

# State of Rhode Island and Providence Plantations

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# Journal of the Senate

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**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.**

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Volume 146, No.38

Thursday, April 25, 2019

Thirty Eighth Legislative Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggiero, President of the Senate, at 4:06 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 Lombardo to deliver the invocation.

(See Appendix for Invocation)

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

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

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

**GUESTS**

Upon the suggestion of Senator Nesselbush and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Arthur Baruf, and Adi Gamache.

**COMMUNICATION**

The Honorable President of the Senate presents the following communication:

**State of Rhode Island and Providence Plantations****Senate Chamber**

April 25, 2019

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

Dear President Ruggerio:

Please be advised that I will be absent from session on Thursday April 25, 2019 due to illness.

Sincerely,

Elizabeth Crowley  
Senate District 16

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES****COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

Chairwoman Sosnowski, from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 271**

**BY** Sosnowski, Coyne, Raptakis

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - BOARD OF CERTIFICATION OF OPERATORS OF PUBLIC WATER SUPPLY FACILITIES (Eliminates the cap on the maximum fee allowable for submitting an application for certification to the board of certifications of operators of public water supply facilities.)

{LC1252/1}

From the Committee on Environment and Agriculture to the Calendar.

**Senate Resolution No. 404**

**BY** Sosnowski, McCaffrey, Conley, DiPalma, Euer

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE EFFECT AND PROCEDURES FOR THE REORGANIZATION OF THE RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL (CRMC)

{LC1972/1}

From the Committee on Environment and Agriculture to the Calendar.

**COMMITTEE ON LABOR**

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

**Senate Bill No. 372**

**BY** Ciccone, Lombardi, Gallo

**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - MUNICIPAL POLICE CONTRACTS (Extends provisions of an existing collective bargaining agreement for municipal police arbitration purposes until a successor agreement is reached or an interest arbitration award is rendered.)

{LC1233/1}

From the Committee on Labor to the Calendar.

**Senate Bill No. 376****BY** Ciccone, Lombardi, Gallo**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
FIREFIGHTERS' ARBITRATION (Continues all provisions of firefighter's collective bargaining agreements until a successor agreement has been reached or an interest arbitration award has been rendered.)

{LC1234/1}

From the Committee on Labor to the Calendar.

**Senate Bill No. 510 SUB A****BY** Lynch Prata, Ruggerio, McCaffrey, Goodwin, Ciccone**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - PAYMENT OF  
WAGES (Increases penalties for violations of certain wage and hour laws.)

{LC1867/A/1}

From the Committee on Labor to the Calendar.

**Senate Bill No. 512****BY** McCaffrey, Lawson, Goodwin, Lynch Prata, Valverde**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
ARBITRATION -- CONTINUANCE OF CONTRACTUAL PROVISIONS (Requires that the contractual provisions contained in an otherwise expired collective bargaining agreement with certified school teachers and municipal employees would continue until a successor agreement has been reached between the parties.)

{LC1367/1}

From the Committee on Labor to the Calendar.

**Senate Resolution No. 711****BY** Lawson, Nesselbush, Metts, Murray, Valverde**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE  
GOVERNOR'S WORKFORCE BOARD TO WORK WITH THE RHODE ISLAND  
DEPARTMENT OF LABOR AND TRAINING TO DEVELOP A REPORT ON THE  
FEASIBILITY OF EXPANDING NON-TRADE REGISTERED APPRENTICESHIP  
PROGRAMS IN RHODE ISLAND

{LC1813/1}

From the Committee on Labor to the 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}

From the Committee on Labor to the Calendar.

**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}

From the Committee on Labor to the Calendar.

**COMMITTEE ON SPECIAL LEGISLATION AND VETERAN'S AFFAIRS**

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

**Senate Bill No. 516****BY** Sosnowski**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- HOLLEY LANDING (Renames the landing in South Kingstown known as Wordens Pond Landing to Holley Landing.)

{LC1720/1}

From the Committee on Special Legislation and Veteran's Affairs to the Calendar.

**Senate Bill No. 527**

(Dept. of Business Regulation)

**BY** Felag**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES (Provides that Class F and F-1 liquor licenses may be issued to corporations, LLCs, and political organizations.)

{LC1606/1}

From the Committee on Special Legislation and Veteran's Affairs to the Calendar.

**Senate Bill No. 620****BY** Felag, Seveney, Sosnowski, Conley, Gallo**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES (Clarifies the number of ounces a manufacturer of malt beverages is allowed to sell on their premises as twenty-four (24) twelve ounce (12 oz.) bottles or cans, or twenty-four (24) sixteen ounce (16 oz.) bottles or cans.)  
{LC2168/1}

From the Committee on Special Legislation and Veteran's Affairs to the Calendar.

**TRANSFER OF BILLS**

Chairwoman Lynch Prata, In accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Judiciary to the Committee on Finance.

**Senate Bill No. 737****BY** Euer, Gallo, Metts, DiPalma, Cano**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- STUDENT LOAN BILL OF RIGHTS ACT (Creates the "student loan bill of rights act" which establishes guidelines for the issuance of postsecondary loans.)  
{LC2289/1}

Transferred to the Committee on Finance.

**NEW BUSINESS****Senate Resolution No. 809****BY** Lawson, Ruggiero, Felag, Algieri, Satchell**ENTITLED**, SENATE RESOLUTION COMMEMORATING MAY OF 2019 AS "MENTAL HEALTH AWARENESS MONTH" IN THE STATE OF RHODE ISLAND  
{LC2501/1}

Recommended for Immediate Consideration.

Senator Lawson requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, 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.

The resolution is read and passed upon a voice vote.

**GUESTS**

Upon the suggestion of Senator Lawson and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Michael LeClerc, and Max Pushkin, from the Brown Institute for Policy.

**NEW BUSINESS****Senate Bill No. 810**

(Lieutenant Governor)

**BY** Picard

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- UTILITY SERVICE RESTORATION ACT (Requires electric/gas distribution companies submit to DPUC an emergency response plan on/before 6/1/20 and annually; authorizes civil/administrative penalties for noncompliance; establishes process for DPUC to assess same.)

{LC2460/1}

Introduced, referred to Senate Commerce.

**Senate Bill No. 811**

**BY** Sosnowski

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Keith A. Lewis to join Erica Mary Felins and Justin Moffitt Lewis in marriage on or about June 22, 2019, within the Town of New Shoreham, Rhode Island.)

{LC2492/1}

Introduced, referred to Senate Judiciary.

**Senate Bill No. 812**

**BY** Sosnowski

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Roger Kroha to join Jennifer Nassin and Daniel Rubino in marriage on or about October 12, 2019, within the Town of Narragansett, Rhode Island.)

{LC2463/1}

Introduced, referred to Senate Judiciary.

**Senate Bill No. 813**

**BY** Ciccone, Lombardo, Gallo

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows David Allan Holley to join Mikayla Farrell and Joshua Culpo in marriage on or about September 21, 2019, within the City of Newport, Rhode Island.)

{LC2400/1}

Introduced, referred to Senate Judiciary.

**CONSENT CALENDAR**

In order for the day is taken up as follows:

**IN ORDER FOR THURSDAY, APRIL 25, 2019:**

- 1. 2019-S 808**  
**BY** Rogers  
**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF SHARON COTTER, EMT-P, RN, FNP

Ordered on the Consent Calendar.

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 – 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.

**NAYS – 0:**

**CALENDAR**

In order for the day is taken up as follows:

**IN ORDER FOR THURSDAY, APRIL 25, 2019:**

- 1. *The Appointment of Rosamaria Amoros Jones VICE Charles J. Fogarty as Director of the Division of Elderly Affairs within the Department of Human Services.***

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Senator Miller moves that the advice and consent of the Senate be given this appointment, seconded by 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, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

Senator DiPalma discusses the appointment.

The advice and consent of the Senate is given, by unanimous consent, on a roll call vote, with 37 members voting in the affirmative, and 0 members voting in the negative as follows:



**YEAS –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.

**NAYS – 0:**

### GUESTS

Upon the suggestion of Senator Goodwin and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber the newly appointed Rosamaria Amoros, Jonathan Jones, Jealani Laughlin, Sage Cherry, Tamarei Cherry, Taraji Jones, Janet Coit, Gabriela Domenzian, and Natalie Kosin.

### CALENDAR

**2. 2019-S 346**

**BY** Lynch Prata

**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - JOINT COMMITTEE OF THE REPEALER

Committee on Judiciary recommends passage.

Senator Lynch Prata moves passage of the act, seconded by Senators McCaffrey, Goodwin, Lombardi, Lombardo, Gallo, Nesselbush, Sheehan, Paolino, Valverde, Seveney, Murray, and Euer.

Senator Paolino discusses the act.

The act is read and passed, on a roll call vote, with 37 Senators voting in the affirmative, and 0 Senators voting in the negative as follows:

**YEAS –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.

**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.

**FROM THE HOUSE OF REPRESENTATIVES**

A message from the House of Representatives transmits with announcement of passage, of the following measures:

**House Bill No. 5824**

**BY** Ucci, Mendez, Fellela, Costantino

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Andrea Bolton to join Megan Elizabeth Chapman and Nicholas Jerome Leary in marriage on or about August 31, 2019, within the Town of Johnston, Rhode Island.)

{LC2124/1}

From the House of Representatives to the Senate Committee on Judiciary.

**House Bill No. 5843**

**BY** Blazejewski

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Charles Krohn Fipshaw to join Rory Bagwell Clark and Stephen Mitchell Miller in marriage on or about June 8, 2019, within the Town of New Shoreham, Rhode Island.)

{LC2126/1}

From the House of Representatives to the Senate Committee on Judiciary.

**House Bill No. 5866**

**BY** Carson

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Evan Chernov to join Allison Chernov and Marland Hobbs in marriage on or about May 26, 2019, within the City of Newport, Rhode Island.)

{LC2186/1}

From the House of Representatives to the Senate Committee on Judiciary.

**House Bill No. 5881**

**BY** Lombardi, Hull

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Andrew James Bucci to join Nicole Marie Bucci and Daniel Michael MacDonald in marriage on or about May 17, 2020, within the City of Newport, Rhode Island.)

{LC2160/1}

From the House of Representatives to the Senate Committee on Judiciary.

**House Bill No. 5889****BY** Lyle**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Samuel Dillavou to join Colleen Weber and Spencer Frenchman in marriage on or about June 29, 2019, within the City of Providence, Rhode Island.)

{LC2215/1}

From the House of Representatives to the Senate Committee on Judiciary.

**ANNOUNCEMENTS**

Senator Euer invites everyone to join her Friday, April 26<sup>th</sup> at the 7<sup>th</sup> Annual Truck Stop presented by the Rhode Island Community Food Bank.

Senator Goldin announces that the Committee on Health and Human Services will meet today at the rise of the Senate in the Senate Lounge 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.

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

**ADJOURNMENT**

Upon the Motion of Senator Goodwin seconded by Senator McCaffrey, the Senate adjourns at 4:29 o'clock P.M.

**ROBERT L. RICCI**  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR FRANK LOMBARDO, III**

Dear God, We come to you and ask your blessing. We ask you to show us how to conduct our work with a spirit of joy and enthusiasm. Help us to work together to challenge and encourage each other to strive for excellence in all our endeavors. Amen.

**Appendix****CALENDAR****IN ORDER FOR TUESDAY, APRIL 30, 2019:**

- 1. 2019-S 40**  
**BY DiPalma**  
**ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -**  
**INTERNET SERVICE PROVIDERS - NET NEUTRALITY**

Committee on Commerce recommends passage.
- 2. 2019-S 190**  
**BY Picard**  
**ENTITLED, AN ACT RELATING TO PROPERTY - CONDOMINIUM LAW -**  
**MANAGEMENT OF CONDOMINIUM**

Committee on Commerce recommends passage.
- 3. 2019-S 256 SUB A**  
**BY Picard**  
**ENTITLED, AN ACT RELATING TO INSURANCE -- TRAVEL INSURANCE ACT**

Committee on Commerce recommends indefinite postponement of the original bill and passage of Substitute A.
- 4. 2019-S 536**  
**BY Picard**  
**ENTITLED, AN ACT RELATING TO INSURANCE**

Committee on Commerce recommends passage.
- 5. 2019-S 271**  
**BY Sosnowski**  
**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - BOARD OF**  
**CERTIFICATION OF OPERATORS OF PUBLIC WATER SUPPLY FACILITIES**

Committee on Environment & Agriculture recommends passage.

6. **2019-S 404**  
**BY** Sosnowski  
**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE EFFECT AND PROCEDURES FOR THE REORGANIZATION OF THE RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL (CRMC)  
  
Committee on Environment & Agriculture recommends passage.
7. **2019-S 516**  
**BY** Sosnowski  
**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- HOLLEY LANDING  
  
Committee on Special Legislation and Veterans Affairs recommends passage.
8. **2019-S 527 SUB A**  
**BY** Felag  
**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES  
  
Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.
9. **2019-S 620**  
**BY** Felag  
**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES  
  
Committee on Special Legislation and Veterans Affairs recommends passage.

**IN ORDER FOR WEDNESDAY, MAY 1, 2019:**

1. **2019-S 372**  
**BY** Ciccone  
**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - MUNICIPAL POLICE CONTRACTS  
  
Committee on Labor recommends passage.
2. **2019-S 376**  
**BY** Ciccone  
**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- FIREFIGHTERS' ARBITRATION  
  
Committee on Labor recommends passage.

**3. 2019-S 510 SUB A****BY** Lynch Prata**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -  
PAYMENT OF WAGES - VIOLATIONS

Committee on Labor recommends indefinite postponement of the original bill and passage of Substitute A.

**4. 2019-S 512 SUB A****BY** McCaffrey**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
ARBITRATION -- CONTINUANCE OF CONTRACTUAL PROVISIONS

Committee on Labor recommends indefinite postponement of the original bill and passage of Substitute A.

**5. 2019-S 711****BY** Lawson**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE  
GOVERNOR'S WORKFORCE BOARD TO WORK WITH THE RHODE ISLAND  
DEPARTMENT OF LABOR AND TRAINING TO DEVELOP A REPORT ON THE  
FEASIBILITY OF EXPANDING NON-TRADE REGISTERED APPRENTICESHIP  
PROGRAMS IN RHODE ISLAND

Committee on Labor recommends passage.

**6. 2019-S 747****BY** Lombardi**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -  
MINIMUM WAGES

Committee on Labor recommends passage.

**7. 2019-S 748****BY** Lombardi**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage.