

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.40

Thursday, April 26, 2018

Fortieth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:26 o'clock P.M.

ROLL CALL

The roll is called and a quorum is declared present with 34 Senators present and 3 Senators absent as follows:

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

ABSENT – 3: Senators Ciccone, DiPalma, Miller.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon the suggestion of Senator Lombardi and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber, Catherine Talh.

COMMUNICATION

The Honorable President of the Senate presents the following communication:



April 26, 2018

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

Dear President Ruggerio:

Please be advised that I will be unable to attend Senate Session Thursday April 26, 2018 due to shoulder surgery.

I would appreciate you recording my letter in the appropriate Senate Journal. Thank you for your attention to this matter.

Sincerely,

Frank A. Ciccone, III

Frank A. Ciccone, III
Senator District ~ 7

Read and placed on file.

REPORTS OF COMMITTEES**COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT**

Chairman Ciccone, from the Committee on Housing and Municipal Government, reports back with recommendation of passage of the following measure:

Senate Bill No. 2788

BY Algiere, Morgan

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION--TOWN OF CHARLESTOWN (Authorizes the town of Charlestown, by ordinance, to offer tax dollar credit reductions in lieu of various tax exemptions.)
{LC5440/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Chairwoman Sosnowski, from the Committee on Environment and Agriculture, reports back with recommendation of passage of the following measures:

Senate Bill No. 2363

BY Ciccone, Gallo, Felag, DiPalma, Archambault

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- RETAIL SALE OF GASOLINE (Eliminates the requirement that a waiver for fuel content standards be obtained from both weights and measures (DLT) and the department of environmental management (DEM).)
{LC4517/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2507

BY Seveney, Coyne, DiPalma, Felag

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- LICENSING (Removes the requirement that hunting and fishing licenses may be issued only by town and city clerks.)
{LC4786/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2511

(Environmental Management)

BY Sosnowski, Miller, Coyne, Conley, Sheehan

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - SHELLFISH GROUNDS (Ensures compliance with the National Shellfish Sanitation Program.)
{LC4927/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2652**BY** Sosnowski, DiPalma, Miller

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - NET METERING (Expands the definition of eligible net metering resources by including "eligible biomass fuels" as defined in § 39-26-2(6).)
{LC5227/1}

Read and ordered to be placed on the Calendar.

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 measures:

Senate Bill No. 2740**BY** Cote, Picard

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES (Allows railroad companies who hold a Class G license to serve alcohol at retail aboard its trains and in its controlled station premises up to 60 minutes prior to a train's scheduled departure.)
{LC5104/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2486**BY** Picard

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - DISABILITY BUSINESS ENTERPRISES (Expands the existing disability business enterprises program.)
{LC4775/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2251**BY** Picard

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- MANUFACTURING AND WHOLESALE LICENSES (Reduces the alcoholic beverage manufacturing and wholesale licensing fee from three thousand dollars (\$3,000) to five hundred dollars (\$500).)
{LC4465/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2249**BY** Lombardo, Kettle, Conley, McCaffrey, Algieri**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -

REGISTRATION OF VEHICLES (Creates a special registration plate for holders of the Eagle Scout badge. The forty dollar (\$40.00) surcharge for the plates shall be divided between the general fund and the Narragansett Council of the Boy Scouts of America.)

{LC4330/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON LABOR

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

Senate Bill No. 2806**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -

EMPLOYMENT SECURITY - BENEFITS (Increases the maximum weekly unemployment benefit rate to the higher of fifty-seven and one-half percent (57.5%) of the average weekly wages paid to workers in the prior calendar year or six hundred sixteen dollars (\$616) per week.)

{LC4056/1}

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:

Senate Bill No. 2350**BY** Sosnowski, Goldin, Crowley, Coyne, Miller**ENTITLED**, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

(Prohibits the advertising of unhealthy food and beverage products in schools that do not meet minimum federal and state governmental nutrition standards.)

{LC4599/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2347**BY** Satchell, Euer, Metts, Pearson, Gallo**ENTITLED**, AN ACT RELATING TO EDUCATION - OUT OF SCHOOL TIME LEARNING

COMMISSION (Creates a permanent joint commission to improve and increase the number of quality out of school time learning programs in the state.)

{LC4507/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2052**BY** Satchell, Gallo, Seveney, Jabour, Miller**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL SOCIAL WORKERS

(Creates a process for the department of education relating to the collection and organization of information concerning the workload and scope of the duties and responsibilities performed by school social workers.)

{LC3456/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 2832****BY** McCaffrey**ENTITLED**, SENATE RESOLUTION WELCOMING THE NARRAGANSETT COUNCIL OF THE BOY SCOUTS OF AMERICA TO THE RHODE ISLAND SENATE AS THEY PRESENT THEIR 2017 "REPORT TO THE STATE", AND THANKING THEM FOR ALL OF THE GOOD WORK THEY DO ON A DAILY BASIS IN THE STATE OF RHODE ISLAND

{LC5553/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senators, Algieri, Archambault, Cano, Conley, Coyne, Crowley, DaPonte, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, Metts, Morgan, Nesselbush, Paolino, Pearson, Picard, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

Senator Lombardo discusses the resolution.

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

GUESTS

Upon the suggestion of Senators McCaffrey, and Goodwin and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber, Tiffany Baumgardener the COO of the Narragansett Council Boys Scouts of America, Joseph Santa Cruz of troop 76 (Providence), Maxwell Cardin, Alexandra Cardin, and Melissa Norton of pack 4 (Gaspee Plateau), and Noah Riley of troop 5 (North Providence).

NEW BUSINESS**Senate Resolution No. 2830****BY** Algiere, Ruggerio, McCaffrey, Goodwin, Lynch Prata**ENTITLED**, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF BARBARA PIERCE BUSH, FORMER FIRST LADY OF THE UNITED STATES

{LC5524/1}

Recommended for Immediate Consideration.

Senator Algiere requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Senate Resolution No. 2831**BY** Gallo**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF ANGELA V. COPPOLA

{LC5500/1}

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators, Senators, Archambault, Cano, Conley, Coyne, Crowley, DaPonte, Euer, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

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

GUESTS

Upon the suggestion of Senator Gallo and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber, Husband of Angela Arthur N. Coppola, sister in law Beatrice McCarthy, Nieces, Marilyn Coppola, Karen Musumeci, and Maureen Fogarty. Also Friends of Angela: Cheryle Ursilla, Anne Elliot, Jean Marie Lombardi, Eva Nascenzi, and Carolyn Piasecki.

CONSENT CALENDAR**IN ORDER FOR THURSDAY, APRIL 26, 2018:****1. 2018-H 7918****BY** Keable**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:

PRESENT – 33: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Cano, Calkin, Conley, Cote, Coyne, Crowley, DaPonte, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Morgan, Nesselbush, 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.

TRANSFER OF BILLS

Chairwoman Lynch Prata, from the Committee on Judiciary transfers the following measure to the Committee on Environment and Agriculture:

Senate Bill No. 2803

(Narragansett Bay Commission)

BY Lombardo, Lombardi, McCaffrey, Conley, Archambault

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- NARRAGANSETT BAY COMMISSION (Authorizes the Narragansett Bay Commission to enter into agreements with various entities for the acquisition, merger or consolidation of water treatment facilities.) {LC5292/1}

Transferred to the Committee on Environment and Agriculture.

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

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Algieri, and upon the Suggestion of Senator Gallo the Senate adjourns at 4:50 o'clock P.M. *in memory of Angela V. Coppola*

ROBERT L. RICCI, ESQ.
Secretary of the Senate

Appendix**INVOCATION****SENATOR ELIZABETH A. CROWLEY**

Almighty God, we ask that you help us put forth our best efforts to lead our State, as we make Rhode Island a better place for all people to live, work, and play. Amen.

TRANSMITTED TO THE GOVERNOR

House Bill No. 7918

BY Keable, Amore

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Patrick James Quinlan to join Teri Lynn Stifano and Jonathyn Albert Arioste Pirolli in marriage on or about July 7, 2018, within the City of East Providence, Rhode Island.)
{LC4894/1}

Passed in concurrence and transmitted to the Governor.

Appendix
CALENDAR

IN ORDER FOR TUESDAY, MAY 1, 2018:

1. Senate Bill No. 2320

(Secretary of State)

BY Euer, Pearson, Goldin, Jabour, Nesselbush

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT

Committee on Commerce recommends passage.

2. Senate Bill No. 2335

BY Sosnowski, Lynch Prata, Crowley, Felag, Coyne

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- LAND SURVEYORS

Committee on Commerce recommends passage.

3. Senate Bill No. 2643

BY Metts

ENTITLED, AN ACT IN AMENDMENT AND CONSOLIDATION OF THE CHARTER OF THE GREATER PROVIDENCE YOUNG MEN'S CHRISTIAN ASSOCIATION

Committee on Commerce recommends passage.

4. Senate Bill No. 2130 SUB A

BY Miller

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSE ANESTHETISTS

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

5. Senate Bill No. 2533

(Dept.of BHDDH)

BY McCaffrey, Goodwin, Satchell, DiPalma, Miller

ENTITLED, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS

Committee on Health & Human Services recommends passage.

6. Senate Bill No. 2534

(Dept. of Health)

BY Satchell, Miller, Archambault**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- THE UNIFORM CONTROLLED SUBSTANCES ACT

Committee on Health & Human Services recommends passage.

7. Senate Bill No. 2546 SUB A**BY** Miller, Goldin, Calkin, Satchell, Morgan**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - COMPREHENSIVE DISCHARGE PLANNING

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

8. Senate Bill No. 2552**BY** Goodwin**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE -- LONG-TERM CARE SERVICE AND FINANCE REFORM

Committee on Health & Human Services recommends passage.

6. Senate Bill No. 2553**BY** Goodwin**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - FAMILY CAREGIVERS SUPPORT ACT OF 2013

Committee on Health & Human Services recommends passage.

10. Senate Resolution No. 2669 SUB A**BY** DiPalma, Seveney, Coyne, Calkin, Goldin**ENTITLED**, SENATE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY AND EVALUATE THE IMPACT OF "PROJECT SUSTAINABILITY"

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

IN ORDER FOR WEDNESDAY, MAY 2, 2018:**1. 2018-S 2052****BY** Satchell**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL SOCIAL WORKERS

Committee on Education recommends passage.

2. 2018-S 2347 SUB A**BY** Satchell**ENTITLED**, AN ACT RELATING TO EDUCATION - OUT OF SCHOOL TIME LEARNING COMMISSION

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

3. 2018-S 2350 SUB A**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

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

4. 2018-S 2363**BY** Ciccone**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- RETAIL SALE OF GASOLINE

Committee on Environment & Agriculture recommends passage.

5. 2018-S 2507**BY** Seveney**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE -- LICENSING

Committee on Environment & Agriculture recommends passage.

6. 2018-S 2511**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE - SHELLFISH GROUNDS

Committee on Environment & Agriculture recommends passage.

7. **2018-S 2652**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - NET
 METERING

Committee on Environment & Agriculture recommends passage.

8. **2018-S 2788**
 BY Algieri
 ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
 TAXATION--TOWN OF CHARLESTOWN

Committee on Housing & Municipal Government recommends passage.

9. **2018-S 2806**
 BY McCaffrey
 ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
 EMPLOYMENT SECURITY - BENEFITS

Committee on Labor recommends passage.

10. **2018-S 2249 SUB A**
 BY Lombardo
 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.

11. **2018-S 2251**
 BY Picard
 ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES --
 MANUFACTURING AND WHOLESALE LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

12. **2018-S 2486**
 BY Picard
 ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -
 DISABILITY BUSINESS ENTERPRISES

Committee on Special Legislation and Veterans Affairs recommends passage.

13. 2018-S 2740

BY Cote

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL
LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.