

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.43

Wednesday, May 8, 2019

Forty Third Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggiero, President of the Senate, at 4:21 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 Cano to deliver the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty Second Day of the 2019 proceedings is read in part.

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

GUESTS

Upon the suggestion of Senator Archambault and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Simon Daniel Rees.

Upon the suggestion of Senator Lombardo and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Simon Daniel Rees.

Upon the suggestion of Senator Lawson and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Amanda Monaghan.

Upon the suggestion of Senator Cano and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Pam Lebranche, and Mark Hayward.

REPORTS OF COMMITTEES**COMMITTEE ON FINANCE**

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

Senate Resolution No. 633 SUB A

(Dept. of Transportation)

BY Goodwin, Ruggerio

ENTITLED, JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF GARVEE BONDS
{LC2196/A/1}

From the Committee on Finance to the Calendar.

NEW BUSINESS**Senate Resolution No. 860**

BY Picard

ENTITLED, SENATE RESOLUTION CELEBRATING THE WEEK OF MAY 5TH THROUGH 11TH , 2019, AS "NATIONAL SMALL BUSINESS WEEK" AND PROCLAIMING THE WEEK OF MAY 6TH THROUGH MAY 10TH, 2019, TO BE "RHODE ISLAND SMALL BUSINESS WEEK" IN THE STATE OF RHODE ISLAND
{LC2426/1}

Recommended for Immediate Consideration.

Senator Picard requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Picard 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, Quezada, Raptakis, Rogers, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

The resolution is read and passed upon a voice vote.

GUESTS

Upon the suggestion of Senators, Pearson, and Goodwin and by unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Rhode Island Small Business Persons of the Year, Justin Oakley, Owner, Michael Viera, Owner Oakley Home Access in Narragansett. Rhode Island District Director Award Posthumously given to the Honorable Raymond Fogarty who served as the Director of John H. Chafee Center for International Business and was also a former member of the RI House. Representing Honorable Fogarty are Phoebe Fogarty ~ Wife of Ray Fogarty and Joseph Fogarty ~ Son of Ray Fogarty. Rhode Island and New England Small Business Manufacturer of the Year, Sennen G. Conte, CFO/Owner, Galen T. Conte, CEO/Owner, Gerbs Allergy Friendly Foods in Johnston. Rhode Island and New England Veteran-Owned Small Business of the Year, Christopher Sanford, Owner, PuroClean Disaster Restoration in Providence. Rhode Island and New England Women Owned Small Business of the Year, Susan Pascale-Frechette, Owner, Pods Swimming in East Providence. Rhode Island and New England Young Entrepreneur of the Year, Bryan Gibb, Co-Owner, Bolt Coffee in Providence. Rhode Island Small Business Exporter of the Year, Sujata Mehta is here to represent her husband Naresh Metha, Owner, Grow Materials in East Greenwich. Rhode Island Financial Services Champion, Pamela LaBreche, AVP, Relationship Manager, Navigant Credit Union in Smithfield. Jeffrey Butland Family - Owned Business of the Year, Gwen & Roger Graham, Owners, Miller's Roast Beef in East Providence. Microenterprise of the Year, Matthew Banoub, Owner, Aten Energy Conservation in Pawtucket. Joseph G. E. Knight Award for Entrepreneurial Excellence, Kristi Langslet, CEO, Summerfly in Cranston. Minority-Owned Small Business, Lei Nichols, CEO, Wise Mouth Tea in Warren.

NEW BUSINESS**Senate Resolution No. 861****BY** Goodwin, McCaffrey, Ruggerio**ENTITLED**, SENATE RESOLUTION CELEBRATING MAY 5TH THROUGH MAY 11TH, 2019, AS "NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK" IN THE STATE OF RHODE ISLAND

{LC2567/1}

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, Algiere, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, 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, Lombardi, and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Richard Ferruccio

Upon the suggestion of Senator, Goodwin and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Joseph and Phoebe Fogarty.

NEW BUSINESS**Senate Resolution No. 862****BY** Gallo**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF KATHLEEN T. MANZI

{LC2579/1}

Recommended for Immediate Consideration.

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators, Algiere, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, de la Cruz, DiPalma, Euer, Felag, 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 rising vote.

GUESTS

Upon the suggestion of Senator Lombardi and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Frank Manzi, Maria Manzi, and Britney Richard.

Upon the suggestion of Senator Gallo and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Frank Manzi, Maria Manzi, and Britney Richard.

Upon the suggestion of Senator Ciccone and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Frank Manzi, Maria Manzi, and Britney Richard.

NEW BUSINESS

Senate Bill No. 863

BY Gallo, Ruggerio, Goodwin, McCaffrey, Algiere

ENTITLED, AN ACT RELATING TO EDUCATION - CURRICULUM (Requires the commissioner of education to develop statewide academic standards and curriculum frameworks for the core subjects of mathematics, English language arts, science and technology, history and social studies, world languages, and the arts.)

{LC2561/1}

Introduced, referred to Senate Education.

Senate Bill No. 864

BY Satchell, DiPalma, Pearson, Seveney, Paolino

ENTITLED, AN ACT RELATING TO EDUCATION -- CURRICULUM (Direct the council on elementary and secondary education to provide professional support and assistance to LEAs regarding effective ways to use data such as the LEA's budget and demographics, school culture, and assessments to improve student performance.)

{LC2557/1}

Introduced, referred to Senate Education.

Senate Bill No. 865**BY** Pearson, McCaffrey, Algiere, Goodwin, Ruggerio**ENTITLED**, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND BOARD OF EDUCATION ACT

{LC2553/1}

Introduced, referred to Senate Education.

Senate Bill No. 866**BY** Sheehan, Quezada, Seveney, DiPalma, Felag**ENTITLED**, AN ACT RELATING TO EDUCATION - CERTIFICATION OF TEACHERS - TESTING REQUIREMENTS FOR NEW TEACHERS (Establishes testing requirements for initial certification of new teachers on or after July 1, 2021.)

{LC2558/1}

Introduced, referred to Senate Education.

Senate Bill No. 867**BY** Paolino, Quezada, Pearson, DiPalma, Gallo**ENTITLED**, AN ACT RELATING TO EDUCATION -- CERTIFICATION OF TEACHERS (Establishes a procedure for the certification of provisional educators.)

{LC2563/1}

Introduced, referred to Senate Education.

Senate Bill No. 868**BY** Seveney, DiPalma, Cano, Lombardi, Lynch Prata**ENTITLED**, AN ACT RELATING TO EDUCATION - TRAINING AND EVALUATION - NEW EVALUATION REQUIREMENTS (Directs council on elementary and secondary education to implement assessment and evaluation system. Also requires local education agencies (LEAs) to adopt the model assessment and evaluation system for use in their schools.)

{LC2560/1}

Introduced, referred to Senate Education.

Senate Bill No. 869**BY** Metts, Goodwin, Gallo, Quezada, Pearson**ENTITLED**, AN ACT RELATING TO EDUCATION - TRAINING AND EVALUATION - FAST-TRACK PRINCIPAL CERTIFICATION PROGRAM (Allows teachers to obtain certification as a principal in an expedited period of time.)

{LC2552/1}

Introduced, referred to Senate Education.

CONSENT CALENDAR

In order for the day is taken up as follows:

IN ORDER FOR WEDNESDAY, MAY 8, 2019:

- 1. 2019-H 5824**
BY Ucci
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

- 2. 2019-H 5843**
BY Blazejewski
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

- 3. 2019-H 5866**
BY Carson
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

- 4. 2019-H 5881**
BY Lombardi
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

- 5. 2019-H 5889**
BY Lyle
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary 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:

CALENDAR

In order for the day is taken up as follows:

IN ORDER FOR WEDNESDAY, MAY 8, 2019:**1. 2019-S 178****BY** Felag**ENTITLED**, AN ACT RELATING TO EDUCATION - FEES FOR STATE COLLEGES AND UNIVERSITIES - VETERANS

Committee on Special Legislation and Veterans Affairs recommends passage.

Senator Felag moves passage of the act, seconded by Senators Lombardi, Sosnowski, Goodwin, Lynch Prata, Ciccone, Sheehan, Crowley, Metts, Cano, Bell, McKenney, Seveney, Euer, and Morgan.

The act is read and passed, on a roll call vote, with 38 Senators voting in the affirmative, and 0 Senators voting in the negative as follows:

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:

2. 2019-S 625 SUB A**BY** Picard**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - RHODE ISLAND UNIFORM COMMERCIAL DRIVER'S LICENSE ACT

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

Senator Picard moves passage of the act, seconded by Senators Lombardi, Felag, McCaffrey, Sheehan, and Morgan.

Senator Bell discusses the act.

The bill marked Substitute “A” is read and passed and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote, with 37 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS –37: The Honorable President Dominick Ruggerio, and Senators, Algiere, 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 – 1: Senator Bell.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 6081

BY Chippendale

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF COVENTRY (Validates and ratifies amendments to the home rule charter of the town of Coventry, which amendments were adopted and approved by the electors of the town of Coventry on November 6, 2018.)
{LC2593/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

The act is read and passed, by unanimous consent, on a roll call vote, with 38 Senators voting in the affirmative, and 0 Senators voting in the negative as follows:

YEAS –38: The Honorable President Dominick Ruggerio, and Senators, Algiere, 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:

GUESTS

Upon the suggestion of Senator DiPalma and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Henry F. Lombardi.

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.

ADJOURNMENT

Upon the Motion of Senator Goodwin seconded by Senator Algieri, and upon the suggestion of Senator Gallo the Senate adjourns at 4:53 o'clock P.M. *in memory of Kathleen T. Manzi.*

ROBERT L. RICCI
Secretary of the Senate

Appendix

INVOCATION

SENATOR SANDRA CANO

Help us to acknowledge our dependence on You, Lord. Instill in us Your Truth so that we may be true public servants to the people of our State. Amen.

Appendix

TRANSMITTED TO THE GOVERNOR

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}

05/08/2019 Transmitted to Governor

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}

05/08/2019 Transmitted to Governor

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}

05/08/2019 Transmitted to Governor

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}

05/08/2019 Transmitted to Governor

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}

05/08/2019 Transmitted to Governor

House Bill No. 6081

BY Chippendale

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF COVENTRY (Validates and ratifies amendments to the home rule charter of the town of Coventry, which amendments were adopted and approved by the electors of the town of Coventry on November 6, 2018.)

{LC2593/1}

05/08/2019 Transmitted to Governor

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, MAY 14, 2019:

1. *The Reappointment of Paul R. Alvarez (Representing Labor) to the Governor's Workforce Board for a term expiring January 1, 2022.*

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

2. *The Reappointment of David Chenevert (Employer Representative) to the Governor's Workforce Board for a term expiring January 1, 2022.*

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

3. *The Reappointment of Mario Bueno (Community Based Organization Representative) to the Governor's Workforce Board for a term expiring January 1, 2022.*

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

4. *The Reappointment of Paul MacDonald (Labor Representative) to the Governor's Workforce Board for a term expiring January 1, 2022.*

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

5. *The Appointment of Karsten Hart (Employer Representative) to the Governor's Workforce Board for a term expiring January 1, 2022.*

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

Appendix**CALENDAR****IN ORDER FOR THURSDAY, MAY 9, 2019:****1. 2019-S 405 SUB A****BY** Sosnowski**ENTITLED**, AN ACT RELATING TO AGRICULTURE AND FORESTRY --
AGRICULTURAL FUNCTIONS OF DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

2. 2019-S 687 SUB A**BY** Ruggerio**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING
CODE - NEW BUILDINGS AND STRUCTURES

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

3. 2019-S 147 SUB A**BY** Felag**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RHODE ISLAND LIVABLE HOME MODIFICATION ACT

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

4. 2019-H 5437 SUB A**BY** Vella-Wilkinson**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 in concurrence.

5. 2019-H 5662**BY** Edwards**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
MINIMUM WAGES

Committee on Labor recommends passage in concurrence.

- 6. 2019-H 5663**
BY Edwards
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends passage in concurrence.

IN ORDER FOR TUESDAY, MAY 14, 2019:

- 1. 2019-S 633 SUB A**
BY Goodwin
ENTITLED, JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF GARVEE BONDS

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