

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.35

Tuesday, April 10, 2018

Thirty 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 4:10 o'clock P.M.

ROLL CALL

The roll is called and a quorum is declared present with 35 Senators present and 1 Senator 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, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

ABSENT – 1: Senator Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

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**

April 5, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

Richard A. Andrews
(Combination Full/Part Time Fire Chief)

VICE
Brian Jackvony

For a term expiring January 31, 2021.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the committee on Housing and Municipal Government.



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

April 5, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following reappointment to the Fire Education and Training Coordinating Board:

David J. Gorman
(RI Association of Firefighters)

For a term expiring January 31, 2020.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the committee on Housing and Municipal Government.



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

April 5, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following reappointment to the Fire Education and Training Coordinating Board:

Jay T. Petrillo
(RI Association of Firefighters)

For a term expiring January 31, 2020.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the committee on Housing and Municipal Government.



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

April 5, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

Paul A. Shatraw
(Full Time Fire Chief)

VICE
Timothy McLaughlin

For a term expiring January 31, 2021.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the committee on Housing and Municipal Government.



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

April 5, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

Robert F. Thurber, Jr.
(Volunteer Fire Chief)

VICE
Michael Frink

For a term expiring January 31, 2021.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the committee on Housing and Municipal Government.



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

April 5, 2018

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following reappointment to the Fire Education and Training Coordinating Board:

Howard F. Tighe
(RI Association of Firefighters)

For a term expiring January 31, 2020.

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

Sincerely,

Gina M. Raimondo
Governor

Referred to the committee on Housing and Municipal Government.

COMMUNICATIONS

The Honorable President of the Senate presents the following communications:



April 5, 2018

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

Dear Secretary Ricci:

I would like to request that my name be withdrawn as a co-sponsor for **Senate Bill No. 2600** **ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE – PROCEDURE GENERALLY.

Should you have any question, please feel free to contact me.

Sincerely,
Frank S. Lombardi
Senator, District 26

Read and placed on file.



April 10, 2018

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, Tuesday, April 10, 2018.

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

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, which appears to read "James C. Sheehan".

James C. Sheehan
Senator – District 36

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:

The Appointment of Nicholas M. Grumbach, MD (Individual Employed in Healthcare Delivery Organization) to the Health Information Exchange Advisory Commission for a term expiring June 1, 2020.

Read and ordered to be placed on the Consent Calendar.

The Appointment of Michael S. Oliver (Person With Experience With Complex Electronic Databases) to the Health Information Exchange Advisory Commission for a term expiring June 1, 2020.

Read and ordered to be placed on the Consent Calendar.

The Appointment of Samuel C. Salganik (Individual Who Is A Healthcare Consumer or Consumer Advocate) to the Health Information Exchange Advisory Commission for a term expiring June 1, 2020.

Read and ordered to be placed on the Consent Calendar.

The Appointment of Shannon R. Shallcross, MS (Individual With Experience In HIPAA) to the Health Information Exchange Advisory Commission for a term expiring June 1, 2020.

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 2812**

(General Treasurer)

BY Gallo, Quezada, Conley, Pearson, DiPalma

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF APRIL, 2018, TO BE "FINANCIAL LITERACY MONTH" IN THE STATE OF RHODE ISLAND
{LC5379/1}

Recommended for Immediate Consideration.

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators, Goodwin, Lynch Prata, Coyne, Lombardo, Sosnowski, Quezada, Pearson, Algiere, Satchell, Archambault, Paolino, DaPonte, Euer, Felag.

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

CONSENT CALENDAR

IN ORDER FOR TUESDAY, APRIL 10, 2018:

1. **The Reappointment of Kevin A. Breene (representing the Rhode Island Farm Bureau) to the Rabies Control Board for a term expiring September 1, 2020.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

2. **The Reappointment of Christopher H. Hannafin, DVM (representing the Rhode Island Veterinary Medical Association) to the Rabies Control Board for a term expiring September 1, 2020.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

3. **2018-S 2390**

BY Felag

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY VETERAN AND MILITARY SPOUSE EDUCATION & EMPLOYMENT OPPORTUNITIES

Committee on Special Legislation and Veterans Affairs 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 – 34: 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, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

NAYS – 0:

CALENDAR**IN ORDER FOR TUESDAY, APRIL 10, 2018:****1. 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.

Senator Ciccone, moves passage of the act, seconded by Senators, Lombardi, Lombardo, Gallo, DiPalma, Seveney.

The act is read and passed, on a roll call vote, with 35 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 35: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, 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:****2. 2018-S 2325****BY** Sosnowski**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
TRANSPORTATION NETWORK COMPANY SERVICES

Committee on Commerce recommends passage.

Senator Sosnowski, moves passage of the act, seconded by Senators, Fogarty, Lombardi, Nesselbush, Quezada, Pearson, Euer.

The act is read and passed, on a roll call vote, with 35 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 35: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, 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:**

3. 2018-S 2581 SUB A**BY** Lynch Prata**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSE - ELECTRONIC IMAGING DEVICES

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

Senator Lynch Prata, moves passage of the act, seconded by Senators, Goodwin, McCaffrey, Algieri, Lombardi, Nesselbush, Fogarty, Pearson, Metts, Archambault, Coyne, Seveney, DaPonte, DiPalma.

The act is read and passed, on a roll call vote, with 35 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 35: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, 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:

4. 2018-S 2485 SUB A**BY** DaPonte**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

Senator DaPonte, moves passage of the act, seconded by Senators, Felag, Algieri, Goodwin, Gallo, Lombardo, Lombardi, Pearson, Metts, Satchell, Gee, DiPalma.

The act is read and passed, on a roll call vote, with 34 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 34: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, 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:

5. 2018-S 2475 SUB A**BY** Goldin**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - FAIR EMPLOYMENT PRACTICES

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

Senator Goldin, moves passage of the act, seconded by Senators, Lynch Prata, Euer, Coyne, Calkin, Goodwin, Sosnowski, Crowley, Nesselbush, Miller, Lombardi, Lombardo, Fogarty, Satchell, Archambault, Gee, Raptakis, DiPalma, Seveney.

Senator Goldin, seconded by Senators Lynch Prata, Nesselbush, Calkin, offers the following written motion to amend.

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LC004054/3
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STATE OF RHODE ISLAND**IN GENERAL ASSEMBLY****JANUARY SESSION, A.D. 2018****FLOOR AMENDMENT****TO****2018 -- S 2475 SUBSTITUTE A****AN ACT RELATING TO LABOR AND LABOR RELATIONS - FAIR EMPLOYMENT PRACTICES.**

Mr. President:

I hereby move to amend 2018 -- S 2475 SUBSTITUTE A, entitled "AN ACT RELATING TO LABOR AND LABOR RELATIONS - FAIR EMPLOYMENT PRACTICES", as follows:

1. On page 1, line 11, by inserting the word "that" after the language "means work".
2. On page 3, line 14, by deleting the word "to" before the language "work-related".
3. On page 4, line 16, by deleting the word "on" after the word "planning".
4. On page 4, line 25, by deleting the language "that are", and by inserting in place thereof the word "as" after the word "criteria".

5. On page 5, line 11, by inserting a period "." after the word "definitions", and by deleting the language "for 'wage range' and 'comparable jobs.'"

6. On page 5, line 16, by deleting the language "Posting of statutory provisions."

7. On page 7, line 30, by deleting the semicolon ";" after the word "appropriate", and by inserting in place thereof a period "."

8. On page 9, line 13, by inserting the word "of" after the word "director".

Respectfully submitted,

Senator Goldin

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LC004054/3

The motion to amend prevails 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, Crowley, DaPonte, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

NAYS – 0:

Senator Goldin moves passage of the act, as amended, seconded by Senator Calkin.

Senators Nesselbush, Calkin, and Jabour discuss the act.

The act is read and passed, on a roll call vote, with 33 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 33: 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, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

NAYS – 0:

6. 2018-S 2619**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
PAYMENT OF WAGES

Committee on Labor recommends passage.

Senator McCaffrey, moves passage of the act, seconded by Senators, Lynch Prata, Goodwin, Felag, Sosnowski, Lombardi, Lombardi, Nesselbush, Fogarty, Gee, Satchell, DiPalma, Seveney.

The act is read and passed, on a roll call vote, with 35 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 35: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, 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:****7. 2018-S 2638 SUB A****BY** Goodwin**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - EQUAL
PAY DATA COLLECTION AND REPORTING

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

Senator Goodwin, moves passage of the act, seconded by Senators, Felag, McCaffrey, Satchell, Euer, Coyne, Nesselbush, Lombardi, Sosnowski, Quezada, Metts.

Senator Raptakis discusses the act.

The act is read and passed, on a roll call vote, with 33 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS – 33: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.**NAYS – 1:** Senator Morgan.

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 Felag announces that the Committee on Finance will meet today at the rise of the Senate in Room 211 of the State House.

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

Senator Goldin announces that the Committee on Health and Human Services will meet today at the rise of the Senate in the Lounge of the State House.

Senator Metts announces that the Committee on Education will meet tomorrow 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 tomorrow 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 tomorrow at the rise of the Senate in Room 310 of the State House.

Senators Morgan and Paolino welcome members of the 2nd Amendment Coalition to the chamber.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Algieri, the Senate adjourns at 4:38 o'clock P.M.

ROBERT L. RICCI, ESQ.
Secretary of the Senate

Appendix

SENATOR FRANK A. CICCONE, III

Lord, with your guidance, may we be kind in our judgments, diligent in our wisdom, and humble in our power. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 11, 2018:**

1. **The Appointment of Nicholas M. Grumbach, MD (Individual Employed in Healthcare Delivery Organization) to the Health Information Exchange Advisory Commission for a term expiring June 1, 2020.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

2. **The Appointment of Michael S. Oliver (Person With Experience With Complex Electronic Databases) to the Health Information Exchange Advisory Commission for a term expiring June 1, 2020.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

3. **The Appointment of Samuel C. Salganik (Individual Who Is A Healthcare Consumer or Consumer Advocate) to the Health Information Exchange Advisory Commission for a term expiring June 1, 2020.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

4. **The Appointment of Shannon R. Shallcross, MS (Individual With Experience In HIPAA) to the Health Information Exchange Advisory Commission for a term expiring June 1, 2020.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Appendix
CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 11, 2018:

- 1. 2018-S 2653**
BY Lombardo
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND
RESOURCE RECOVERY CORPORATION

Committee on Environment & Agriculture recommends passage.

- 2. 2018-S 2105**
BY DiPalma
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

Committee on Special Legislation and Veterans Affairs recommends passage.