

# State of Rhode Island and Providence Plantations

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# Journal of the Senate

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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 second day of January in the year of Our Lord Two Thousand and Eighteen.

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Volume 145, No.33

Wednesday, April 4, 2018

Thirty Third Legislative Day

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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 34 Senators present and 2 Senators absent as follows:

**PRESENT – 34:** The Honorable President Dominick Ruggerio, and Senators, Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

**ABSENT – 2:** Senators DaPonte and Sheehan.

## INVOCATION

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

(See Appendix for Invocation)

## PLEDGE OF ALLEGIANCE TO THE FLAG

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

**APPROVAL OF RECORD**

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

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

**GUESTS**

Upon the suggestion of Senator Archambault, and Lombardi, and by unanimous consent, The Honorable President of the Senate welcomes to the Chamber Employees of the Rhode Island Traffic Tribunal, Dennis Gertemeyer, Stacy Sotiralios, Barbara Carceri, Michael Egan, John Ricci, Robert Coderre, Joe Lennon, Rosie Libassi.

Upon the suggestion of Senator McCaffrey, and by unanimous consent, The Honorable President of the Senate welcomes to the Chamber Paul Suttell, Chief Justice of the Rhode Island Supreme Court.

Upon the suggestion of Senator Sosnowski, and by unanimous consent, The Honorable President of the Senate welcomes to the Chamber Charles J. Fogarty, Former State Senator and Lieutenant Governor.

## COMMUNICATIONS

The Honorable President of the Senate presents the following communications:



April 4, 2028

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

Dear Mr. President,

Please be advised that I will be unable to attend the Senate Session today, Wednesday, April 4, 2018.

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

Thank you for your attention to this matter.

Sincerely,

James C. Sheehan

Senator – District 36

Read and placed on file.



April 4, 2018

Mr. Robert Ricci  
Secretary of the Senate  
State House, Room 145  
Providence, RI 02903

Dear Mr. Secretary

I would like to take this opportunity to respectfully request that the following bill be withdrawn at the sponsor's request

The legislation I would like to have withdrawn is 2018 Senate Bill 2329 which has been assigned to the Commerce Committee. I appreciate your assistance in this matter. If you have any questions, please feel free to contact me.

Sincerely,

Senator Frank Lombardo III  
Senate District 25

Read and placed on file.

## REPORTS OF COMMITTEES

### COMMITTEE ON SPECIAL LEGISLATION AND VETERANS AFFAIRS

Chairman Felag, from the Committee on Special Legislation and Veterans Affairs, reports back, with recommendation of passage of the following measure:

#### **Senate Bill No. 2485**

**BY** DaPonte, Satchell, DiPalma, Pearson, Ciccone

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -

REGISTRATION OF VEHICLES (Creates a Day of Portugal and Portuguese Heritage in RI, Inc. motor vehicle license plate.)

{LC4331/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON COMMERCE**

Chairman Picard, from the Committee on Commerce, reports back, with recommendation of passage of the following measure:

**Senate Bill No. 2325**

**BY** Sosnowski, Crowley

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - TRANSPORTATION NETWORK COMPANY SERVICES (Exempts the town of New Shoreham from the jurisdiction of the division of public utilities and carriers for purposes of regulating transportation network companies.)

{LC3839/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON JUDICIARY**

Chairwoman, Lynch Prata from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 2697**

**BY** DiPalma

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows David Aptaker to join Rosanne Somerson and Jonathan Cherneff in marriage on or about August 17, 2018, within the Town of Tiverton, Rhode Island.)

{LC5172/1}

Read and ordered to be placed on the Consent Calendar.

**Senate Bill No. 2701**

**BY** Fogarty

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Russell J. Cornelia to join Danielle La Torre Cornelia and Mohammed El Ayate in marriage on or about June 30, 2018, within the Town of Burrillville, Rhode Island.)

{LC5286/1}

Read and ordered to be placed on the Consent Calendar.

**NEW BUSINESS****Senate Resolution No. 2769****BY** Metts, Ruggerio, Lombardi, Felag, Fogarty**ENTITLED**, SENATE RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

{LC5412/1}

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, Senators, Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

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

**CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 4, 2018:****1. 2018-S 2767****BY** Lombardo**ENTITLED**, SENATE RESOLUTION EXTENDING DEEPEST CONDOLENCES ON THE PASSING OF LUCILLE A. PINGITORE

Ordered on the Consent Calendar.

**2. 2018-S 2768****BY** Lombardo**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF FRANCELINA VEADER

Ordered on the Consent Calendar.

**3. 2018-S 2360****BY** Miller**ENTITLED**, SENATE RESOLUTION EXPRESSING OPPOSITION TO PRESIDENT DONALD J. TRUMP'S DECISION TO ALLOW OFFSHORE DRILLING IN MOST OF AMERICA'S COASTAL WATERS

Committee on Environment &amp; Agriculture recommends passage.

Upon motion of Senator McCaffrey, seconded by Senator Algiere, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote:

**YEAS – 32:** The Honorable President Dominick Ruggerio, and Senators, Algiere, Archambault, Calkin, Ciccone, Conley, Coyne, Crowley, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

**NAYS – 0:**

### CALENDAR

#### IN ORDER FOR WEDNESDAY, APRIL 4, 2018:

**1. The Appointment of Domenic A. DiSandro III as Chief Magistrate of the Rhode Island Traffic Tribunal for a ten (10) year term**

Committee on Judiciary recommends that the Senate give its Advice and Consent to this nomination.

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Senator Lynch Prata moves that the advice and consent of the Senate be given seconded by Senators Algiere, Archambault, Calkin, Ciccone, Conley, Coyne, Crowley, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Miller, Nesselbush, Pearson, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

Senators Lombardi, Archambault, Fogarty, Sosnowski, and Algiere discuss the appointment.

The advice and consent of the Senate is given this appointment, by unanimous consent, on a roll call vote with 34 members voting in the affirmative and 0 members voting in the negative<sup>3</sup> as follows.

**YEAS – 34:** The Honorable President Dominick Ruggerio, and Senators, Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

**NAYS – 0:**

**GUESTS**

Upon the suggestion of Senator Lynch Prata, and by unanimous consent, The Honorable President of the Senate welcomes to the Chamber the newly appointed Domenic A. DiSandro III, Chief Magistrate of the Rhode Island Traffic Tribunal.

Upon the suggestion of Senator Sosnowski, and by unanimous consent, The Honorable President of the Senate welcomes to the Chamber Domenic A. DiSandro III, Chief Magistrate of the Rhode Island Traffic Tribunal, his wife Noreen DiSandro, Sons Andrew, and Domenic DiSandro, Allesandra Diorio. Employees of the Rhode Island Traffic Tribunal, Dennis Gertemeyer, Stacy Sotiralios, Barbara Carceri, Michael Egan, John Ricci, Robert Coderre, Joe Lennon, Rosie Libassi.

**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 Archambault announces that the Committee on Government Oversight will meet today at the rise of the Senate in the Lounge 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 Metts announces that the Committee on Education will meet today at the rise of the Senate in Room 313 of the State House.

Senator Lombardo announces that the Committee on Labor will meet today at the rise of the Senate in Room 212 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 Felag announces that the Committee on Finance and Education will meet today at the rise of the Senate in Room 313 of the State House.

Senator Goodwin introduces to the Senate Chamber Sarah Brown, Rhode Island Representative and Criminal Justice Program Director of NCSL.



**ADJOURNMENT**

Upon motion of Senator Goodwin, seconded by Senator Algieri, the Senate adjourns at 4:45 o'clock P.M.

***ROBERT L. RICCI, ESQ.***  
*Secretary of the Senate*

**Appendix****SENATOR JEANINE CALKIN**

Dear God, please grant us the wisdom to be aware of the vital needs of the people we are here to serve. Please grant us the courage to meet those needs to the fullest extent of our ability. Amen.

**Appendix**

**CONSENT CALENDAR**

**IN ORDER FOR THURSDAY, APRIL 5, 2018:**

- 1. 2018-S 2697**  
**BY** DiPalma  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

- 2. 2018-S 2701**  
**BY** Fogarty  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

## Appendix

## CALENDAR

## IN ORDER FOR THURSDAY, APRIL 5, 2018:

1.     **2018-S 2646**  
      **BY** Pearson  
      **ENTITLED**, AN ACT RELATING TO EDUCATION - COUNCIL ON  
      ELEMENTARY AND SECONDARY EDUCATION [SEE TITLE 16 CHAPTER 97 -  
      THE RHODE ISLAND BOARD OF EDUCATION]  
  
      Committee on Education recommends passage.
2.     **2018-S 2361 SUB A**  
      **BY** Sosnowski  
      **ENTITLED**, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- RHODE  
      ISLAND SEED ACT  
  
      Committee on Environment & Agriculture recommends indefinite postponement of the  
      original bill and passage of Substitute A.
3.     **2018-S 2239**  
      **BY** Pearson  
      **ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
      RHODE ISLAND MUNICIPAL INFRASTRUCTURE GRANT PROGRAM  
  
      Committee on Housing & Municipal Government recommends passage.
4.     **2018-S 2242**  
      **BY** Morgan  
      **ENTITLED**, AN ACT RELATING TO THE RICHMOND-CAROLINA FIRE  
      DISTRICT  
  
      Committee on Housing & Municipal Government recommends passage.
5.     **2018-S 2557**  
      **BY** Ciccone  
      **ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -  
      DEFINITIONS AND GENERAL CODE PROVISIONS  
  
      Committee on Housing & Municipal Government recommends passage.

6.     **2018-S 2675**  
       **BY** DiPalma  
       **ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SIZE, WEIGHT AND LOAD LIMITS--MIDDLETOWN
- Committee on Housing & Municipal Government recommends passage.
7.     **2018-S 2676**  
       **BY** Conley  
       **ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE GOVERNOR AND RHODE ISLAND COMMERCE CORPORATION, IN CONSULTATION AND COLLABORATION WITH THE RHODE ISLAND CONGRESSIONAL DELEGATION, DESIGNATE THE BLACKSTONE RIVER CORRIDOR MUNICIPALITIES OF PROVIDENCE, WOONSOCKET, EAST PROVIDENCE, PAWTUCKET, AND CENTRAL FALLS AS A QUALIFIED OPPORTUNITY ZONE PURSUANT TO THE NEW FEDERAL TAX BILL AUTHORIZATIONS
- Committee on Housing & Municipal Government recommends passage.
8.     **2018-S 2677**  
       **BY** McCaffrey  
       **ENTITLED**, AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE NOT TO EXCEED \$40,000,000 GENERAL OBLIGATION BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS TO FINANCE THE CONSTRUCTION, RENOVATION, IMPROVEMENT, ALTERATION, REPAIR, FURNISHING AND EQUIPPING OF SCHOOLS AND SCHOOL FACILITIES THROUGHOUT THE CITY, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE FISCAL YEARS 2019 THROUGH 2023, SUBJECT TO APPROVAL OF STATE HOUSING AID AT A REIMBURSEMENT RATE OR STATE SHARE RATIO OF NOT LESS THAN 35% AT THE TIME OF ISSUANCE
- Committee on Housing & Municipal Government recommends passage.
9.     **2018-S 2106**  
       **BY** Felag  
       **ENTITLED**, AN ACT RELATING TO THE GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS -- NEW RHODE ISLAND VETERANS HOME RECREATION ROOM

Committee on Special Legislation and Veterans Affairs recommends passage.

**10. 2018-S 2488****BY** Lynch Prata**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
CERTIFICATES OF TITLE AND SECURITY INTERESTS

Committee on Special Legislation and Veterans Affairs recommends passage.

**11. 2018-S 2489****BY** Gallo**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL  
LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

**IN ORDER FOR TUESDAY, APRIL 10, 2018:****1. 2018-S 2325****BY** Sosnowski**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -  
TRANSPORTATION NETWORK COMPANY SERVICES

Committee on Commerce recommends passage.

**2. 2018-S 2581 SUB A****BY** Lynch Prata**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSE - ELECTRONIC  
IMAGING DEVICESCommittee on Judiciary recommends indefinite postponement of the original bill and  
passage of Substitute A.**3. 2018-S 2485 SUB A****BY** DaPonte**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -  
REGISTRATION OF VEHICLESCommittee on Special Legislation and Veterans Affairs recommends indefinite  
postponement of the original bill and passage of Substitute A.