, Phillips, Regunberg, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tobon, Trillo, Ucci, Williams, Winfield.

RECUSED - 0:

Representatives Nunes, Trillo, Newberry, Shekarchi, DeSimone discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 59 members voting in the affirmative and 13 members voting in the negative as follows:

YEAS - 59: The Honorable Speaker Mattiello and Representatives Abney, Ackerman, Ajello, Almeida, Amore, Azzinaro, Barros, Bennett, Blazejewski, Canario, Carson, Casey, Corvese, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morin, Naughton, O'Brien, O'Grady, Palangio, Regunberg, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Ucci, Williams, Winfield.

NAYS - 13: Representatives Chippendale, Costa, Costantino, Giarrusso, Morgan, Nardolillo, Newberry, Nunes, Phillips, Price, Reilly, Roberts, Trillo.

RECUSED - 0:

GUESTS

Representative McNamara welcomes to the House Chamber as guests members of the College Crusade's Gear Up Program: Dr. Todd D. Flaherty, President and CEO, The College Crusade of RI; Karla Argueta, guest speaker and graduating senior, Shea High School along with her mother, Esther Argueta; Joshua Flanagan, College Crusade Advisor, Shea High School; and Bob Oberg, VP for Development & Communications, The College Crusade of RI.

By unanimous consent the House returns to:

CALENDAR

4. 2015-H 5582 SUB A

BY Lombardi

ENTITLED, AN ACT RELATING TO EDUCATION - RHODE ISLAND VISION EDUCATION AND SERVICES PROGRAM

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

Representative McNamara moves passage of the act, seconded by Representatives Naughton, Ajello, McLaughlin, Morin, Corvese, Azzinaro Diaz, Bennett, Giarrusso, Reilly, Chippendale, Price, Phillips, Lancia, Abney, Tobon, Edwards, Solomon, Coughlin, Casey, Keable, Johnston, Blazejewski, Serpa, Costantino, Regunberg, Amore, Maldonado, Ackerman, Marshall, Canario, Handy, Ruggiero, Carson, Almeida, McKiernan, O'Brien, and Williams.

Representatives Newberry, McNamara, Chippendale, Lombardi, and Trillo discuss the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 72 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 72: 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, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, 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:

5. 2015-H 5873 SUB A

BY DeSimone

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - EXPUNGEMENTS

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

Representative Keable moves passage of the act, seconded by Leader DeSimone, Representatives Johnston, Corvese, Abney, Coughlin, Almeida, Marshall, Tobon, and Solomon

Representatives Marcello and Keable discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, on a roll call vote, 71 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 71: 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, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, Maldonado, Malik, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, Newberry, Nunes, O'Brien, O'Grady, Palangio, Phillips, Price, Regunberg, Reilly, Roberts, Ruggiero, Serpa, Shekarchi, Slater, Solomon, Tanzi, Tobon, Trillo, Ucci, Williams, Winfield.

NAYS - 1: Representative Marcello.

RECUSED - 0:

6. 2015-H 5103 as amended

BY Keable

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- RENAMING BRIDGE #672 LOCATED ON ROUTE 102 AND BRANCH AVENUE IN THE TOWN OF BURRILLVILLE

Committee on Municipal Government recommends passage as amended in concurrence.

Representative Craven moves passage of the act, as amended, seconded by Representatives O'Brien, Marshall, McKiernan, Canario, Ruggiero, Almeida, Handy, Gallison, Maldonado, Fogarty, Ackerman, Amore, Regunberg, Palangio, Jacquard, Nunes, Hearn, Marcello and the entire House of Representatives.

Read and passed, as amended, in concurrence, on a roll call vote, 72 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 72: 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, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, 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:

7. 2015-S 763

BY Gallo

**ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
REGULATORY POWERS OF ADMINISTRATION**

Committee on Corporations recommends passage in concurrence.

Representative Kennedy moves passage of the act, seconded by Representatives Marshall, O'Brien, Azzinaro, and Casey.

Read and passed, in concurrence, 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, Bennett, Blazejewski, Canario, Carson, Casey, Chippendale, Corvese, Costa, Costantino, Coughlin, Craven, DeSimone, Diaz, Edwards, Fellela, Filippi, Fogarty, Gallison, Giarrusso, Handy, Hearn, Hull, Jacquard, Johnston, Kazarian, Keable, Kennedy, Lancia, Lima, Lombardi, Maldonado, Malik, Marcello, Marshall, McKiernan, McLaughlin, McNamara, Melo, Messier, Morgan, Morin, Nardolillo, Naughton, 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:

By unanimous consent, the House returns to:

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 Serpa announces that Alexandra Curtis of West Warwick won the Miss Rhode Island Contest.

By unanimous consent, the House returns to:

NEW BUSINESS**House Resolution No. 6269****BY** Newberry**ENTITLED**, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF RAPHAEL SAGARIN {LC2819/1}

With the agreement of the majority, Representative Newberry requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Representative Newberry, seconded by Representatives Trillo, Giarrusso, Chippendale, Nardolillo, Roberts, Abney, Tobon, Kazarian, Coughlin, Solomon, Johnston, Bennett, Ajello, Naughton, Hearn, Fogarty, Tanzi, Handy, Craven, Ruggiero, McKiernan, Marshall, Ucci, and Casey by unanimous consent, on a rising vote.

House Resolution No. 6270**BY** Lancia, Shekarchi, Diaz, Bennett, Hull**ENTITLED**, HOUSE RESOLUTION RECOGNIZING JUNE 2ND, 2015, AS "RHODE ISLAND CHILDREN'S BEHAVIORAL HEALTH LEGISLATIVE ADVOCACY DAY" AND HONORING THE PARENT SUPPORT NETWORK OF RHODE ISLAND FOR THEIR PEER SUPPORT SERVICES AND TIRELESS ADVOCACY FOR CHILDREN'S BEHAVIORAL HEALTH {LC2717/1}

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

There is no objection.

Read and passed, on a motion of Representative Lancia seconded by Representatives Shekarchi, Diaz, Bennett, Hull and Solomon by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

GUESTS

Representative Fellela welcomes to the House as a guest Louis Barta and congratulates him on his recent promotion to Lt. Colonel in the Army along with his friend Rita Marcella from Johnston who advocated for this promotion. Speaker Mattiello also congratulates Lt. Colonel Louis Barta and thanks him for his service to our country.

By unanimous consent, the House returns to:

ANNOUNCEMENTS

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

Representative Chippendale and Speaker Mattiello congratulate Representative Lancia on receiving the Loyalty Day Award from the Veterans of Foreign Wars.

By unanimous consent, the House returns to:

NEW BUSINESS**House Resolution No. 6271**

BY Chippendale, Keable, Casey

ENTITLED, HOUSE RESOLUTION HONORING RESCUE CAPTAIN ANGELA L. TAYLOR ON THE OCCASION OF HER RETIREMENT FROM THE WEST GLOCESTER FIRE DEPARTMENT {LC2811/1}

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

There is no objection.

Read and passed, on a motion of Representative Chippendale seconded by Representatives Keable and Casey by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

GUEST

Representative Ruggiero welcomes to the Chamber Brian Bucci from Middletown.

By unanimous consent, the House returns to:

NEW BUSINESS**House Resolution No. 6272**

BY DeSimone, Newberry

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC2802/1}

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. 6273**BY** DeSimone, Newberry**ENTITLED**, HOUSE RESOLUTION EXTENDING CONDOLENCES {LC2805/1}

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.

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.

(For Transmittals to Governor, see Appendix of this Journal.)

ADJOURNMENT

At 5:53 o'clock P.M. on motion of Representative Serpa, and as a further mark of respect to the memory of Jeff Hakanson; on motion of Representative Newberry, and as a further mark of respect to the memory of Raphael Sagarin; seconded by Leader DeSimone and Minority Whip Trillo the House adjourns, on a unanimous rising vote.

Linda M. McElroy
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE SAMUEL A. AZZINARO

Bless us o Lord as we gather today for this session. Guide our minds and hearts so that we will work for the good of our community. Teach us to be generous in our outlook, courageous in the face of difficulty, and wise in our decisions. Amen.

APPENDIX

CALENDAR

IN ORDER FOR WEDNESDAY, JUNE 03, 2015:**1. 2015-H 5381 SUB A****BY** Keable**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - THE HEALING ART OF ACUPUNCTURE

Committee on Health, Education & Welfare recommends indefinite postponement of the original bill and passage of Substitute A.

2. 2015-H 5409**BY** Morin**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

Committee on Environment and Natural Resources recommends passage.

3. 2015-H 6157 SUB A**BY** MacBeth**ENTITLED**, AN ACT RELATING TO PROPERTY -- REVERSE MORTGAGES

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

4. 2015-H 6219**BY** Shekarchi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE RHODE ISLAND COMMODORES

Committee on Corporations recommends passage.

IN ORDER FOR THURSDAY, JUNE 04, 2015:**1. 2015-H 5033****BY** Lombardi**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - EXPUNGEMENT OF CRIMINAL RECORDS

Committee on Judiciary recommends passage.

2. **2015-H 5899**
BY Costantino
ENTITLED, AN ACT RELATING TO TAXATION

Committee on Municipal Government recommends passage.

3. **2015-H 5896**
BY Ruggiero
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Environment and Natural Resources recommends passage.

4. **2015-H 5132 SUB A**
BY Carnevale
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
HOISTING ENGINEERS

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

IN ORDER FOR WEDNESDAY, JUNE 10, 2015:

1. **2015-H 5426 SUB A**
BY Craven
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - RHODE
ISLAND WELL DRILLING CONTRACTORS LICENSING LAW

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

2. **2015-H 5977**
BY Craven
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - DRILLING
OF DRINKING WATER WELLS

Committee on Corporations recommends passage.

Francis McCabe
Clerk of the House

Tuesday, June 02, 2015

APPENDIX

TRANSMITTED TO THE GOVERNOR

Senate Bill No. 282 SUB A**BY** Fogarty, Nesselbush, Miller, Metts**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- RENAMING BRIDGE #672 LOCATED ON ROUTE 102 AND BRANCH RIVER IN THE TOWN OF BURRILLVILLE (Names bridge #672 in the town of Burrillville as "The PFC Allen B. McCutcheon and PFC James A. Blanchard Memorial Bridge.) {LC948/A/1}
06/02/2015 Transmitted to Governor**Senate Bill No. 763**

(PUC)

BY Gallo, Fogarty**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - REGULATORY POWERS OF ADMINISTRATION (Expands the division of public utilities and carriers' authority to adopt safety standards related to pipeline facilities including, storage, transportation and distribution of natural gas and flammable gas.) {LC1788/1}
06/02/2015 Transmitted to Governor**House Bill No. 5103 as amended****BY** Keable, Newberry**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- RENAMING BRIDGE #672 LOCATED ON ROUTE 102 AND BRANCH AVENUE IN THE TOWN OF BURRILLVILLE (Names bridge #672 in the town of Burrillville as "The PFC Allen B. McCutcheon and PFC James A. Blanchard Memorial Bridge.) {LC465/1}
06/02/2015 Transmitted to Governor