

# 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.37

Thursday, April 12, 2018

Thirty Seventh 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 4:20 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, Cano, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

**ABSENT – 2:** Senators Nesselbush and Morgan.

## INVOCATION

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

(See Appendix for Invocation)

## PLEDGE OF ALLEGIANCE TO THE FLAG

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

**APPROVAL OF RECORD**

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

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

**COMMUNICATIONS**

The Honorable President of the Senate presents the following communications:



April 12, 2018

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

Dear Mr. President:

Please be advised that I will be absent from the Senate session on Thursday, April 12, 2018, due to illness. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Respectfully submitted,

Elaine J. Morgan  
DEPUTY MINORITY WHIP



April 12, 2018

To the Honorable Senate

I, Nellie M. Gorbea, Secretary of the State, hereby certify the following member elected to the Senate in the General Assembly, in accordance with the certificate of the election filed in this office by the Board of elections on the eleventh day of April 2018, as provided by Section 22-3-13 of the General Laws of 1956:

Sandra C. Cano

Nellie M. Gorbea  
Secretary of State

Read and placed on file.



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
SENATE CHAMBER**

April 12, 2018

The Honorable Senate

I have the honor to inform you that I administered on this twelfth day of April, A.D. 2018 the oath of office to Sandra C. Cano of Pawtucket as Senator of District 08.

Respectfully yours,

Nellie M. Gorbea  
Secretary of State

Read and placed on file.



**Senate Chamber**

April 12, 2018

The Honorable Senate  
Senate Chamber  
State House  
Providence, RI 02903

To the Honorable, the Senate

Pursuant to Section 5.1 of the Senate Rules, I am making the following appointments:

**Senate Committee on Finance**  
Sandra Cano

**Senate Committee on Labor**  
Sandra Cano

Sincerely,

Dominick J. Ruggerio  
President of the Senate

Read and placed on file.

**GUESTS**

Upon the suggestion of Senator Crowley and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber newly elected Senator Sandra Cano, District 8 Pawtucket.

**SPECIAL ADDRESS**

Senator Sandra Cano addresses the Chamber.

**REPORTS OF COMMITTEES****COMMITTEE ON LABOR**

Chairman Fogarty, from the Committee on Labor, reports back, with recommendation of passage of the following measure:

**Senate Bill No. 2474 SUB A**

**BY** Lombardi, Nesselbush, Lynch Prata, McCaffrey, Goodwin

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES (Eliminates repealed statute references and creates a mechanism for workers to enforce their existing right to continuation of medical benefits, reinstatement after returning from being a temporary caregiver and relating to Sunday pay wage laws.)  
{LC4478/A/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON SPECIAL LEGISLATION AND VETERAN'S AFFAIRS**

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

**Senate Bill No. 2258**

**BY** Lombardi, Lynch Prata, Gallo, Felag, McCaffrey

**ENTITLED**, AN ACT RELATING TO TAXATION -- VETERANS' EXEMPTIONS  
(Eliminates the requirement that a service person serving in conflicts or undeclared wars receive a campaign ribbon or expeditionary medal in order to receive a property tax exemption.)  
{LC3553/1}

Read and ordered to be placed on the Calendar.

**Senate Bill No. 2259**

**BY** Euer, Felag, DiPalma, Seveney, Coyne

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE EMBLEMS (Designates the Class A Tall Ship commonly known as the "SSV Oliver Hazard Perry" as the official flagship and tall ship ambassador of the state.)  
{LC4312/1}

Read and ordered to be placed on the Calendar.

**Senate Bill No. 2763 SUB A**

**BY** Picard

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - COMMERCIAL DRIVER'S LICENSE (Permits the use of an electronic means of transmission of the medical certificate required for issuance of a CDL by the division of motor vehicles.)  
{LC5320/A/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON EDUCATION**

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

**The Reappointment of Katherine Blacklock to the Rhode Island Council on the Arts for a term expiring March 1, 2021.**

Read and ordered to be placed on the Consent Calendar.

**The Reappointment of Lorraine A. Hynes to the Rhode Island Council on the Arts for a term expiring March 1, 2020.**

Read and ordered to be placed on the Consent Calendar.

**The Reappointment of Kate Petrie to the Rhode Island Council on the Arts for a term expiring March 1, 2021.**

Read and ordered to be placed on the Consent Calendar.

**The Reappointment of Loren M. Spears to the Rhode Island Council on the Arts for a term expiring March 1, 2021.**

Read and ordered to be placed on the Consent Calendar.

**Senate Bill No. 2353**

**BY** Goodwin, Ruggerio, Metts, Ciccone, Quezada

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- ABUSED AND NEGLECTED CHILDREN -- DUTY TO REPORT (Requires representatives of educational programs to notify their leadership of all reports of sexual abuse who shall notify the department of children, youth and families and the school superintendent.)  
{LC4606/1}

Read and ordered to be placed on the Calendar.

**Senate Bill No. 2639 SUB A**

**BY** Gallo, McCaffrey, Felag

**ENTITLED**, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS (Requires that school district safety assessments be provided to the Rhode Island school safety committee every three (3) years for review and recommendations.)  
{LC5162/A/1}

Read and ordered to be placed on the Calendar.

**NEW BUSINESS****Senate Resolution No. 2814****BY** Fogarty, Ruggerio, Lombardi, Felag, Algieri**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT ON THE RECOGNITION OF ZAMBARANO DAY ON APRIL 12, 2018

{LC4957/1}

Recommended for Immediate Consideration.

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by Senators, Algieri, Archambault, Cano, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Sheehan, Sosnowski.

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

**GUESTS**

Upon the suggestion of Senator Fogarty and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Cynthia Huether, Todd Tinkham, Sharan Sousa, Rick Marwell, Mary Ellen Benedict, Eileen Dobbing, Jennifer McCarthy, Kathleen Hagan, Leonard Desjarlais, Justin Rossi-Pearson, Ted Malikowski, Irene Nichols, Kerri Hall, Karen Hazard, Kristen Raimond. Also Zambarano PT's Jose Brandon, John Smith, Rene Demers, and Senator Steven Alves.

**NEW BUSINESS****Senate Resolution No. 2815****BY** McCaffrey, Lombardi, Crowley, Metts, Fogarty**ENTITLED**, SENATE RESOLUTION RECOGNIZING APRIL 16, 2018, AS "NATIONAL HEALTHCARE DECISIONS DAY" IN THE STATE OF RHODE ISLAND

{LC5411/1}

Recommended for Immediate Consideration.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.



Senator McCaffrey moves passage, seconded by Senators, Algieri, Lynch Prata, Jabour, Lombardo, Lombardi, Metts, Gee, Cano, Raptakis, Coyne, DiPalma, Miller.

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

**Senate Resolution No. 2816**

**BY** Euer, DiPalma, Metts, Fogarty, Satchell

**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE GOVERNOR AND RHODE ISLAND COMMERCE CORPORATION, IN CONSULTATION AND COLLABORATION WITH THE RHODE ISLAND CONGRESSIONAL DELEGATION, DESIGNATE SPECIFIC, ELIGIBLE CITY OF NEWPORT CENSUS TRACTS AS QUALIFIED OPPORTUNITY ZONES PURSUANT TO THE NEW FEDERAL TAX BILL AUTHORIZATIONS  
{LC5485/1}

Recommended for Immediate Consideration.

Senator Euer requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Euer moves passage, seconded by Senators, DiPalma, Seveney, Archambault, Lombardi.

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

**Senate Bill No. 2817**

**BY** Goodwin

**ENTITLED**, AN ACT RELATING TO EDUCATION - THE RHODE ISLAND EARLY CHILDHOOD INNOVATION ACT (Creates an early childhood innovation fund which would fund programs to attempt to accelerate the learning ability of at-risk children.)  
{LC5023/1}

Read and referred to Senate Finance.

**Senate Bill No. 2818**

**BY** Crowley

**ENTITLED**, AN ACT RELATING TO CENTRAL FALLS (Relieves Central Falls from reimbursing state for expenses related to fiscal stability act, expenses related to Central Falls school district bankruptcy proceeding, expenses of Moreau v Flanders, or expenses incurred after termination of the receivership.)  
{LC5436/1}

Read and referred to Senate Finance.

**Senate Bill No. 2819****BY** Felag, Conley, Pearson, DiPalma, Seveney**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- QUASI-PUBLIC CORPORATIONS ACCOUNTABILITY AND TRANSPARENCY ACT

{LC5458/1}

Read and referred to Senate Finance.

**Senate Bill No. 2820****BY** Sosnowski, Crowley, Goodwin, McCaffrey**ENTITLED**, AN ACT RELATING TO EDUCATION - TEACHERS RETIREMENT [SEE TITLE 16 CHAPTER 97 - THE RHODE ISLAND BOARD OF EDUCATION ACT] (Provides for a stipend to be paid to certain retired state employees, municipal employees, and teachers or their beneficiaries during years when a cost of living adjustment is not scheduled.)

{LC5447/1}

Read and referred to Senate Finance.

**Senate Bill No. 2821****BY** Euer**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$9,800,000 TO FINANCE CONSTRUCTION, REPLACEMENTS, RENOVATIONS AND/OR OTHER IMPROVEMENTS AND RELATED EQUIPMENT AT THE JAMESTOWN PUBLIC SCHOOLS, THE JAMESTOWN GOLF COURSE AND THE JAMESTOWN PHILOMENIAN LIBRARY (Authorizes the town of Jamestown to issue not more than \$9,800,000 bonds and notes to finance various improvements and related equipment at the town of Jamestown's schools, golf course and library.)

{LC5476/1}

Read and referred to Senate Housing and Municipal Government.

**Senate Bill No. 2822****BY** Goldin, Miller, Calkin, Quezada, Goodwin**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - WEAPONS (Repeals the statute providing state preemption of laws pertaining to the ownership, possession, transportation, and sale of firearms and ammunitions.)

{LC5492/1}

Read and referred to Senate Judiciary.

**Senate Bill No. 2823****BY** Quezada, Goodwin, Cano, Crowley, Calkin**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --

PROCEDURE GENERALLY -- WITNESSES (Provides that an LEP interpreter shall not be compelled to testify in any civil or criminal action wherein communication is privileged pursuant to statutory or common law)

{LC5484/1}

Read and referred to Senate Judiciary.

**Senate Bill No. 2824****BY** Felag, Ciccone, Cote, Raptakis, Jabour**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- ADVISORY

COMMISSION ON HISTORICAL CEMETERIES (Authorizes the advisory committee on historical cemeteries to revive the program for marking governors' graves.)

{LC4955/1}

Read and referred to Senate Special Legislation and Veterans Affairs.

**Senate Bill No. 2825**

(Lieutenant Governor)

**BY** Fogarty, Ciccone**ENTITLED**, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF

LOCAL TAXES (Establishes a nineteen (19) member permanent joint oversight commission to study and evaluate property tax related issues.)

{LC5466/1}

Read and referred to Senate Housing and Municipal Government

**CONSENT CALENDAR****IN ORDER FOR THURSDAY, APRIL 12, 2018:****1. 2018-S 2759****BY** Calkin**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

**2. 2018-H 7304****BY** Morgan**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

3.     **2018-H 7460**  
      **BY** Costantino  
      **ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

4.     **2018-H 7960**  
      **BY** Abney  
      **ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

5.     **2018-H 7961**  
      **BY** Abney  
      **ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

6.     **2018-H 7985**  
      **BY** Solomon  
      **ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

7.     **2018-H 8000**  
      **BY** Shekarchi  
      **ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

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

**YEAS – 35:** The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Cano, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, 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.

### **ANNOUNCEMENTS**

Senator Algieri along with Senators Lombardi, and Lombardo, welcomes to the Chamber, RI CASA volunteer special advocates Paul Gagnon, Diane Manzoli, Stuart Mundy, Thomas Oates, Barbara Ruttenberg, and Carol O'Donnell.

Senator Lynch Prata welcomes to the Chamber from RI CASA Nicole Martin, Mike Depascale, and Andrew Johnson.

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 Cote announces that the Committee on Commerce will meet today at the rise of the Senate in Room 212 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.

### ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Algieri, the Senate adjourns at 4:43 o'clock P.M.

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

**Appendix****SENATOR CYNTHIA A. COYNE**

Almighty Father, Let us carefully weigh the reasons on all sides from a human point of view and then rely on your grace for divine help. Amen.

## Appendix

## CONSENT CALENDAR

## IN ORDER FOR TUESDAY, APRIL 24, 2018:

1. **The Reappointment of Katherine Blacklock to the Rhode Island Council on the Arts for a term expiring March 1, 2021.**

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

2. **The Reappointment of Lorraine A. Hynes to the Rhode Island Council on the Arts for a term expiring March 1, 2020.**

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

3. **The Reappointment of Kate Petrie to the Rhode Island Council on the Arts for a term expiring March 1, 2021.**

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

4. **The Reappointment of Loren M. Spears to the Rhode Island Council on the Arts for a term expiring March 1, 2021.**

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

Appendix  
CALENDAR

**IN ORDER FOR TUESDAY, APRIL 24, 2018:**

1.     **2018-S 2579**  
      **BY** Algieri  
      **ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
      RHODE ISLAND PUBLIC RAIL CORPORATION ACT

Committee on Judiciary recommends passage.

**IN ORDER FOR WEDNESDAY, APRIL 25, 2018:**

1.     **2018-S 2353**  
      **BY** Goodwin  
      **ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- ABUSED AND  
      NEGLECTED CHILDREN -- DUTY TO REPORT
2.     **2018-S 2639 SUB A**  
      **BY** Gallo  
      **ENTITLED**, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF  
      PUPILS

Committee on Education recommends passage.

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

3.     **2018-S 2474 SUB A**  
      **BY** Lombardi  
      **ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
      PAYMENT OF WAGES

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

4.     **2018-S 2258**  
      **BY** Lombardi  
      **ENTITLED**, AN ACT RELATING TO TAXATION -- VETERANS' EXEMPTIONS

Committee on Special Legislation and Veterans Affairs recommends passage.



**5. 2018-S 2259****BY** Euer**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
STATE EMBLEMS

Committee on Special Legislation and Veterans Affairs recommends passage.

**6. 2018-S 2763 SUB A****BY** Picard**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -  
COMMERCIAL DRIVER'S LICENSE

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

**TRANSMITTED TO THE GOVERNOR****House Bill No. 7304****BY** Morgan

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Howard Nesbitt to join Taylor Lynn Leahy and Frederick Robert Pierce in marriage on or about June 30, 2018, within the City of Warwick, Rhode Island.)  
{LC4193/1}

Transmittal to the Governor.

**House Bill No. 7460****BY** Costantino

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Michael P. Narducci to join Krystina M. D'Amario and Devin J. Noll in marriage on or about April 22, 2018, within the Town of North Kingstown, Rhode Island.)  
{LC4504/1}

Transmittal to the Governor.

**House Bill No. 7960****BY** Abney

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Erik B. Lawson, Esq., to join Kendra L. Harper and Kyle F. Woodford in marriage on or about June 28, 2018, within the City of Newport, Rhode Island.)  
{LC5251/1}

Transmittal to the Governor.

**House Bill No. 7961****BY** Abney

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Henry Francis Winthrop to join Ashley Elizabeth Breitenstein and Kyle Francis Kluth in marriage on or about June 15, 2018, within the Town of Jamestown, Rhode Island.)  
{LC5250/1}

Transmittal to the Governor.

**House Bill No. 7985****BY** Solomon

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Christopher Holland to join Elizabeth Correia and Andrew Medeiros in marriage on or about April 21, 2018, within the City of Warwick, Rhode Island.)  
{LC5288/1}

Transmittal to the Governor.

**House Bill No. 8000****BY** Shekarchi, Bennett, Vella-Wilkinson, Solomon, Shanley**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows The Honorable Scott Avedisian to join Christy Lee Angell and Matthew Stephen Moretti in marriage on or about May 4, 2018, within the City of Cranston, Rhode Island.)  
{LC5347/1}

Transmittal to the Governor.