

State of Rhode Island and Providence Plantations

Journal of the Senate

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the second day of January in the year of Our Lord Two Thousand and Eighteen.

Volume 145, No.5

Thursday, January 11, 2018

Fifth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:13 o'clock P.M.

ROLL CALL

The roll is called and a quorum is declared present with 35 Senators present and 2 Senators absent as follows:

PRESENT – 35: The Honorable President Dominick Ruggerio, and Senators Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

ABSENT – 2: Senators Lombardo and Nesselbush.

INVOCATION

The Honorable President, by unanimous consent, presents Senator Gee, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President, by unanimous consent, presents Senator Gee, to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of the Fourth Legislative Day of the 2018 proceedings is read in part.

Upon suggestion of Senator Gee and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as recorded.

GUESTS

Upon the suggestion of Senator Crowley and by unanimous consent, the Honorable President of the Senate, welcomes to the Chamber Kathleen Palmer.

COMMUNICATIONS

The Honorable President presents the following communications:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

January 11, 2018

The Honorable Dominick Ruggerio
President of the Senate
State House Room 318
Providence, RI 02903

Dear Mr. President

Please be advised and let the record reflect that I will be absent from the Chamber Thursday, January 11, 2018 as I will be out of town.

I would appreciate you recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Warmest personal regards, I remain,

Sincerely,
Donna M. Nesselbush
Senator – District 15

Read and placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

January 11, 2018

Dominick J. Ruggerio
President of the Senate
Room 318
State House
Providence, RI 02903

Dear President:

I am writing to inform you that I will be unable to attend session Thursday January 11th, I will be out of the state.

Sincerely,

Frank Lombardo III
Senator
District 25

Read and placed on file.

APPOINTMENTS BY THE GOVERNOR

Her Excellency, the Governor, Transmits the following appointments and requests the advice and consent of the Senate.



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF GOVERNOR GINA M. RAIMONDO**

January 11, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-64.14-6 of the Rhode Island General Laws, I have made the following appointment to the I-195 Redevelopment Commission:

Michael F. McNally

VICE
Joseph A. Azrack

For a term expiring October 3, 2018.

To this appointment, I respectfully request your advice and consent.

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Commerce.



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF GOVERNOR GINA M. RAIMONDO**

January 11, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-6-3 of the Rhode Island General Laws, I have made the following appointment to the Department of Revenue:

Mark A. Furcolo
Director

VICE
Robert Hull

To this reappointment, I respectfully request your advice and consent.

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Finance.

NEW BUSINESS

Senate Bill No. 2006

BY Cote, Picard

ENTITLED, AN ACT RELATING TO ELECTIONS-NOMINATION OF PARTY AND INDEPENDENT CANDIDATES-CITY OF WOONSOCKET (Provides that nomination papers for certain candidates for citywide nonpartisan office in the city of Woonsocket would require at least one hundred (100) signatures.)
{LC3318/1}

Introduced, referred to Senate Judiciary.

Senate Resolution No. 2007**BY** Satchell**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF PATRICIA M. GARRAHAN

{LC3691/1}

Recommended for Immediate Consideration.

Senator Satchell requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Satchell moves passage, seconded by Senators Archambault, Lombardi, Metts, Gallo, Lynch Prata, Goodwin, and Raptakis.

The resolution is read and passed, upon a rising vote.

Senate Bill No. 2008**BY** DiPalma, Pearson, Calkin, Goldin, Miller**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - INTERNET SERVICE PROVIDERS - NET NEUTRALITY (Requires Internet service providers to follow Internet service neutrality requirements.)

{LC3243/1}

Introduced, referred to Senate Commerce.

Senate Bill No. 2009**BY** DiPalma, Pearson, Seveney, Coyne, Calkin**ENTITLED**, AN ACT RELATING TO EDUCATION (Allows school committees and the Rhode Island Society of Technology Educators ("RISTE") to enter into joint purchase agreements for the purchase of technology and IT infrastructure.)

{LC3179/1}

Introduced, referred to Senate Education.

Senate Bill No. 2010**BY** Raptakis, Kettle**ENTITLED**, AN ACT RELATING TO COVENTRY SEWER AUTHORITY (Prohibits the town of Coventry from charging its sewage works' users more than the interest the town has actually paid for its borrowed funds for sewage works' purposes.)

{LC3108/1}

Introduced, referred to Senate Environment and Agriculture.

Senate Bill No. 2011**BY** Felag, Coyne, Seveney, Ciccone, DiPalma

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - CARETAKER ASSISTANCE AND RELIEF FOR ELDERLY (CARE) (Creates Caretaker Assistance and Relief for Elderly (CARE) program within div of elderly affairs/program svcs with payment up to \$70/day for support svcs costs for qualified elders for caregivers, allowing families to work/pursue other individual needs.)
{LC3575/1}

Introduced, referred to Senate Finance.

Senate Bill No. 2012**BY** DiPalma, Calkin, Coyne, Goldin, Goodwin

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES-- LIABILITY AND COMPUTATION (Exempts from the sales tax products used for feminine hygiene in connection with the menstrual cycle.)
{LC3180/1}

Introduced, referred to Senate Finance.

Senate Bill No. 2013**BY** DiPalma, Seveney, Coyne, Miller, Sosnowski

ENTITLED, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX (Provides for a voluntary deduction from any refund from the Rhode Island personal income tax for a contribution to the substance use and mental health leadership council of RI.)
{LC3188/1}

Introduced, referred to Senate Finance.

Senate Bill No. 2014**BY** Felag, Coyne, Seveney, DiPalma, Kettle

ENTITLED, AN ACT RELATING TO EDUCATION - THE EDUCATION EQUITY AND PROPERTY TAX RELIEF (Amends the Education and Property Tax Relief Act by setting the regionalization bonus at (2%) of the state's share of foundation education formula and by eliminating third year bonus provision.)
{LC3439/1}

Introduced, referred to Senate Finance.

Senate Bill No. 2015**BY** DiPalma, DaPonte, Miller, Sosnowski, Kettle

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- MEDICAL ASSISTANCE AND PUBLIC ASSISTANCE CASELOAD ESTIMATING CONFERENCES (Requires the participation and input of the EOHHS, DHS, DCYF and BHDDH in medical assistance and public assistance caseload estimating conferences and the generation of monthly data to the members of the caseload estimating conference.)
{LC3181/1}

Introduced, referred to Senate Finance.

Senate Bill No. 2016**BY** Cote, Lombardi, DiPalma, Seveney, Pearson**ENTITLED**, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (Exempts from state taxation certain pension benefits that originate from, and were taxed in, another state.)
{LC3361/1}

Introduced, referred to Senate Finance.

Senate Bill No. 2017**BY** Felag, Ciccone, Gallo, Lynch Prata, Raptakis**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY TAX RELIEF (Amends the definition of "disabled", for the purposes of property tax relief, to include veterans who earn less than \$30,000 annually, and who receive disability benefits from the United States Department of Veterans Affairs.)
{LC3101/1}

Introduced, referred to Senate Finance.

Senate Bill No. 2018**BY** Lombardi, Ciccone, Lynch Prata, Gallo, Cote**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION (Adds urns and shrouds, prayer cards and other items customarily sold or provided by a funeral director to those funeral items which are already exempt from sales and use taxes.)
{LC3413/1}

Introduced, referred to Senate Finance.

Senate Bill No. 2019**BY** Picard**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND HEALTH BENEFIT EXCHANGE (Authorizes RI Health Exchange to seek waiver under Affordable Care Act to allow small business owners/sole proprietors to purchase health plans offered by RI Health Exchange.)
{LC3679/1}

Introduced, referred to Senate Health and Human Services.

Senate Bill No. 2020**BY** Raptakis, Kettle**ENTITLED**, AN ACT IN AMENDMENT OF CHAPTER 330 OF THE PUBLIC LAWS OF 1997 AS AMENDED BY CHAPTER 140 OF THE PUBLIC LAWS OF 2006, PERTAINING TO SEWERS IN THE TOWN OF COVENTRY
{LC3109/1}

Introduced, referred to Senate Housing and Municipal Government.

Senate Bill No. 2021**BY** Picard

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF BUSINESS REGULATION--AUTOMOBILE WRECKING AND SALVAGE YARDS (Prohibits any entity or individual from advertising the sale, purchase, receipt, transport, delivery or salvage of any auto wrecking or discarded automobile unless the advertiser is a licensed junk or salvage yard.)
{LC3420/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2022**BY** DiPalma, Goldin, Miller, Goodwin, Lynch Prata

ENTITLED, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- PROCEEDINGS IN FAMILY COURT--VOLUNTARY EXTENSION OF CARE ACT
{LC3233/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2023**BY** Nesselbush

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows James William Simon to join Cathryn Marie Simon and Kenneth Spencer Bernstein in marriage on or about April 21, 2018, with the city of Pawtucket, Rhode Island.)
{LC3368/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2024**BY** Felag, DiPalma, Lombardi, Nesselbush

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE GOOD SAMARITAN OVERDOSE PREVENTION ACT OF 2016 (Adds alcohol and alcohol-related overdoses and possession or transportation of alcohol by an underage person, to the Good Samaritan Overdose Prevention Act.)
{LC3431/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2025**BY** Seveney, Miller, Euer, Coyne, DiPalma

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE UNIFORMED CONTROLLED SUBSTANCES ACT (Expands drug awareness programs to high schools, directs funding from certain civil fines and mandates establishment of criteria for funding.)
{LC3145/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2026**BY** Goodwin, Nesselbush**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

(Includes a facility's potential detrimental impact on the community as a factor to be considered when approving the construction or operation of a solid waste management facility.)

{LC3308/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2027**BY** Seveney, Coyne, DiPalma, Pearson, Conley**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS (Possession, transportation, manufacture or sale of bump stock is punishable by up to 5 years imprisonment and/or \$15,000 fine.)

{LC3290/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2028**BY** Crowley, Sosnowski, Quezada, Nesselbush, Metts**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS -- UNFAIR SALES PRACTICES (Makes it an unfair sales practice to sell, offer for sale, lease or distribute a product creating Internet access without digital blocking capabilities for obscene material.)

{LC3126/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2029**BY** Lynch Prata**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Dina Spaziano to join Frank Salvatore Lombardi, III, and Joseph William Dodge in marriage on or about October 29, 2018, within the Town of Smithfield, Rhode Island.)

{LC3286/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2030**BY** Raptakis, McCaffrey, Lombardi, Jabour, Archambault**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - CHILDREN -

CONFINEMENT IN MOTOR VEHICLES PROHIBITED (Makes it a criminal offense to leave a child under seven (7) years of age unattended in a motor vehicle for longer than five minutes, punishable by imprisonment for a term not exceeding one year or by a fine of no more than one thousand dollars (\$1,000).)

{LC3242/1}

Introduced, referred to Senate Judiciary.

Senate Resolution No. 2031**BY** Raptakis, Morgan, Paolino, Cote, Sheehan**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE -- REFERENDUM ON LINE ITEM VETO
{LC3382/1}

Introduced, referred to Senate Rules, Government Ethics and Oversight.

Senate Bill No. 2032**BY** Felag, Lynch Prata, Goodwin, McCaffrey, Algieri**ENTITLED**, AN ACT RELATING TO EDUCATION - FEES FOR STATE COLLEGES AND UNIVERSITIES - VETERANS (Authorizes state higher education institutions to waive application and transcript fees for veterans.)
{LC3428/1}

Introduced, referred to Senate Special Legislation and Veterans Affairs.

Senate Bill No. 2033**BY** Felag, Gallo, Ciccone, Lynch Prata, Conley**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION FEES--DISABLED VETERANS (Expands and clarifies what constitutes disability entitling disabled veterans to the waiver of motor vehicle registration fees.)
{LC3419/1}

Introduced, referred to Senate Special Legislation and Veterans Affairs.

Senate Resolution No. 2034**BY** Picard, Pearson**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (GOVERNOR AND LIEUTENANT GOVERNOR TO APPEAR JOINTLY ON THE BALLOT) (Provides for a joint resolution for submission to voters for a constitutional amendment establishing in 2022 that the governor and lieutenant governor form a joint candidacy (single ticket) for election.)
{LC3676/1}

Introduced, referred to Senate Special Legislation and Veterans Affairs.

Senate Resolution No. 2035**BY** Cote, Picard**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)
{LC3357/1}

Introduced, referred to Senate Special Legislation and Veterans Affairs.

Senate Bill No. 2036**BY** Cote, Picard

ENTITLED, AN ACT RELATING TO ELECTIONS -- INITIATIVE AND REFERENDUM (Provides a detailed process by which a proponent of a voter initiative and referendum proposal would present the proposal to the secretary of state, the general assembly and the governor.)
{LC3364/1}

Introduced, referred to Senate Special Legislation and Veterans Affairs.

Senate Resolution No. 2037**BY** Goodwin, Ruggerio, McCaffrey

ENTITLED, SENATE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF FORMER STATE SENATOR, THE HONORABLE SANDRA K. HANAWAY
{LC3654/1}

Recommended for Immediate Consideration on Tuesday, January 16th.

Senate Bill No. 2038**BY** Goodwin, Ruggerio, McCaffrey, Algieri, Lynch Prata

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- JOINT COMMITTEE ON LEGISLATIVE SERVICES (Includes the majority leader of the senate as a member of the joint committee on legislative services.)
{LC3385/1}

Introduced, referred to Senate Special Legislation and Veterans Affairs.

TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to Her Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

ANNOUNCEMENTS

Senator Quezada announces that the Martin Luther King, Jr. State Holiday Commission will be hosting a 31st honorary tribute on Monday, January 15th at 4:00 o'clock P.M. at the Ebenezer Baptist Church.

Senator Lombardi requests that as the members of the Senate embark into the weekend, they keep the victims and all those affected by the Santa Barbara Mudslides in California in our thoughts and prayers.

ADJOURNMENT

Upon the Motion of Senator Goodwin seconded by Senator Algieri and upon the suggestion of Senator Satchell the Senate adjourns in memory of Patricia M. Garrahan at 4:25 o'clock P.M.

ROBERT L. RICCI
Secretary of the Senate

Appendix**INVOCATION****SENATOR MARK W. GEE**

We ask, that You guide us, Lord, in broadening our minds and extending ourselves in service to our constituents. May we better understand their concerns and needs and do our best to assist them. Amen.

Appendix

CALENDAR

IN ORDER FOR TUESDAY, JANUARY 16, 2018:

1. Senate Resolution No. 2001

BY Conley

ENTITLED, JOINT RESOLUTION AUTHORIZING THE STATE TO ENTER INTO FINANCING LEASE AND PAYMENT AGREEMENTS IN CONNECTION WITH THE CONSTRUCTION OF A BALLPARK IN THE CITY OF PAWTUCKET

Committee recommends passage.

2. Senate Bill No. 2002

BY Conley

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- REDEVELOPMENT AGENCIES AND PROJECTS (Permits redevelopment agencies to finance the construction of projects for residential, recreational, commercial, industrial, institutional, public, or other purposes contemplated by a redevelopment plan.)

Committee recommends passage.