

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.48

Wednesday, May 16, 2018

Forty Eighth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:27 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 Picard to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon the suggestion of Senators Crowley, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Rolling Thunder constituents of Senators Lombardo, Conley, Gallo, Satchell, Archambault, Paolino, Nesselbush, Gee, Goldin, Metts, Morgan, Raptakis, Felag, Coyne, Jabour, and Quezada.

Upon the suggestion of Senator Lombardo, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Angela Ortiz of Johnston, Manny Ortiz of Johnston, Nellie Maria Ortiz of Johnston.

Upon the suggestion of Senator Conley, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Karla, and Kamil Vigil of East Providence.

Upon the suggestion of Senator Gallo, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Veronica Manfredi of Cranston, Benjamin Manfredi of Cranston, Gianna Manfredi of Cranston, Matthew Manfredi of Cranston, Juliet and Caleb Tavaréz of Cranston, and Moniqua Hall Indiana of Cranston.

Upon the suggestion of Senator Satchell, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Allison Harper and Abigail of West Warwick.

Upon the suggestion of Senator Archambault, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber from North Providence, Abby and Winnie Murphy, Katie and Eloise Neves, Lily and Phoebe Palmieri, and Lindsay and Taylor Yag.

Upon the suggestion of Senator Paolino, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber from Lincoln Nonnie Taylor and James.

Upon the suggestion of Senator Nesselbush, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber from Pawtucket Kerry, Tyler, and, Brynn Walsh.

Upon the suggestion of Senator Gee, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber from East Greenwich Katryna and Elijah Morrision.

Upon the suggestion of Senator Goldin, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Tina and Caleb Harris, Lisbeth Hurtado, Nyasia Danay Lawrence and Kyleonna, Darleny Lopez and Leslie, Andrew Poyant and Maya, and Maria Beatrice.

Upon the suggestion of Senator Metts, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Cassie and Jorden Duby, Maria and Rozalynda Flores, Nimota, and Lael Garcia, Kristen and Margaret Giarvin, and Fabiola and Scarlet Gomez.

Upon the suggestion of Senator Morgan, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Ashley and Cailin O'Shea.

Upon the suggestion of Senator Raptakis, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Desiree and Breton Chisholm, and Ressay and Joao Marie Medeiros.

Upon the suggestion of Senator Felag, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Ashley and Le'Von Espada, and Jessica and Cameron Tibbetts.

Upon the suggestion of Senator Coyne, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Katya and Yuri Nanson.

Upon the suggestion of Senator Jabour, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Kimberly and Camden Ahren, Kami and Zion Badro, Gregory and Eliana Barker, Lisandra and Kelvin Cabrera, and Stacy Annalysa Castro.

Upon the suggestion of Senator Quezada, and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Yami, Amila, Eva, and Anthony Marchand, Joanna and Arianna Medina, Cecelia and Robin Moore, Andrew and Maya Poyant, Tanya and Kyleenah Proulx, Luz and Jessy Ramirez, and Elana and Ivy Wetzner.

REPORTS FROM 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:

Senate Bill No. 2543

BY DiPalma, Conley, Miller, Nesselbush

ENTITLED, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS - DIVISION OF DEVELOPMENTAL DISABILITIES (Provides for authorizations for services to developmentally disabled adults issued on or after October 1, 2018, be developed on an annual basis with funding for these services to be issued on an annual basis.)
{LC4633/1}

Read and placed on the Calendar.

Senate Bill No. 2540

(Governor)

BY Seveney, Coyne, Miller, DiPalma, Calkin

ENTITLED, AN ACT RELATING TO INSURANCE - INSURANCE COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE (Includes behavioral health counseling visits and medication maintenance visits as primary care visits for patient cost-sharing requirements under the provisions of a health plan.)
{LC4935/1}

Read and placed on the Calendar.

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. 2133

BY Seveney, DiPalma, Coyne, Euer, Calkin

ENTITLED, AN ACT RELATING TO PROPERTY - HOMELESS BILL OF RIGHTS (Protects homeless persons in possession of a service animal, as defined under the Americans with Disabilities Act, from being denied access to any homeless shelter in violation of the ADA or the state or federal Fair Housing Practices Acts.)
{LC3552/1}

Read and 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. 2710

BY Lombardi, Ciccone, Conley, McCaffrey, Goodwin

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES AND PRIVILEGES (Provides that a vehicle unlawfully parked in a properly marked "handicapped parking" space would be towed at the owners expense.)
{LC5247/1}

Read and placed on the Calendar.

Senate Bill No. 2026

BY Goodwin, Nesselbush

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL (Includes a facility's potential detrimental impact on the community as a factor to be considered when approving the construction or operation of a solid waste management facility.)
{LC3308/1}

Read and placed on the Calendar.

Senate Bill No. 2287

BY Ruggerio, Lynch Prata, Coyne, Lombardi, Pearson

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - AIRBAG REGULATION (Comprehensively expands the registration of motor vehicle airbags to prohibit the manufacture and importation of substandard airbags and broaden the definition of airbags.)
{LC3402/1}

Read and placed on the Calendar.

NEW BUSINESS**Senate Bill No. 2889**

BY Morgan

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Michael Sullivan to join Brittany Sirois and Marc Peluso in marriage on or about August 10, 2018, within the City of Newport, Rhode Island.)
{LC5678/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2890**BY** Lombardi

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Thomas Blute to join Nancianne Smith and Raymond Coleman in marriage on or about October 20, 2018, within the Town of North Kingstown, Rhode Island.)
{LC5669/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2891**BY** Euer, Ruggerio, Goodwin, McCaffrey, Goldin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Kathleen Nee to join Julia McDowell and the Honorable Seth Magaziner in marriage on or about July 28, 2018, within the City of Newport, Rhode Island.)
{LC5608/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2892**BY** Coyne

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ANDREOZZI CONST., INC.
{LC5686/1}

Placed on the Senate Consent Calendar.

Senate Resolution No. 2893**BY** Coyne, Algieri, Archambault, Satchell, Sheehan

ENTITLED, SENATE RESOLUTION PROCLAIMING THE WEEK OF MAY 13 THROUGH MAY 19, 2018, TO BE "NATIONAL POLICE WEEK IN THE STATE OF RHODE ISLAND", IN REMEMBRANCE OF ALL POLICE AND LAW ENFORCEMENT OFFICERS WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY
{LC5747/1}

Recommended for Immediate Consideration.

Senator Coyne requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Coyne moves passage, seconded by Senators, Senators, Algieri, Archambault, Cano, Calkin, Ciccone, Conley, Cote, 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.

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

Senate Resolution No. 2894**BY** Satchell, Metts, Sheehan, Gallo

ENTITLED, SENATE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS THE "OUT OF SCHOOL TIME LEARNING COMMISSION" (Creates a 13 member Out of School Time Learning Commission to make recommendations to improve and increase the number of quality out-of-school and learning programs, and would report back by January 31, 2020, and expire on January 31, 2020.)
{LC5689/1}

Placed on the Senate Consent Calendar.

Senate Bill No. 2895**BY** Miller

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- ADULT USE OF CANNABIS ACT (Establishes a system for the regulation and taxation for adult use and cultivation of marijuana.)
{LC5540/1}

Introduced, referred to Senate Judiciary.

Senate Bill No. 2896**BY** McCaffrey, Miller, DiPalma, Goldin

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS - THE GOOD SAMARITAN OVERDOSE PREVENTION ACT OF 2016 (Allows distribution and utilization of narcotic testing products to assist persons in determining whether drugs contain toxic substances.)
{LC5711/1}

Introduced, referred to Senate Judiciary.

FROM THE HOUSE OF REPRESENTATIVES**House Resolution No. 8172****BY** Marshall

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE EFFECTS OF ENACTING A LINE ITEM VETO, POTENTIAL RHODE ISLAND CONSTITUTIONAL AMENDMENTS FOR A GOVERNOR RUNOFF, AND REQUIREMENTS FOR THE ELECTION OF THE GOVERNOR (Extends the dates of the commission studying effects of enacting a line item veto, potential RI Constitutional amendments for Governor runoff, and requirements for the election of Governor from April 5, 2018 to June 8, 2018, and expires on June 15, 2018.)
{LC5629/1}

Recommended for Immediate Consideration.

Senator Lombardi requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lombardi moves passage, seconded by Senators, Senators, Archambault, Sheehan.

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

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MAY 16, 2018:

1. **2018-S 2885**
 BY Lombardi
 ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF MAY TO
 BE "SHINGLES AWARENESS AND IMPROVEMENT MONTH" IN THE STATE OF
 RHODE ISLAND

 Ordered on the Consent Calendar.
2. **2018-S 2888**
 BY Euer
 ENTITLED, SENATE RESOLUTION EXTENDING CONDOLENCES ON THE
 PASSING OF DONALD P. BOUCHER

 Ordered on the Consent Calendar.
3. **2018-S 2839**
 BY Lynch Prata
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
4. **2018-S 2841**
 BY Lynch Prata
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
5. **2018-S 2842**
 BY Lynch Prata
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.

6. **2018-S 2864**
 BY Miller
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

7. **2018-H 7892**
 BY Williams
 ENTITLED, AN ACT IN AMENDMENT AND CONSOLIDATION OF THE
 CHARTER OF THE GREATER PROVIDENCE YOUNG MEN'S CHRISTIAN
 ASSOCIATION

Committee on Commerce 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 – 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.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senators McCaffrey, and Algieri, and upon the suggestion of Senator Coyne the Senate adjourns at 4:50 o'clock P.M. *with Senator Coyne expressing profound sympathy to the Police and Law Enforcement Officers who have lost their lives in the line of duty.*

ROBERT L. RICCI, ESQ.
Secretary of the Senate

Appendix**INVOCATION****SENATOR ROGER A. PICARD**

Dear Lord, show us how to cooperate with each other in sharing our individual talents. Remind us that working together in a unified effort provides us with strength and produces desired end results. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, MAY 17, 2018:

- 1. 2018-S 2892**
BY Coyne
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ANDREOZZI CONST., INC.

Ordered on the Consent Calendar.

- 2. 2018-S 2894**
BY Satchell
ENTITLED, SENATE RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS THE "OUT OF SCHOOL TIME LEARNING COMMISSION"

Ordered on the Consent Calendar.

Appendix
CALENDAR

IN ORDER FOR THURSDAY, MAY 17, 2018:

1. **2018-S 2851**
 BY Ciccone
 ENTITLED, AN ACT RELATING TO WEIGHTS AND MEASURES -- PRODUCE
 SCALES IN MARKETS

Committee on Commerce recommends passage.

2. **2018-S 2868**
 BY Coyne
 ENTITLED, JOINT RESOLUTION CREATING A SPECIAL JOINT TASK FORCE
 TO STUDY ELDERLY ABUSE AND FINANCIAL EXPLOITATION

Committee on Judiciary recommends passage.

IN ORDER FOR TUESDAY, MAY 22, 2018:

1. **2018-S 2540 SUB A**
 BY Seveney
 ENTITLED, AN ACT RELATING TO INSURANCE - INSURANCE COVERAGE
 FOR MENTAL ILLNESS AND SUBSTANCE ABUSE

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

2. **2018-S 2543 SUB A**
 BY DiPalma
 ENTITLED, AN ACT RELATING TO BEHAVIORAL HEALTHCARE,
 DEVELOPMENTAL DISABILITIES AND HOSPITALS - DIVISION OF
 DEVELOPMENTAL DISABILITIES

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

3. **2018-S 2133**
 BY Seveney
 ENTITLED, AN ACT RELATING TO PROPERTY - HOMELESS BILL OF RIGHTS

Committee on Housing & Municipal Government recommends passage.

- 4. 2018-S 2026**
BY Goodwin
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

Committee on Judiciary recommends passage.
- 5. 2018-S 2287**
BY Ruggerio
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - AIRBAG REGULATION

Committee on Judiciary recommends passage.
- 6. 2018-S 2710**
BY Lombardi
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES AND PRIVILEGES

Committee on Judiciary recommends passage.

Appendix

TRANSMITTED TO THE GOVERNOR ON WEDNESDAY, MAY 16th

House Bill No. 7892

BY Williams, Perez, Walsh, Ranglin-Vassell, Hull

ENTITLED, AN ACT IN AMENDMENT AND CONSOLIDATION OF THE CHARTER OF THE GREATER PROVIDENCE YOUNG MEN'S CHRISTIAN ASSOCIATION (Amends and restates the charter of the Greater Providence YMCA and provides for governance by a board of directors.)

{LC4861/1}

Transmitted to the Governor.