

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.44

Tuesday, May 8, 2018

Forty Forth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:17 o'clock P.M.

ROLL CALL

The roll is called and a quorum is declared present with 36 Senators present and 1 Senator absent as follows:

PRESENT – 36: The Honorable President Dominick Ruggerio, and Senators, Algiere, Archambault, Cano, 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, Sheehan, Sosnowski.

ABSENT – 1: Senator DaPonte.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon the suggestion of Senator Cano and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Pawtucket residents: Alba Rios, and Sophia Grajales.

COMMUNICATION

The Honorable President of the Senate presents the following communication:



May 8, 2018

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

Dear President Ruggerio:

Please be advised that I will be out of state and therefore absent from the Chamber on Tuesday, May 8 2018 and Wednesday, May 9, 2018.

Please record my letter in the appropriate Senate Journals. Thank you.

Respectfully submitted,

Daniel DaPonte
Senator, District 14

Read and ordered to be placed on file.

NEW BUSINESS**Senate Resolution No. 2878**

BY Lombardo, Sosnowski, Ruggerio, Raptakis, Metts

ENTITLED, SENATE RESOLUTION CELEBRATING THE WEEK OF APRIL 29 THROUGH MAY 4, 2018, AS “NATIONAL SMALL BUSINESS WEEK” AND PROCLAIMING THE WEEK OF MAY 7 THROUGH MAY 11, 2018 TO BE “RHODE ISLAND SMALL BUSINESS WEEK” IN THE STATE OF RHODE ISLAND {LC5448/1}

Recommended for Immediate Consideration.

Senator Lombardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lombardo moves passage, seconded by Senators, Algiere, Archambault, Cano, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Euer, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski. The resolution is read and passed, upon a voice vote.

GUESTS

Upon the suggestion of Senators Lombardo, Sosnowski, and Crowley, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Small Business Person of the Year Kelly B. Mendell of Mikel Inc., National Subcontractor of the Year Dave Evans of Evans Capacitor Co., New England Woman-Owned Small Business Carol Dancer of Absorbant Specialty Products LLC., New England Veteran-Owned Small Business Matt Vargas of Veteran Assembled Electronics, and Small Business Exporter Michael Sigourney, Anne Beaupre Sigourney, and Rick Grundy of AVTECH Software Inc. Also Small Business Manufacturer Donald J. Boyle of Jade Manufacturing Co. Inc., Microenterprise Nancy Hatch Warner of The Worm Ladies of Charlestown, Minority-Owned Small Business Alba Lucia Rios Puerto of Spanish Wholesale Center, Jeffrey Butland Family-Owned Small Business Lisa M. Sienkiewicz & Gail Parella from Gil's Appliances, and the winners of the Rhode Island District Director Award, Cheryl Watkins Snead of Banneker Industries Inc.

NEW BUSINESS**Senate Resolution No. 2877**

BY Satchell, Ruggerio, Metts, Algiere, Lombardi

ENTITLED, SENATE RESOLUTION PROCLAIMING MAY 8, 2018 TO BE
"ALZHEIMER'S AWARENESS DAY" IN THE STATE OF RHODE ISLAND
{LC4362/1}

Recommended for Immediate Consideration.

Senator Satchell requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Satchell moves passage, seconded by Senators, Algiere, Archambault, Cano, 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, Seveney, Sheehan, Sosnowski.

Senator Felag discusses the resolution.

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

GUESTS

Upon the suggestion of Senators Satchell, McCaffrey, and DiPalma, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Donna McGowan, Executive Director Alzheimer's Association, RI Chapter from Warwick. Lisa Connell – Finance/ Operations Director, Alzheimer's Association RI Chapter from Saunderstown. Kate Spinella, Development Director, Alzheimer's Association RI Chapter from Middletown. Annie Murphy – Program Manager, Alzheimer's Association, RI Chapter from Kingston. Michelle La France – Public Policy and Public Relations Specialist, Alzheimer's Association, RI Chapter from Providence. Bella Garcia- Special Events Coordinator, Alzheimer's Association, RI Chapter from Providence. Amaryha Bryan – Office Manager, Alzheimer's Association, RI Chapter from Providence. Tom Enright – Alzheimer's Association, RI Chapter Board Vice President from Cranston. Macrina Hjerpe – Alzheimer's Association, RI Chapter Board Secretary from Providence. Lauren Whatmough - Alzheimer's Congressional Team Member from Warwick. Emily Migliaccio - Alzheimer's Congressional Team Member from Providence, and Bill McGowan - Alzheimer's Ambassador to Senator Reed from Warwick.

CONSENT CALENDAR**IN ORDER FOR TUESDAY, MAY 8, 2018:**

- 1. The Appointment of Edward J. Burman, Jr. (Builder/Superintendent of Building Construction) VICE John Sinnott to the Building Code Standards Committee for a term expiring May 1, 2021.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 2. The Appointment of Maureen Ann Gaynor (Residents with Disabilities) VICE Catherine E. Fox, McD, NBCT to the Building Code Standards Committee for a term expiring May 1, 2021.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 3. The Appointment of James B. Gumbley (Fire Interests) VICE Scott D. Caron to the Building Code Standards Committee for a term expiring May 1, 2019.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 4. The Appointment of Kevin A. Moran (Rhode Island Builders Association) to the Building Code Standards Committee for a term expiring May 1, 2021.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 5. The Appointment of David M. Murphy (Building Official with Population Between 20,000 - 60,000) VICE Peter Scorpio to the Building Code Standards Committee for a term expiring May 1, 2020.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 6. The Appointment of John S. Pagliaro (Rhode Island Builders Association) to the Building Code Standards Committee for a term expiring May 1, 2021.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

7. **The Appointment of Michael S. Paolucci (Class "A" Electrical License Holder) VICE G. Thomas Chabot to the Building Code Standards Committee for a term expiring May 1, 2021.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

8. **The Appointment of Walter J. Powers, Jr., PE (Electrical Engineer) VICE James Fink to the Building Code Standards Committee for a term expiring May 1, 2020.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

9. **The Appointment of Richard A. Andrews (Combination Full/Part Time Fire Chief) VICE Brian Jackvony to the Fire Education and Training Coordinating Board for a term expiring January 31, 2021.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

10. **The Appointment of Carol O'Donnell VICE Henry Richard, Jr. to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2024.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

11. **The Appointment of Paul A. Shatraw (Full Time Fire Chief) VICE Timothy McLaughlin to the Fire Education and Training Coordinating Board for a term expiring January 31, 2021.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

12. **The Appointment of Robert F. Thurber, Jr. (Volunteer Fire Chief) VICE Michael Frink to the Fire Education and Training Coordinating Board for a term expiring January 31, 2021.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

13. **The Reappointment of Mark J. Blackburn, PE (Vice-Chair) to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2023.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 14. The Reappointment of Rodger Booth (Fire Protection Industry Representative) to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2024.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 15. The Reappointment of David J. Gorman (RI Association of Firefighters) to the Fire Education and Training Coordinating Board for a term expiring January 31, 2020.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 16. The Reappointment of Dana M. Newbrook, AIA (Chairman) to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2023.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 17. The Reappointment of Stuart D. Pearson to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2024.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 18. The Reappointment of Jay T. Petrillo (RI Association of Firefighters) to the Fire Education and Training Coordinating Board for a term expiring January 31, 2020.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 19. The Reappointment of Frank M. Sylvester to the Fire Safety Code Board of Appeal and Review for a term expiring March 1, 2024.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 20. The Reappointment of Howard F. Tighe (RI Association of Firefighters) to the Fire Education and Training Coordinating Board for a term expiring January 31, 2020.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

- 21. The Reappointment of Michelle R. DeRoche to the Narragansett Bay Commission for a term expiring April 1, 2021.**

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

- 22. The Reappointment of Jonathan K. Farnum to the Narragansett Bay Commission for a term expiring April 1, 2021.**

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

- 23. 2018-S 2848**

BY Lynch Prata

ENTITLED, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF MARGARET M. MCKNIGHT

Ordered on the Consent Calendar.

- 24. 2018-S 2849**

BY Lynch Prata

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF J.B. SIMON, INC.

Ordered on the Consent Calendar.

- 25. 2018-S 2850**

BY Sosnowski

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF TUCKERTOWN FIRE DEPARTMENT, INC.

Ordered on the Consent Calendar.

- 26. 2018-S 2875**

BY Euer

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF MARINERS MEMORIAL FOUNDATION

Ordered on the Consent Calendar.

- 27. 2018-S 2876**

BY Nesselbush

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF MAY, 2018, TO BE "WATER'S WORTH IT MONTH" IN THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar.

28. 2018-H 7969**BY** Edwards**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF F. NASIFF, JR. & CO., INC.

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

29. 2018-H 7997**BY** O'Brien**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PRIDE ELECTRIC LLC

Ordered to be placed on the Consent Calendar for 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 – 36: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Cano, 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, Sheehan, Sosnowski.

NAYS – 0

CALENDAR**IN ORDER FOR TUESDAY, MAY 8, 2018:****1. 2018-S 2018****BY** Lombardi**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION

Committee on Finance recommends passage.

Senator Lombardi moves passage of the act, seconded by Senators Sosnowski, Felag, Gallo, Morgan, and Lombardo.

The act is read and passed, on a roll call vote, with 36 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 36: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Cano, 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, Sheehan, Sosnowski.

NAYS – 0:

2. 2018-S 2521**BY** Conley**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES--
LIABILITY AND COMPUTATION

Committee on Finance recommends passage.

Senator Conley moves passage of the act, seconded by Senators Gallo, Coyne, Felag, Lombardo, Sosnowski, Pearson, Nesselbush, Goodwin, Jabour, Archambault, Cano, Seveney, DiPalma, Gee.

The act is read and passed, on a roll call vote, with 35 members voting in the affirmative, 0 members voting in the negative, and 1 member abstaining as follows.

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

NAYS – 0:**RECUSE – 1:** Senator Miller.**3. 2018-S 2225****BY** Archambault**ENTITLED**, AN ACT RELATING TO DEPARTMENT OF BEHAVIORAL
HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS -- POWERS
AND DUTIES -- CHEMICAL DEPENDENCY PROFESSIONALS

Committee on Health & Human Services recommends passage.

Upon the suggestion of Senator Goodwin moves that this act be ordered to be placed on the Calendar for Thursday, May 10th.

4. 2018-S 2551**BY** Goodwin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
THE RHODE ISLAND AGING AND DISABILITY RESOURCE CENTER

Committee on Health & Human Services recommends passage.

Senator Goodwin moves passage of the act, seconded by Senators McCaffrey, Lombardi, Lombardo, Jabour, Metts, Nesselbush, Cano, Calkin, DiPalma, Sheehan.

The act is read and passed, on a roll call vote, with 36 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS – 36: The Honorable President Dominick Ruggerio, and Senators, Algieri, Archambault, Cano, 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, 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 Metts announces that the Committee on Education will meet tomorrow 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 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 Felag announces that the Committee on Finance will meet today at the rise of the Senate in room 211 of the State House.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Algieri and upon the suggestion of Senator Satchell the Senate adjourns at 4:46 o'clock P.M.

ROBERT L. RICCI, ESQ.
Secretary of the Senate

Appendix**INVOCATION****SENATOR PAUL V. JABOUR**

Dear Lord, In the days ahead there will be many choices before us as we work to continue to make our State a great place to live. Help us all strive to work together to reach common ground and find positive solutions for the benefit of all our people. Amen.

Appendix
CALENDAR

IN ORDER FOR WEDNESDAY, MAY 9, 2018:

- 1. The Appointment of Charles A. Ruggerio, Esq. VICE Seth H. Handy, Esq. to the Narragansett Bay Commission for a term expiring April 1, 2021.**

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

- 2. 2018-S 2112
BY Ruggerio
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE HOSPITAL CONVERSIONS ACT**

Committee on Judiciary recommends passage.

- 3. 2018-S 2467
BY DaPonte
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE HOSPITAL CONVERSION ACT**

Committee on Judiciary recommends passage.

- 4. 2018-S 2033 SUB A
BY Felag
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION FEES--DISABLED VETERANS**

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

- 5. 2018-S 2254 SUB A
BY Sheehan
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- THE REGISTRATION OF MOTOR VEHICLES -- SPECIAL PLATE FOR FRIENDS OF PLUM BEACH LIGHTHOUSE, INC.**

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

- 6. 2018-S 2809**
BY Sosnowski
ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - NAMING
THE UNIVERSITY OF RHODE ISLAND WELCOME CENTER

Committee on Special Legislation and Veterans Affairs recommends passage.

IN ORDER FOR THURSDAY, MAY 10, 2018:

- 1. 2018-S 2225**
BY Archambault
ENTITLED, AN ACT RELATING TO DEPARTMENT OF BEHAVIORAL
HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS -- POWERS
AND DUTIES -- CHEMICAL DEPENDENCY PROFESSIONALS

Committee on Health & Human Services recommends passage.

TRANSMITTED TO THE GOVERNOR ON TUESDAY, MAY 08TH

House Bill No. 7969

BY Edwards

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF F. NASIFF, JR. & CO., INC.

{LC5273/1}

Transmitted to the Governor.

House Bill No. 7997

BY O'Brien

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PRIDE ELECTRIC LLC

{LC5305/1}

Transmitted to the Governor.