

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.31

Wednesday, April 3, 2019

Thirty First Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggiero, President of the Senate, at 4:15 o'clock P.M.

ROLL CALL

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT –38: The Honorable President Dominick Ruggiero, and Senators, Algieri, 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, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon the suggestion of Senator Valverde and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Dr. Nicole Asal, and Erin Connolly.

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from Her Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF GOVERNOR GINA M. RAIMONDO

GINA M. RAIMONDO, GOVERNOR

April 1, 2019

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 39-18-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Public Transit Authority Board of Directors:

Normand G. Benoit, Esq.

For a term expiring April 1, 2022.

To this appointment, I respectfully request your advice and consent.

Sincerely,

Gina M. Raimondo
Governor

Referred to the Senate Committee on Housing and Municipal Government.

REPORTS OF COMMITTEES**COMMITTEE ON COMMERCE**

Chairman Piccard, from the Committee on Commerce, reports back, with recommendation of passage of the following measure:

Senate Bill No. 257

BY Lynch Prata, Quezada, Crowley

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- INSURANCE RATES (Prevents the consideration of an applicant's credit history in determining automobile insurance rates.)

{LC815/1}

Read and ordered to be placed on the Calendar.

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 measure:

Senate Bill No. 24

BY Miller, Satchell, Conley, DiPalma, Sosnowski

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- RHODE ISLAND PATHWAYS PROJECT (Requires the executive office of health and human services (EOHHS) to conduct a study to assess the impact of using Medicaid funds to provide coverage for the treatment of the chronically homeless.)

{LC377/1}

Read and ordered to be 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. 72

BY Lombardi, McCaffrey, Felag, Ciccone, Lombardo

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 owner's expense.)

{LC465/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 342**BY** Goldin, Goodwin, Lynch Prata, McCaffrey, Satchell**ENTITLED**, AN ACT RELATING TO ELECTIONS - PRESIDENTIAL CANDIDATES

(Requires all candidates for United States President and Vice President file copies of their last five (5) years of federal income tax returns with the state board of elections.)

{LC1035/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 503

(Attorney General)

BY Gallo**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL OFFENDER

REGISTRATION AND COMMUNITY NOTIFICATION (Extends the effective date of

Chapters 157 and 259 of the 2018 Public Laws from July 1, 2019 to July 1, 2020 in regards to

Chapter 11-37.1 ("Sexual Offender Registration and Community Notification").)

{LC1595/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON FINANCE

Chairman Conley, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

The reappointment of the Department of Administration: Michael DiBiase.

Read and ordered to be placed on the Calendar.

Senate Bill No. 57**BY** Satchell, Conley, Metts, Picard, Cano**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- MICRO

ZONE ECONOMIC REVITALIZATION ACT (Creates micro zones in distressed areas to

stimulate economic revitalization/employment opportunities/business development through

redevelopment of abandoned industrial/commercial structures.)

{LC21/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 58**BY** DiPalma, Conley, Seveney, Paolino, Miller**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- MEDICAL ASSISTANCE AND PUBLIC ASSISTANCE CASELOAD ESTIMATING CONFERENCES (Requires the participation and input of the EOHHS, DHS, DCYF and BHDDH in medical assistance and public assistance caseload estimating conferences and the generation of monthly data to the members of the caseload estimating conference.)

{LC291/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 744****BY** Sosnowski, McCaffrey, Algieri, Felag, Euer**ENTITLED**, SENATE RESOLUTION RECOGNIZING THE VALUE ON THE STATE'S RICH MARITIME AND FISHING HISTORY, AND SUPPORTING EFFORTS TO MAINTAIN AND ENSURE THE SUCCESS OF RHODE ISLAND'S SEAFOOD INDUSTRY

{LC2270/1}

Recommended for Immediate Consideration.

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded by Senators, Algieri, 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, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, and Valverde.

The resolution is read and passed upon a voice vote.

GUESTS

Upon the suggestion of Senator Sosnowski and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Meghan Lapp, the Fisheries Liaison for Seafreeze Ltd. Katie Almeida, the Fishery Policy Analyst at the town dock in Point Judith. Richard Fuka, commercial fisherman and President of the Rhode Island Fisherman's Alliance. Christopher Lee, the Director of Sea Fresh USA.

NEW BUSINESS**Senate Resolution No. 745****BY** Euer, Goldin, Coyne, Cano, Murray**ENTITLED**, SENATE RESOLUTION JOYOUSLY CELEBRATING THE FORTHCOMING 100TH ANNIVERSARY OF THE LEAGUE OF WOMEN VOTERS IN 2020
{LC2357/1}

Recommended for Immediate Consideration.

Senator Euer requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

The resolution is read and passed upon a voice vote.

GUESTS

Upon the suggestion of Senator Euer, and Senator Crowley and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Jane Kaster from the League of Women Voters

Upon the suggestion of Senator Goldin and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Hollie Courage, and Elisabeth Head from the League of Womens Voters

NEW BUSINESS**Senate Bill No. 746****BY** DiPalma**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF MIDDLETOWN ROTARY CLUB, INC.
{LC2237/1}

Placed on the Senate Consent Calendar.

Senate Bill No. 747**BY** Lombardi, Ciccone, Gallo, Lynch Prata, Ruggerio**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - MINIMUM WAGES (Removes the overtime exemption for firefighters unless they are paid at the rate of one and one-half (1 1/2) times their regular rate for all hours worked in excess of forty-two (42) hours.)

{LC1824/1}

Introduced, referred to Senate Labor.

Senate Bill No. 748**BY** Lombardi, Ciccone, Gallo, Lynch Prata, Archambault**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS (Removes the overtime exemption for firefighters and rescue service personnel employed by the cities and towns.)

{LC1843/1}

Introduced, referred to Senate Labor.

CONSENT CALENDAR

In order for the day is taken up as follows:

IN ORDER FOR WEDNESDAY, APRIL 3, 2019:**1. 2019-H 5117****BY** Ruggiero**ENTITLED**, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN

Committee on Housing & Municipal Government recommends passage in concurrence.

2. 2019-H 5187**BY** Cassar**ENTITLED**, AN ACT RELATING TO THE TOWN OF BARRINGTON - VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER

Committee on Housing & Municipal Government 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 –38: The Honorable President Dominick Ruggerio, and Senators, Algieri, 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, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, 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 Raptakis announces that the Committee on Special Legislation and Veteran's Affairs will meet today at the rise of the Senate in Room 310 of the State House.

Senator Coyne announces that the Committee on Environment and Agriculture will meet today at the rise of the Senate in Room 211 of the State House.

Senator Metts announces that the Committee on Education will meet today at the rise of the Senate in the Room 313 of the State House.

Senator Lombardi announces that the Committee on Labor will meet today at the rise of the Senate in the Senate Lounge of the State House.

Senator Crowley announces that the Committee on Housing and Municipal Government will meet tomorrow, at the rise of the Senate in Room 310 of the State House.

ADJOURNMENT

Upon the Motion of Senator Goodwin seconded by Senator McCaffrey, and upon the suggestion of Senator Goodwin the Senate adjourns at 4:37 o'clock P.M.

ROBERT L. RICCI
Secretary of the Senate

Appendix

INVOCATION

SENATOR WALTER S. FELAG

Father in heaven, enlighten our minds and touch our hearts so that we may carry on the best traditions of our Senate's history. Remembering always that it is the people's government, made by the people, for the people, and accountable to the people. Amen.

Appendix

TRANSMITTED TO THE GOVERNOR

House Bill No. 5117

BY Ruggiero, Cortvriend, Abney

ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN (Validates and ratify amendments to the Home Rule Charter of the town of Middletown, which amendments were adopted and approved by the electors of the town of Middletown on November 6, 2018.)

{LC504/1}

Transmitted to Governor.

House Bill No. 5187

BY Cassar, Alzate, Walsh, Knight, Tanzi

ENTITLED, AN ACT RELATING TO THE TOWN OF BARRINGTON - VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER (Ratifies and validates the amendments to the Barrington Home Rule Charter which were approved by the electors of the town of Barrington at the polls on November 6, 2018.)

{LC840/1}

Transmitted to Governor.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, APRIL 4, 2019:

- 1. 2019-S 746**
BY DiPalma
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
CHARTER OF MIDDLETOWN ROTARY CLUB, INC.

Ordered on the Consent Calendar.

Appendix

CALENDAR

IN ORDER FOR THURSDAY, APRIL 4, 2019:

1. **2019-H 5053**
BY Morin
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage in
concurrence.

Appendix

CALENDAR

IN ORDER FOR TUESDAY, APRIL 9, 2019:

1. *The Reappointment of Michael DiBiase as Director of the Department of Administration.*

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

2. **2019-S 257**
BY Lynch Prata
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
INSURANCE RATES

Committee on Commerce recommends passage.

3. **2019-S 57**
BY Satchell
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
MICRO ZONE ECONOMIC REVITALIZATION ACT

Committee on Finance recommends passage.

4. **2019-S 58**
BY DiPalma
ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- MEDICAL
ASSISTANCE AND PUBLIC ASSISTANCE CASELOAD ESTIMATING
CONFERENCES

Committee on Finance recommends passage.

5. **2019-S 24**
BY Miller
ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- RHODE ISLAND
PATHWAYS PROJECT

Committee on Health & Human Services recommends passage.

6. **2019-S 72**
BY Lombardi
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
PARKING FACILITIES AND PRIVILEGES

- Committee on Judiciary recommends passage.
7. **2019-S 342**
BY Goldin
ENTITLED, AN ACT RELATING TO ELECTIONS - PRESIDENTIAL
CANDIDATES

Committee on Judiciary recommends passage.

8. **2019-S 503**
BY Gallo
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - SEXUAL
OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION

Committee on Judiciary recommends passage.