

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 First day of January in the year of Our Lord Two Thousand and Nineteen.

Volume 146, No.10

Tuesday, January 29, 2019

Tenth Legislative Day

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

ROLL CALL

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT –37: The Honorable President Dominick Ruggiero, and Senators, Algieri, Archambault, Bell, Cano, Ciccone, Conley, Coyne, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

ABSENT – 1: Senator Crowley.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Ninth Legislative Day of the 2019 proceedings is read in part.

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

COMMUNICATION

The Honorable President of the Senate presents the following communication:



January 29, 2019

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

Dear Mr. President:

Please be advised and let the record reflect that due to personal business, I will be absent from the chamber on Tuesday, January 29, 2019.

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 that reads "Elizabeth A. Crowley".

Senator Elizabeth A. Crowley
Senate District 16

Read and ordered to be placed on file.

REPORTS OF COMMITTEES**COMMITTEE ON JUDICIARY**

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

The Appointment of Richard A. Merola, Esq. VICE Associate Justice John A. Mutter as Associate Justice of the Rhode Island Family Court

Placed on the Senate Calendar for Wednesday, January 30th.

The Appointment of Keith Cardoza, Jr., Esq. VICE Associate Judge Debra L. Olsson as Associate Judge of the Rhode Island Workers' Compensation Court

Placed on the Senate Calendar for Wednesday, January 30th.

The Appointment of Susan Pepin Fay, Esq. VICE Associate Judge Hugo L. Ricci, Jr. as Associate Judge of the Rhode Island Workers' Compensation Court

Placed on the Senate Calendar for Wednesday, January 30th.

NEW BUSINESS**Senate Resolution No. 180**

BY Archambault, Miller, Sosnowski, Crowley

ENTITLED, SENATE RESOLUTION HONORING STEVEN A. FLORIO ON THE OCCASION OF HIS RETIREMENT AS THE EXECUTIVE DIRECTOR FOR THE RHODE ISLAND COMMISSION ON THE DEAF AND HARD OF HEARING
{LC1048/1}

Recommended for Immediate Consideration.

Senator Archambault requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Archambault moves passage, seconded by Senators, Algieri, Bell, Cano, Ciccone, Conley, Coyne, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

The resolution is read and passed upon a voice vote.

Senators Miller and Archambault speak on the resolution.

GUESTS

Upon the suggestion of Senator Archambault and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Steven A. Florio, Executive Director, Tim Riker, Board Chair, Pamela Zellner, Program Manager, Michael Baer, Director of Emergency and Public Communication Access Program, and interpreters Christine West and Simon Martinez

NEW BUSINESS**Senate Resolution No. 181**

BY Goodwin, Bell

ENTITLED, SENATE RESOLUTION EXTENDING DEEPEST CONDOLENCES ON THE PASSING OF SUSAN JOYCE LENNON
{LC580/1}

Recommended for Immediate Consideration.

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators, McCaffrey, Lynch Prata, Gallo, Felag, Metts, Coyne, Goldin, DiPalma, Ciccone, and Archambault.

The resolution is read and passed upon a rising vote.

Senators Bell and Archambault speak on the resolution.

Senate Bill No. 182

BY Raptakis, Rogers

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- ELECTION AND QUALIFICATIONS OF OFFICERS (Allows the town of Coventry to combine voting precincts for a special election for the school committee in 2019. Once the precincts are combined, the canvassers shall advertise such combination at least seven (7) days prior to the election.)
{LC780/1}

Recommended for Immediate Consideration.

Senator Raptakis requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Raptakis moves passage, seconded by Senators, Archambault, Morgan, McCaffrey, Rogers, and Lombardi.

Senators Bell and Raptakis speak on the resolution.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS –36: The Honorable President Dominick Ruggerio, and Senators, Archambault, Bell, Cano, Ciccone, Conley, Coyne, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, Valverde.

NAYS – 0:

CONSENT CALENDAR I

Senator McCaffrey, seconded by Senator Goodwin, moves passage of the Consent Calendar.

Senator Bell requests Senate Resolution S 106 be removed from the Consent Calendar and added to the Calendar of the next legislative day for a voice vote.

Senator McCaffrey moves that Senate Resolution S 106 be placed on a separate Consent Calendar.

Senator McCaffrey moves adoption of a separate Consent Calendars, seconded by Senators Sheehan, Ciccone, Lombardi, Nesselbush, Pearson, Gallo, Lombardo, Conley, Goodwin, Paolino, Archambault, Cano, and Bell.

The motion is adopted upon a voice vote.

In order for the day is taken up as follows:

IN ORDER FOR TUESDAY, JANUARY 29, 2019:

1. 2019-S 105

BY Algieri

ENTITLED, SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE WINE STORE ON BEING NAMED THE 2018 RETAILER OF THE YEAR BY BEVERAGE DYNAMICS

Ordered on the Consent Calendar

Upon motion of Senator McCaffrey, seconded by Senator Goodwin, 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, Archambault, Bell, Cano, Ciccone, Conley, Coyne, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan,

Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, Valverde.

NAYS – 0:

CONSENT CALENDAR II

In order for the day is taken up as follows:

IN ORDER FOR TUESDAY, JANUARY 29, 2019:

- 1. 2019-S 106**
BY Ruggiero
ENTITLED, SENATE RESOLUTION HONORING MICHAEL TRAFICANTE ON THE OCCASION OF HIS 80TH BIRTHDAY

Ordered on the Consent Calendar

Senator Bell Speaks on the resolution.

Upon motion of Senator McCaffrey, seconded by Senator Goodwin, 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 Ruggiero, and Senators, Archambault, Bell, Cano, Ciccone, Conley, Coyne, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, Valverde.

NAYS – 0:

CALENDAR

IN ORDER FOR TUESDAY, JANUARY 29, 2019:

- 1. 2019-S 65**
BY Conley
ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Finance recommends passage.

Senator Conley moves passage of the act, seconded by Senators Archambault, Bell, Cano, Ciccone, Coyne, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, Valverde.

Senator Conley, seconded by Senators McCaffrey, Bell, Lombardi, Gallo, Morgan, offers the following written motion to amend.

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LC000725/3
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FLOOR AMENDMENT

TO

2019 -- S 0065

AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Mr. President:

I hereby move to amend 2019 -- S 0065, entitled "AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES", as follows:

1. On page 1, line 6, by deleting the semi-colon ";" following the word "[ordinance](#)".
2. On page 1, line 7, by deleting the word "[tax](#)" following the word "[town](#)".

Respectfully submitted,

Senator Conley

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LC000725/3
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The motion to amend prevails upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS –36: The Honorable President Dominick Ruggerio, and Senators, Archambault, Bell, Cano, Ciccone, Conley, Coyne, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, Valverde.

NAYS – 0:

Senator Conley moves passage of the act, as amended, seconded by Senators McCaffrey, Gallo, Murray, Paolino, and Sheehan.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS –36: The Honorable President Dominick Ruggerio, and Senators, Archambault, Bell, Cano, Ciccone, Conley, Coyne, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, Valverde.

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, and to the Honorable House of Representatives forthwith.

ANNOUNCEMENTS

Senator McCaffrey announces that Senator Picard celebrated his birthday last Saturday

Senator McCaffrey announces that Senator Sheehan celebrated his birthday last Sunday

Senator Archambault announces that the Committee on Judiciary will be held Thursday, January 31, 2019 at 3:00 o'clock P.M. in Room 313 of the State House.

Senator Raptakis announces that the Committee on Special Legislation and Veteran's Affairs will meet tomorrow at the rise of the Senate in Room 310 of the State House.

Senator Ciccone announces that the Committee on Labor will meet tomorrow at the rise of the Senate in Room 212 of the State House.

GUESTS

Upon the suggestion of Senator Morgan and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Maddalena Cirignotta of the RI Wellness Society.

ADJOURNMENT

Upon the Motion of Senator Goodwin seconded by Senator McCaffrey, and upon the suggestion of Senator Goodwin the Senate adjourns at 4:44 o'clock P.M, in memory of the Honorable Susan Joyce Lennon.

ROBERT L. RICCI
Secretary of the Senate

Appendix

INVOCATION

SENATOR DONNA M. NESSELBUSH

Almighty God, we thank you for this day. We thank you for awakening us with a renewed spirit and the vigor to live each day to the fullest. We thank you for the love, comfort and impenetrable bond we share with our families and with your divine spirit. Amen.

Appendix

CALENDAR

IN ORDER FOR WEDNESDAY, JANUARY 30, 2019:

1. *The Appointment of Richard A. Merola, Esq. VICE Associate Justice John A. Mutter as Associate Justice of the Rhode Island Family Court*

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

2. *The Appointment of Keith Cardoza, Jr., Esq. VICE Associate Judge Debra L. Olsson as Associate Judge of the Rhode Island Workers' Compensation Court*

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

3. *The Appointment of Susan Pepin Fay, Esq. VICE Associate Judge Hugo L. Ricci, Jr. as Associate Judge of the Rhode Island Workers' Compensation Court*

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