

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.15

Thursday, February 7, 2019

Fifteenth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggiero, President of the Senate, at 4:16 o'clock P.M.

ROLL CALL

The roll is called and a quorum is declared present with 34 Senators present and 4 Senators absent as follows:

PRESENT –34: The Honorable President Dominick Ruggiero, and Senators, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Murray, Morgan, Nesselbush, Paolino, Pearson, Rogers, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

ABSENT – 4: Senators Algieri, Picard, Quezada, and Raptakis.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon the suggestion of Senator Sosnowski and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Second Warden and Town Manager from Block Island André Boudreau, and Ed Roberge.

COMMUNICATIONS

The Honorable President of the Senate presents the following communications:



February 6, 2019

Honorable Dominick J. Ruggiero
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, February 7, 2019, due to a business commitment. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Respectfully submitted,

Dennis L. Algieri
SENATE MINORITY LEADER

Read and ordered to be placed on file.



February 7, 2019

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

Dear President Ruggiero:

Please be advised that I will be unable to attend Senate Session on Thursday February 7, 2019. I will be out of state due to a personal issue.

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

Sincerely,

Ana B. Quezada
Senator District ~ 2

Read and ordered to be placed on file.



February 7, 2019

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

Dear Mr. President,

Please be advised that I will be unable to attend Senate Session today, Thursday, February 7th as I am out of state on business.

I would appreciate your recording my letter in the appropriate Senate Journal.

Sincerely,

Leonidas P. Raptakis
Senator – District 33

Read and ordered to be placed on file.



February 5, 2019

Mr. Robert L. Ricci
Secretary of the Senate
State House, Room 220
Providence, RI 02903

Dear Mr. Ricci:

I respectfully request the withdrawal of my name as a co-sponsor of Senate Bill 2019-S0167 entitled, an act relating to Animals and Animal Husbandry.

This bill is assigned to the Senate Judiciary Committee and no hearing is scheduled.

Thank you, in advance, for your consideration of this matter.

Respectfully submitted,

Stephen R. Archambault
Senator, District 22

Read and ordered to be placed on file.



February 5, 2019

Mr. Robert L. Ricci
Secretary of the Senate
State House, Room 220
Providence, RI 02903

Dear Mr. Ricci:

As prime sponsor, pursuant to Senate Rules, I respectfully request the withdrawal of Senate Bill 2019-S0131 entitled, an act relating to Taxation – Public Service Corporation Tax.

This bill is assigned to the Senate Finance Committee and no hearing is scheduled.

Thank you, in advance, for your consideration of this matter.

Respectfully submitted,

Stephen R. Archambault
Senator, District 22

Read and ordered to be placed on file.

REPORTS FROM COMMITTEES**COMMITTEE ON SPECIAL LEGISLATION AND VETERANS AFFAIRS**

Chairman Felag, from the Committee on Special Legislation and Veteran's Affairs, reports back, with recommendation of passage of the following measure:

Senate Bill No. 37 SUB A

BY Ruggerio, Goodwin, McCaffrey, Algieri, Conley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- VIDEO-LOTTERY GAMES, TABLE GAMES AND SPORTS WAGERING (Authorizes and provide for online sports wagering through authorized hosting facilities in Rhode Island.)

{LC721/A/1}

Read and ordered to be placed on the Calendar on Tuesday, February 12, 2019.

COMMITTEE ON LABOR

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

Senate Bill No. 242

BY Ciccone, Lombardi, Lombardo, McCaffrey, Goodwin

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - RHODE ISLAND UNINSURED PROTECTION FUND (Provides that the provisions of § 28-53-7 which addresses payments from the uninsured protection fund to employees of uninsured employers, would apply to injuries that occur on or after September 1, 2019.)

{LC1145/1}

Read and ordered to be placed on the Calendar on Tuesday, February 12, 2019.

NEW BUSINESS**Senate Resolution No. 248**

BY Cano, Quezada, Metts, Nesselbush, Valverde

ENTITLED, SENATE RESOLUTION PROCLAIMING THE WEEK OF FEBRUARY 7TH THROUGH THE 14TH OF 2019, TO BE "CONGENITAL HEART DEFECT AWARENESS WEEK" IN THE STATE OF RHODE ISLAND

{LC737/1}

Recommended for Immediate Consideration.

Senator Cano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

The resolution is read and passed upon a voice vote.

GUESTS

Upon the suggestion of Senator Cano and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Tristen Cole Sarmiento Consuegra, suffering from Hypoplastic Left Heart Syndrome with Mitral Stenosis and Aorta Atresia, and parents Norelys Consuegra and Salvador Sarmiento. Elliot Grace Lee suffering from Hypoplastic Right Heart Syndrome, and parent Melissa Alexander. Corey Jenness suffering from Tetralogy of Fallot with Pulmonary Artesia, and parent Stephanie Jenness. Parker DelSesto suffering from Triscupid Atresia, and parent Sarah Del Sesto. Treyvon Robinson suffering from Triscupid Atresia, Transposition of the Great Arteries, Narrowing of the Aorta and Ventricular Septal Defect, and parents Kayla Robinson and Josh Robinson. Abigail Bram suffering from Hypoplastic Left Heart Syndrome, and parent Carissa Bram. Colin Riel suffering from Transposition of the Great Arteries and parent Elizabeth Riel. Jarrad JJ Foster suffering from Hypoplastic Left Heart Syndrome, and parent Erin Luther-Foster. Joseph Lopez Tavares suffering from Hypoplastic Left Heart Syndrome with Intact Atrial Septum, and parent Melinda Lopez. Silas Green suffering from Double Outlet Right Ventricle with Tetralogy of Fallot, complete unbalanced Atrioventricular Canal Defect, near Pulmonary Atresia, MAPCAS and Pulmonary Artery Stenosis, and parent Montana Green. Austin Prario suffering from Double Inlet, Single Left Ventricle with Transposition of the Greater Arteries, and parents Dave Prario and Kara Prario. Scarlet Zabbo suffering from Coarctation of the Aorta with Bicuspid Valves, and parent Kristie Ray Zabbo. Zachary Wheaton suffering from Hypoplastic Right Ventricle, Tricuspid Valve Hyperplasia and Pulmonary Valve Stenosis, and parent Brittany Wheaton. Jaelyn Browne suffering from Double Outlet Right Ventricle, Pulmonary Stenosis, Ventricular Septal Defect, Atrial Septal Defect and Hypoplasia of the right lung, and parent Deniele Ivey.

NEW BUSINESS

Senate Resolution No. 249

BY Paolino, Pearson, Goodwin, McCaffrey, Ruggerio

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF DENNIS MICHAEL LAVALLEE

{LC342/1}

Recommended for Immediate Consideration.

Senator Paolino requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Bell and Lawson speak on the resolution.

The resolution is read and passed upon a rising vote.

GUESTS

Upon the suggestion of Senator Paolino and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber wife, Claudia Lavallee, son, Hank Lavallee, daughter, Reese Lavallee, daughter, Taylor Paiva, mother, Elizabeth Lavallee, father, Hervey Lavallee, Adam Denault, sister, Tammy Beaudreault and friend Rachel.

NEW BUSINESS

Senate Resolution No. 250

BY Lombardi, McCaffrey, Algiere, Ruggerio, Goodwin

ENTITLED, SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE FOR YEARS 2019-2020

{LC1115/1}

Introduced, referred to Senate Rules, Government Ethics and Oversight

Senate Bill No. 251

BY Conley, Seveney, Murray, Pearson, DiPalma

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAX--NON-COLLECTING RETAILERS, REFERRERS, AND RETAIL SALE FACILITATORS ACT (Extends requirement to collect sales tax to remote sellers in a way that conforms to a recent U.S. Supreme Court decision making it easier for states to compel collection of the sales tax from retailers who do not have a physical presence in their state.)

{LC1182/1}

Introduced, referred to Senate Finance

FROM THE HOUSE OF REPRESENTATIVES FOR IMMEDIATE CONSIDERATION

House Bill No. 5280

BY Hull

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Seth Gabriel Paul Brown to join Wendy Yamileth Avelar Monge and José Daniel Rosales Mejia in marriage on or about February 23, 2019, within the City of Providence, Rhode Island.)

{LC1261/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by senators Lynch Prata, Lombardi, Felag, Nesselbush, Metts, and Archambault.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative, and 0 Senators voting in the negative as follows:

YEAS –34: The Honorable President Dominick Ruggiero, and Senators, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Murray, Morgan, Nesselbush, Paolino, Pearson, Rogers, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

NAYS – 0:

House Bill No. 5210

BY Serpa, Noret, Jackson, Roberts, Chippendale

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.)
{LC667/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by senators Lynch Prata, Ciccone, Lombardi, Morgan, and Coyne.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative, and 0 Senators voting in the negative as follows:

YEAS –34: The Honorable President Dominick Ruggiero, and Senators, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Murray, Morgan, Nesselbush, Paolino, Pearson, Rogers, Satchell, Seveney, Sheehan, Sosnowski, and 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 Felag announces that the Committee on Finance will meet today at the rise of the Senate in Room 210 of the State House.

Senator Goodwin announces that the deadline for bill introduction will be next Thursday, February 14, 2019.

ADJOURNMENT

Upon the Motion of Senator Goodwin seconded by Senator Paolino, and upon the suggestion of Senator Goodwin the Senate adjourns at 4:42 o'clock P.M, in memory of Dennis Michael Lavallee.

ROBERT L. RICCI
Secretary of the Senate

Appendix

INVOCATION

SENATOR RYAN WILLIAM PEARSON

Almighty God, we ask today that You help us to live wisely, to fight for justice and truth, and to always try to live up to the expectations of our constituents. Amen.

Appendix

CALENDAR

IN ORDER FOR TUESDAY, FEBRUARY 12, 2019:

- 1. 2019-S 242**
BY Ciccone
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - RHODE ISLAND UNINSURED PROTECTION FUND

Committee on Labor recommends passage.

- 2. 2019-S 37 SUB A**
BY Ruggiero
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- VIDEO-LOTTERY GAMES, TABLE GAMES AND SPORTS WAGERING

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

Appendix

TRANSMITTED TO THE GOVERNOR

House Bill No. 5210

BY Serpa, Noret, Jackson, Roberts, Chippendale

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.)
{LC667/1}

Transmitted to Governor

House Bill No. 5280

BY Hull

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Seth Gabriel Paul Brown to join Wendy Yamileth Avelar Monge and José Daniel Rosales Mejia in marriage on or about February 23, 2019, within the City of Providence, Rhode Island.)
{LC1261/1}

Transmitted to Governor