

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.31

Wednesday, March 28, 2018

Thirty First Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:30 o'clock P.M.

ROLL CALL

The roll is called and a quorum is declared present with 33 Senators present and 3 Senators absent as follows:

PRESENT – 33: The Honorable President Dominick Ruggerio, and Senators, Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, DaPonte, DiPalma, Euer, Felag, Fogarty, Gallo, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Seveney, Sheehan, Sosnowski.

ABSENT – 3: Senators Crowley, Gee, Satchell.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon the suggestions of Senators Gallo, and by unanimous consent, the Honorable President of the Senate, welcomes to the Chamber her new intern Jaylin Ovalles, a senior from Bayview Academy.

APPOINTMENTS BY THE GOVERNMENT

The Honorable President of the Senate presents the following communication from her Excellency, The Governor, transmitting the following appointments and requesting the advice and consent of the Senate therefore:



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

GINA M. RAIMONDO, GOVERNOR

March 22, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-37.7-5(c) of the Rhode Island General Laws, I have made the following appointments to the Health Information Exchange Advisory Commission:

Nicholas M. Grumbach, MD

(Individual Employed in Healthcare Delivery Organization)

For a term expiring June 1, 2020.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the Senate Committee on Health and Humans Services.



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

GINA M. RAIMONDO, GOVERNOR

March 22, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-37.7-5(c) of the Rhode Island General Laws, I have made the following appointments to the Health Information Exchange Advisory Commission:

Michael S. Oliver

(Person With Experience With Complex Electronic Databases)

For a term expiring June 1, 2020.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the Senate Committee on Health and Humans Services.



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

GINA M. RAIMONDO, GOVERNOR

March 22, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-37.7-5(c) of the Rhode Island General Laws, I have made the following appointments to the Health Information Exchange Advisory Commission:

Samuel C. Salganik

(Individual Who Is A Healthcare Consumer or Consumer Advocate)

For a term expiring June 1, 2020.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the Senate Committee on Health and Humans Services.



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

GINA M. RAIMONDO, GOVERNOR

March 22, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-37.7-5(c) of the Rhode Island General Laws, I have made the following appointments to the Health Information Exchange Advisory Commission:

Shannon R. Shallcross, MS

(Individual With Experience In HIPAA)

For a term expiring June 1, 2020.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the Senate Committee on Health and Humans Services.

COMMUNICATIONS

The Honorable President of the Senate presents the following communications:



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

March 28, 2018

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

Dear Mr. President:

Please be advised and let the record reflect that due to personal reasons, I will be absent from the chamber on Wednesday, March 28, 2018.

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

Thank you for your attention to this matter.

Sincerely,

Senator Elizabeth A. Crowley
Senate District 16

Read and placed on file.



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

March 28, 2018

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

Dear President Ruggerio:

Please be advised and let the record reflect that due to professional obligations I will be absent from the chamber on Wednesday, March 28, 2018.

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

Thank you for your attention to this matter.

Sincerely,

Senator Adam J. Satchell
Senate District 09

Read and placed on file.

REPORTS OF COMMITTEES**COMMITTEE ON HEALTH AND HUMAN SERVICES**

Chairman Miller, from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

Senate Bill No. 2231 SUB A

BY Lynch Prata, Gallo, Crowley, Miller

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ELDERLY AFFAIRS DEPARTMENT (Further defines the duties of the department of elderly affairs with regard to elder caregiver respite services.)
{LC4376/A/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2299 SUB A

BY Goodwin, Goldin, Sosnowski, Miller, Gallo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - TANNING FACILITY SAFETY STANDARDS ACT (Restricts tanning facilities use by persons younger than 18 years to provide medical treatment by eliminating parental consent option.)
{LC3897/A/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2397

BY Conley, Gallo, Seveney, Satchell, Goldin

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE FACILITIES STAFFING (Broadens definition of "employee" to include assistants/technologists providing direct medical care to patients and allows union/association to file appeal to personnel appeal board.)
{LC4481/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2238

BY Coyne, Calkin, Seveney, DiPalma, Miller

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF HEALTH CARE FACILITIES (Requires all hospitals and freestanding ambulatory surgical facilities to adopt policies to use a smoke evacuation system for surgical procedures that generate surgical smoke.)
{LC4158/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2129**BY** Miller, McCaffrey, Sosnowski, Quezada, Goldin**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- RHODE ISLAND PATHWAYS PROJECT (Requires the executive office of health and human services (EOHHS) to conduct a study to assess the impact of using Medicaid funds to provide coverage for the treatment of the chronically homeless.)
{LC3693/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2083**BY** Calkin, Quezada, Satchell, Miller, Euer, Goldin**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES (Authorizes HHS to apply for waivers to ensure for housing, healthcare, and mental and behavioral health care services for the homeless.)
{LC3370/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 2761****BY** Metts, McCaffrey, Ruggerio, Goodwin, Lynch Prata**ENTITLED**, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF THE HONORABLE WILLIAM C. CLIFTON, ASSOCIATE JUSTICE OF THE RHODE ISLAND DISTRICT COURT
{LC5344/1}

Recommended for Immediate Consideration.

Senator Metts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Metts moves passage, seconded by Senators, Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Miller, Morgan, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

Senators Lombardi, Miller, and Archambault speak on the resolution.

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

Senate Resolution No. 2765**BY** DiPalma, Fogarty, Ruggerio, Gallo, Sheehan**ENTITLED**, SENATE RESOLUTION PROCLAIMING THURSDAY, MARCH 29, 2018, TO BE "DEVELOPMENTAL DISABILITIES AWARENESS DAY" IN THE STATE OF RHODE ISLAND

{LC5285/1}

Recommended for Immediate Consideration.

Senator DiPalma requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DiPalma moves passage, seconded by Senators, Archambault, McCaffrey, Goodwin, Felag, Coyne, Euer, Fogarty, Jabour, Lombardi, Gallo, Picard, Morgan.

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

GUESTS

Upon the suggestions of Senator DiPalma, and by unanimous consent, the Honorable President of the Senate, welcomes to the Chamber Donna Martin Executive Director at Community Provider Network of Rhode Island.

FROM THE HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage, of the following measure:

House Bill No. 7959**BY** Newberry**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Anthony C. Borghi to join Kerrie A. Driscoll and Christopher Anderson in marriage on or about April 7, 2018, within the City of Newport, Rhode Island.)

{LC5215/1}

Senator Lynch Prata requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lynch Prata Moves passage, seconded by Senators McCaffrey and Archambault.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS – 33: The Honorable President Dominick Ruggerio, and Senators, Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS – 0:

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.

GUESTS

Upon the suggestions of Senator Morgan, and by unanimous consent, the Honorable President of the Senate, welcomes to the Chamber Craig Berke Chairman of the Board of the Directors of the Richmond Carolina Fire District, and Mathew Penny, Fleet Marine Medic.

Upon the suggestions of Senator Jabour, and by unanimous consent, the Honorable President of the Senate, welcomes to the Chamber from the PC Friars Keith Oliviera.

ANNOUNCEMENTS

Senator Archambault announces that the Committee on Judiciary will meet Tuesday April 3rd at the rise of the Senate in Room 313 of the State House.

Senator Coyne announces that the Committee on Environment and Agriculture will meet today at the rise of the Senate in Room 211 of the State House.

Senator Raptakis announces that the Committee on Special Legislation and Veterans' Affairs will meet today at the rise of the Senate in Room 310 of the State House.

Senator Lombardo announces that the Committee on Labor will meet today at the rise of the Senate in the Lounge of the State House.

Senator DiPalma announces that CPNRI Day of Action for Awareness will be tomorrow at 3:10 o'clock P.M. in the State House.

Senator Metts announces that the Committee on Education will meet today at the rise of the Senate in Room 313 of the State House.

Senator reminds everyone that this week in Rhode Island is Quahog Week.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Algieri, and upon the suggestion of Senator Metts the Senate adjourns at 5:00 o'clock P.M. *in memory of The Honorable William C. Clifton.*

ROBERT L. RICCI, ESQ.
Secretary of the Senate

Appendix**SENATOR SUSAN V. SOSNOWSKI**

We ask, you, Lord, to show us in this chamber our place, define our duties, direct our energies, and guide us as we work. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, APRIL 3, 2018:**

- 1. 2018-S 2764**
BY Lynch Prata
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered on the Consent Calendar
- 2. 2018-H 7258**
BY Cunha
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SHABREKA CORP.

Ordered to be placed on the Consent Calendar for passage in concurrence.
- 3. 2018-H 7243**
BY Donovan
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PRUDENCE PARK WATER ASSOCIATION, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.
- 4. 2018-H 7394**
BY Ucci
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF LANDSCAPE LIGHTING CONCEPTS, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.
- 5. 2018-H 7191**
BY Chippendale
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PRIME JEWELRY GROUP

Ordered to be placed on the Consent Calendar for passage in concurrence.
- 6. 2018-H 7319**
BY Azzinaro
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF YANKEE REMODELER OF NEW LONDON, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.

7. **2018-H 7519**
 BY Maldonado
 ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
 CHARTER OF TREMONT ASSOCIATES II, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.

8. **2018-H 7393**
 BY Ucci
 ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
 CHARTER OF FRENCHY'S POPCORN, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.

Appendix
CALENDAR

IN ORDER FOR TUESDAY, APRIL 3, 2018:

1. **2018-S 2399**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO INSURANCE -- ACCIDENT AND SICKNESS
 INSURANCE POLICIES

Committee on Health & Human Services recommends passage.

2. **2018-S 2083**
 BY Calkin
 ENTITLED, AN ACT RELATING TO HUMAN SERVICES

Committee on Health & Human Services recommends passage.

3. **2018-S 2129**
 BY Miller
 ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- RHODE ISLAND
 PATHWAYS PROJECT

Committee on Health & Human Services recommends passage.

4. **2018-S 2231 SUB A**
 BY Lynch Prata
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
 ELDERLY AFFAIRS DEPARTMENT

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

5. **2018-S 2238**
 BY Coyne
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - LICENSING OF
 HEALTH CARE FACILITIES

Committee on Health & Human Services recommends passage.

6. **2018-S 2299 SUB A**
 BY Goodwin
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - TANNING
 FACILITY SAFETY STANDARDS ACT

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

7. 2018-S 2397

BY Conley

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE
FACILITIES STAFFING

Committee on Health & Human Services recommends passage.

Appendix

TRANSMITTED TO THE GOVERNOR ON WEDNESDAY, MARCH 28TH, 2018

House Bill No. 7959

BY Newberry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Anthony C. Borghi to join Kerrie A. Driscoll and Christopher Anderson in marriage on or about April 7, 2018, within the City of Newport, Rhode Island.)
{LC5215/1}