

State of Rhode Island

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 Third Day of January in the year of Our Lord Two Thousand and Twenty-Three.

Volume 150, No. 7

Tuesday, January 24, 2023

Seventh-Day

The House of Representatives meets at the State House in Providence, Tuesday, January 24, 2023, and is called to order at 4:05 o'clock P.M., by the Honorable K. Joseph Shekarchi, Speaker.

The roll is called and a quorum is declared present with 69 members present and 6 members absent as follows:

PRESENT – 69: The Honorable Speaker Shekarchi and Representatives Abney, Ackerman, Ajello, Alzate, Azzinaro, Batista, Bennett, Blazejewski, Boylan, Brien, Caldwell, Cardillo, Carson, Casey, Casimiro, Chippendale, Cortvriend, Corvese, Costantino, Cotter, Cruz, Dawson, DeSimone, Donovan, Edwards, Felix, Fellela, Fenton-Fung, Finkelman, Fogarty, Giraldo, Handy, Henries, Hull, Kazarian, Kennedy, Kislak, Knight, Lima, Lombardi, Marszalkowski, McEntee, McGaw, McNamara, Messier, Morales, Nardone, Newberry, Noret, O'Brien, Perez, Phillips, Place, Potter, Quattrocchi, Rea, Roberts, Sanchez, Serpa, Shanley, Slater, Solomon, Speakman, Spears, Stewart, Tanzi, Vella-Wilkinson and Voas.

ABSENT – 6: Representatives Baginski, Biah, Craven, Diaz, Morgan, Shallcross Smith.

INVOCATION

The Honorable Speaker presents Representative Deborah A. Fellela 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, January 19, 2023, is approved.

APPOINTMENTS

January 24, 2023

Speaker Shekarchi has made the following appointments to the Rhode Island Commission on Prejudice and Bias:

Representative Karen Alzate
Representative Barbara Ann Fenton-Fung
Representative Joshua Giraldo

COMMUNICATIONS

Representative Grace Diaz is unable to attend session today, Tuesday, January 24, 2023.
Representative Jacquelyn Baginski is unable to attend session today, Tuesday, January 24, 2023.
Representative Leonela Felix is unable to attend session today, Tuesday, January 24, 2023.
Representative Robert E. Craven, Sr. is unable to attend session today, Tuesday, January 24, 2023.
Representative Mary Ann Shallcross Smith is unable to attend session today, Tuesday, January 24, 2023.

By unanimous consent, the House returns to:

ANNOUNCEMENTS

Representative Abney announces that day members should have received their copies of the Governor's budget at a first glance.

Majority Leader Blazejewski announces the next House session will be this Thursday, January 26, at 4 p.m. It is anticipated that the Rules bill will be considered.

Thursday, January 26, at 3 p.m. in the House Lounge, Speaker Shekarchi has invited author Douglas Brinkley to address House members. Mr. Brinkley will be discussing his recent book, *Silent Spring Revolution*, which is about the "Great Environmental Awakening."

Thursday, January 26, Representative June Speakman is sponsoring a State House Blood Drive in Room 313 from 10 a.m. to 3 p.m.

The Women's Fund is holding a reception tomorrow at 2 p.m. in the State House Library. Women office-holders will be honored, including Whip Katherine Kazarian.

IMMEDIATE CONSIDERATION**House Resolution No. 5217**

BY Shekarchi, Blazejewski, Vella-Wilkinson, Corvese, Solomon, Bennett, Azzinaro, Shanley, Kennedy, McNamara

ENTITLED, HOUSE RESOLUTION EXTENDING DEEPEST SYMPATHY ON THE PASSING OF THE HONORABLE ALFRED ALBERTO GEMMA {LC979/1}

With the agreement of the majority and the minority, on behalf of Speaker Shekarchi, and the entire House of Representatives, Representative Vella-Wilkinson requests unanimous consent for immediate consideration.

There is no objection.

Representative Vella-Wilkinson discusses the resolution. Speaker Shekarchi offers his condolences to the family.

Read and passed, on a motion of Representative Vella-Wilkinson, seconded by the entire House of Representatives, by unanimous consent, on a rising vote.

House Resolution No. 5218

BY Shekarchi, Blazejewski, Brien, Casey, Phillips, Azzinaro, Chippendale, Newberry, Kennedy, Serpa

ENTITLED, HOUSE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF ROSE V. HARRIS {LC812/1}

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

There is no objection.

Representative Brien discusses the resolution. Speaker Shekarchi and on behalf of the entire House of Representatives offer his condolences to Michael Harris and his entire family.

Read and passed, on a motion of Representative Brien, seconded by Speaker Shekarchi, and the entire House of Representatives, by unanimous consent, on a rising vote.

House Resolution No. 5219

BY Blazejewski, Chippendale

ENTITLED, HOUSE RESOLUTION EXTENDING CONGRATULATIONS {LC919/1}

Majority Leader Blazejewski requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on a motion of Majority Leader Blazejewski, seconded by Minority Leader Chippendale, by unanimous consent, on a voice vote.

By unanimous consent, the House returns to:

TRANSMITTAL

By unanimous consent, all matters on the clerk's desk are ordered to be transmitted to His Excellency, the Governor, to the Honorable Senate and the Honorable Secretary of State forthwith.

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

DESK HELD OPEN

The Honorable Speaker Shekarchi announces that the desk will be held open.

REPORTS OF COMMITTEES

COMMITTEE ON RULES

Chairwoman Fogarty, for the Committee on Rules, reports back the following measure, with recommendation of passage:

House Resolution No. 5051 SUB A

BY Fogarty

ENTITLED, HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2023 AND 2024 (This resolution would adopt the Rules of the House of Representatives for the years 2023 and 2024.) {LC579/A/1}
01/24/2023 Placed on House Calendar (01/26/2023)

NEW BUSINESS

House Bill No. 5220

BY Kislak, Solomon, Stewart, Alzate, Potter, McGaw, Morales, Voas, Handy, Spears

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGULATION OF ELECTRIC BICYCLES (Regulates electric bicycles in the same manner as human-powered bicycles, classify electric bicycles into three (3) classes, require all electric bicycles to have a label affixed to the bicycle and be equipped with a speedometer.) {LC665/1}
01/25/2023 Introduced, referred to House Corporations

House Bill No. 5221

BY Perez, Hull, Cardillo, Fellela, Corvese, Vella-Wilkinson, Lombardi J, Noret

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFERS' LICENSES (Requires bus drivers to take training courses to renew licenses for first and second renewal with courses required every 5 years thereafter.) {LC505/1}
01/25/2023 Introduced, referred to House Corporations

House Bill No. 5222

BY Casimiro, Donovan, Noret, Vella-Wilkinson, Fellela, Lima, Knight, Serpa, Boylan, Shanley
ENTITLED, AN ACT RELATING TO EDUCATION -- THE NATHAN BRUNO AND JASON FLATT ACT (Provides that in the event of the death of an educator or a student, a local educational agency be given up to five (5) days after the death to implement a flexible school schedule for teachers and students.) {LC707/1}

01/25/2023 Introduced, referred to House Education

House Resolution No. 5223

BY Casimiro, Noret, Vella-Wilkinson, Donovan, Lima, Serpa, Shanley
ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE EFFECTS AND IMPACT THAT HYBRID AND VIRTUAL LEARNING EMPLOYED DURING THE PANDEMIC HAS HAD ON THE ACHIEVEMENT RATES OF CHILDREN IN KINDERGARTEN THROUGH 12TH GRADE (Extends the reporting and expiration dates of the commission to study the effects and impact of hybrid and virtual learning during the pandemic, from July 31, 2023 to July 31, 2024, and would expire on September 30, 2024.) {LC677/1}

01/25/2023 Introduced, referred to House Education

House Resolution No. 5224

BY Carson, Azzinaro, Noret, Donovan, Kazarian, Alzate, Knight, Fogarty, Ajello
ENTITLED, HOUSE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND PROVIDE RECOMMENDATIONS PERTAINING TO SERVICES AND COORDINATION OF STATE PROGRAMS RELATING TO OLDER ADULT RHODE ISLANDERS {LC184/1}

01/25/2023 Introduced, referred to House Health & Human Services

House Bill No. 5225

BY Kislak, Alzate, Henries, McGaw, Batista, Morales, Stewart, Felix, Sanchez, Speakman
ENTITLED, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT (Requires all property owners of rental property to file with the secretary of state notice of their name, address, telephone number, email address and other information.) {LC675/1}

01/25/2023 Introduced, referred to House Judiciary

House Bill No. 5226

BY Kislak, Shekarchi, McEntee, Kazarian, Edwards, Craven, Caldwell, Vella-Wilkinson, Batista, Ajello

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- ADOPTION OF CHILDREN (Creates a new section which provides a streamlined adoption process for children born through assisted reproduction and who need adoption to confirm, not establish, their legal parentage to protect them against discrimination in all jurisdictions.) {LC656/1}

01/25/2023 Introduced, referred to House Judiciary

House Bill No. 5227

BY Kislak, Knight, Ajello, Caldwell, Morales, Lombardi J, Hull, Casimiro, Solomon, Giraldo
ENTITLED, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN --
PROCEEDINGS IN FAMILY COURT (Prohibits any questioning of a juvenile who is suspected of
delinquent or criminal behavior, unless the parent of guardian of the juvenile is present, or unless an
attorney is present or the juvenile and their parents have waived their presence.) {LC190/1}
01/25/2023 Introduced, referred to House Judiciary

House Bill No. 5228

BY Perez, Fellela, Hull, Vella-Wilkinson
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (Criminalizes the
knowing and intentional failure of a physician, nurse, or other licensed medical person to provide
reasonable medical care and treatment to an infant born alive as a felony.) {LC503/1}
01/25/2023 Introduced, referred to House Judiciary

House Bill No. 5229

BY Perez, Cardillo, Fellela
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SPECIAL
LICENSE FOR MOTORCYCLES, MOTOR SCOOTERS AND OTHER MOTOR-DRIVEN
CYCLES (Requires any operator of a motorcycle, motor scooter or motor-driven cycle to wear a
helmet. Violations would be punished by a fine of \$100 and would increase the fines for failure of a
passenger to wear a helmet to \$100.) {LC507/1}
01/25/2023 Introduced, referred to House Judiciary

House Bill No. 5230

BY Carson, Craven, Caldwell, McEntee, Casimiro, McGaw, Shanley, Kazarian, McNamara,
Finkelman
ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- HARBORS AND
HARBOR LINES (Permits towns and cities to regulate all houseboats within their jurisdiction.)
{LC708/1}
01/25/2023 Introduced, referred to House Municipal Government & Housing

House Resolution No. 5231

BY Shekarchi, Blazejewski
ENTITLED, HOUSE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION
DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ENTIRE AREA
OF LAND USE, PRESERVATION, DEVELOPMENT, HOUSING, ENVIRONMENT, AND
REGULATION (Extends the reporting and expiration dates of the commission to study the entire
area of land use, preservation, development, housing, environment, and regulation, from June 8,
2023, to April 30, 2025, and expires on June 30, 2025.) {LC858/1}
01/25/2023 Introduced, referred to House Municipal Government & Housing

House Bill No. 5232

BY Kazarian, McEntee, Henries, Dawson, Costantino, Boylan, Casimiro

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- MANUFACTURING AND WHOLESALE LICENSES (Allows manufacturer-wineries to sell up to three (3) drinks of wine for on-site consumption or three (3) bottles of wine for off-site consumption or three (3) bottles of wine for off-site consumption.) {LC636/1}

01/25/2023 Introduced, referred to House Small Business

House Bill No. 5233

BY Tanzi, Fogarty, McEntee, Vella-Wilkinson, Azzinaro, Abney, Place, Knight, Shekarchi, Blazejewski

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY – PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (Renames bridges 00201, 17801 and 17601 in South Kingstown after 3 Medal of Honor recipients, to wit, Sgt. William G. Fournier, Sgt. William J. Babcock, Cpl. David B. Champagne, respectively.) {LC790/1}

01/25/2023 Introduced, referred to House Special Legislation

House Bill No. 5234

(By request)

BY Kazarian, Alzate, Casimiro, Bennett

ENTITLED, AN ACT RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT CANDIDATES (Requires that candidates seeking offices of governor/lieutenant governor/secretary of state/attorney general/treasurer be five (5) year residents of the state as of declaration of candidacy filing date.) {LC561/1}

01/25/2023 Introduced, referred to House State Government & Elections

House Bill No. 5235

BY Solomon

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS (Prohibits any development of land contiguous to the State House unless approved by the general assembly.) {LC427/1}

01/25/2023 Introduced, referred to House State Government & Elections

House Resolution No. 5236

BY Perez, Hull

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (INITIATIVE AND REFERENDUM) (This resolution would enable the citizens of Rhode Island to propose laws and amendments to the constitution through an initiative and referendum process, except as to revenue and appropriations, which power remains vested in the general assembly.) {LC506/1}

01/25/2023 Introduced, referred to House State Government & Elections

(For Co-sponsorship removal request, see Journal of 2-2-2023, page 3.)

House Bill No. 5237

BY Tanzi, McGaw, Felix, Hull, Ajello, Donovan, Kislak, Morales, Speakman, Carson
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PUBLIC HEALTH AND
WORKPLACE SAFETY ACT (Repeals the exemption granted to pari mutual facilities and casinos
from the smoke free workplace requirement contained in the Public Health and Workplace Safety
Act.) {LC374/1}

01/25/2023 Introduced, referred to House Finance

House Bill No. 5238

BY Fellela, Carson, Donovan, Kazarian, Cortvriend, Sanchez, Nardone
ENTITLED, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL
DISABILITIES AND HOSPITALS -- COOPERATION WITH FEDERAL GOVERNMENT
(Authorizes members of an individual's family and legally responsible adults to receive payment for
delivering home and community based services to developmentally disabled adults and children
with special needs.) {LC805/1}

01/25/2023 Introduced, referred to House Finance

House Bill No. 5239

BY Solomon, Finkelman, Cardillo, Lima, Corvese, Noret, Casimiro, Giraldo, Casey
ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY
AND COMPUTATION (Creates a sales tax holiday on August 12 and 13, 2023.) {LC429/1}

01/25/2023 Introduced, referred to House Finance

House Bill No. 5240

BY McEntee, Caldwell, Fogarty, Serpa, Phillips, Casimiro, O'Brien, Bennett, Edwards, Morales
ENTITLED, AN ACT RELATING TO EDUCATION -- TEACHERS' RETIREMENT (Provides
that the current COLA suspension schedule would be replaced with a fractional annual COLA of
twenty-five percent (25%) of the COLA declared for that plan year, as it pertains to retired teachers,
state and municipal employees.) {LC735/1}

01/25/2023 Introduced, referred to House Finance

ADJOURNMENT

At 4:23 o'clock P.M. on motion of Representative Vella-Wilkinson, and as a further mark of respect to the memory of Hon. Alfred J. Gemma; on motion of Representative Brien, and as a further mark of respect to the memory of Rose Harris; on motion of Representative Kazarian, and as a further mark of respect to the memory of Peter "Doc" Bedrossian seconded by Leaders Blazejewski and Chippendale the House adjourns, on a unanimous rising vote.

Diane M. DePina
Recording Clerk

APPENDIX

INVOCATION

REPRESENTATIVE DEBORAH A. FELLELA

Holy God: We come before you dedicated and resolved to attend the business before us. We pray for your guidance in all our deliberations as we work to achieve unity of purpose, and commit ourselves to do what is best for our state, and our country. Amen

APPENDIX

CALENDAR

IN ORDER FOR THURSDAY, JANUARY 26, 2023:

1. 2023-H 5051 SUB A

BY Fogarty

ENTITLED, HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS 2023 AND 2024

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

Francis McCabe
Clerk of the House

Tuesday, January 24, 2023