

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.44 | Thursday, May 9, 2019 | Forty Forth Legislative Day |
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The Senate meets pursuant to adjournment and is called to order by the Honorable Senate President Pro Tempore Harold M. Metts, at 4:17 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: Senators, Algiere, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, de la Cruz, DiPalma, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Seveney, Sheehan, and Valverde.

ABSENT – 4: President Dominick Ruggerio, and Senators Euer, Satchell, and Sosnowski.

INVOCATION

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

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon the suggestion of Senator Murray and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Reverend Wendy Van Orden.

JOURNAL

APPOINTMENTS BY THE GOVERNOR

The Honorable President of the Senate 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

May 8, 2019

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-64.14-6 of the Rhode Island General Laws, I have made the following appointment to the I-195 Redevelopment Commission:

Brendan P. Doherty

VICE Edwin Santos

For a term expiring October 3, 2023.

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

Sincerely,

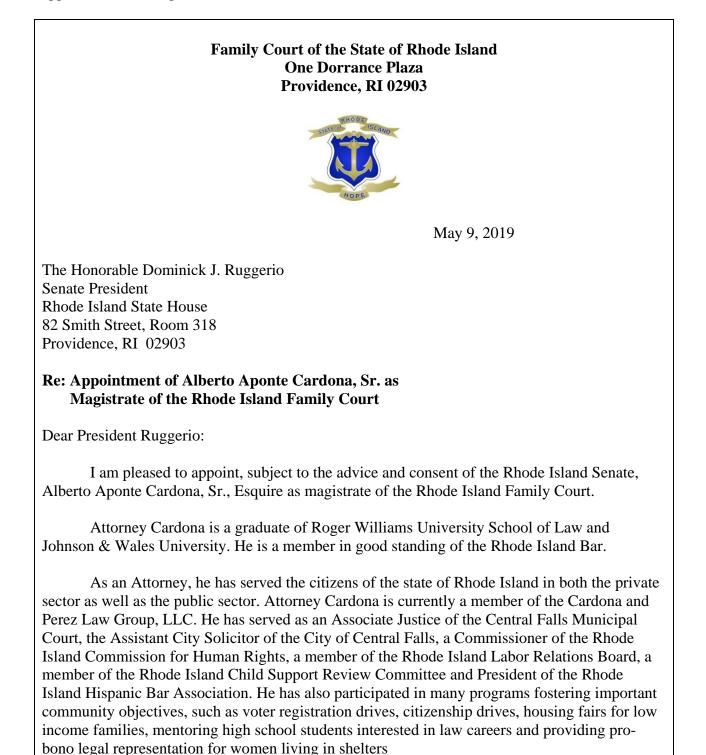
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Gina M. Raimondo Governor

Referred to the Senate Committee on Commerce.

APPOINTMENT BY THE CHIEF JUDGE OF THE RHODE ISLAND FAMILY COURT

Chief Judge Michael B. Forte of the Rhode Island Family Court, transmits the following appointment and requests the advice and consent of the Senate:



Attorney Cardona's understanding of the law, experience, temperament and skills well equip him to carry out the responsibilities demanded by a jurist. My appointment of Attorney Cardona to the position of Magistrate is made with the conviction that he will be an important addition to the Family Court Bench.

It is with confidence that I have executed the Order selecting him as Magistrate subject to Senate confirmation.

Very truly yours,

Michael B. Forte Chief Judge

To the Senate Committee on Judiciary.

COMMUNICATIONS

The Honorable President of the Senate presents the following communications:

State of Rhode Island and Providence Plantations



Senate Chamber

May 9, 2019

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

Dear President Ruggerio:

Please be advised and let the record reflect that due to family obligations, I will be absent from the chamber on Thursday, May 9, 2019.

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

Thank you for your attention to this matter.

Sincerely,

Senator Adam J. Satchell Senate District 09



Senate Chamber

May 10, 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 professional obligations I will be absent from the chamber on Thursday, May 9, 2019.

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

Thank you for your attention to this matter.

Sincerely,

Jusan Jasnowski

Senator V. Susan Sosnowski Senate District 37



Senate Chamber

May 09, 2019

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

Dear President Ruggerio:

Please be advised and let the record reflect that I will be absent from the Chamber today, Thursday, May 09, 2019 for personal reasons.

Please record my letter in the appropriate Senate Journal. Thank you.

Respectfully submitted,

Dawn Euer Senator – District 13



Senate Chamber

May 9, 2019

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

Dear President:

Please be advised and let the record reflect that I will be absent from the chamber on Thursday, May 9, 2019 due to an illness.

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

Warmest personal regards, I remain.

Sincerely,

Dominick J. Ruggerio President of the Senate

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5174

BY Slater, Diaz, Hull, Blazejewski, Walsh

ENTITLED, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS § 16-7-44 APPROVING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 LEASE REVENUE BONDS OR OTHER EVIDENCES OF INDEBTEDNESS BY THE PROVIDENCE PUBLIC BUILDINGS AUTHORITY TO FINANCE THE ACQUISITION, DESIGN, CONSTRUCTION, REPAIR, REHABILITATION, REPLACEMENT AND IMPROVEMENT OF HEALTH AND SAFETY PROJECTS AT THE CITY'S SCHOOLS AND SCHOOL FACILITIES, INCLUDING BUT NOT LIMITED TO BUILDING ENVELOPE REPAIR, MECHANICAL, ELECTRICAL AND PLUMBING IMPROVEMENTS, FIRE CODE COMPLIANCE AND PEST CONTROL, INCLUDING DESIGN AND FEASIBILITY, ENGINEERING OR OTHER STUDIES (Serves as the enabling act for the Providence Public Buildings Authority school housing projects to be eligible for state housing aid reimbursement.) {LC746/1}

From the House of Representatives to the Senate Committee on Finance

REPORTS OF COMMITTEES

COMMITTEE ON LABOR

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

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

From the Committee on Labor to the Consent Calendar.

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

From the Committee on Labor to the Consent Calendar.

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

From the Committee on Labor to the Consent Calendar.

The Reappointment of Paul MacDonald (Labor Representative) to the Governor's Workforce Board for a term expiring January 1, 2022. From the Committee on Labor to the Consent Calendar.

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

From the Committee on Labor to the Consent Calendar.

Senate Bill No. 713 SUB A

BY Ciccone, Miller, Goodwin, McCaffrey, Lynch Prata **ENTITLED,** AN ACT RELATING TO PROPERTY AND WORKS - LABOR AND PAYMENT OF DEBTS BY CONTRACTORS (Requires builders on state public school contracts \$5,000,000 or more to have 15% of the labor performed by apprentices, and sets forth other consequential requirements for such contracts.) {LC1781/A/1}

From the Committee on Labor to the Calendar.

Senate Bill No. 714 SUB A

BY Coyne, Conley, Sosnowski, Sheehan, McKenney **ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --GOVERNOR'S WORKFORCE BOARD RHODE ISLAND (Requires the workforce board to fund a non-trade apprenticeship incentive program in fisheries.) {LC1739/A/1}

From the Committee on Labor to the Calendar.

Senate Bill No. 726 SUB A

BY Cano, Goodwin, Ciccone, Lombardi, Goldin **ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --APPRENTICESHIPS (Comprehensively amends the state's apprenticeship laws to make them easier to understand and be more consistent with each other and applicable federal regulations.) {LC1045/A/1}

From the Committee on Labor to the Calendar.

NEW BUSINESS

Senate Resolution No. 870 BY Gallo, Lombardi, Metts, Algiere, Pearson ENTITLED, SENATE RESOLUTION COMMEMORATING "WORLD LUPUS DAY" IN THE STATE OF RHODE ISLAND ON MAY 10, 2019 {LC2452/1}

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, Felag, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Seveney, Sheehan, and Valverde.

The resolution is read and passed upon a voice vote.

GUESTS

Upon the suggestion of Senator Gallo and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Aida Crosson, and Mary Ann Osecidy.

NEW BUSINESS

Senate Resolution No. 871 BY Lawson, Conley, Coyne, Metts, Ciccone ENTITLED, SENATE RESOLUTION CELEBRATING THE DELECTABLE 2019 "GREAT RUMFORD BAKE OFF" HELD ON MAY 12, 2019, AND THE 160TH ANNIVERSARY OF THE CREATION OF RUMFORD BAKING POWDER {LC2464/1}

Recommended for Immediate Consideration.

Senator Lawson requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lawson moves passage, seconded by Senators, Algiere, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, de la Cruz, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, 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 Deb Omerod, Miriam Kennedy, and Jeff Faria.

Upon the suggestion of Senator Conley and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Deb Omerod, Miriam Kennedy, and Jeff Faria.

NEW BUSINESS

Senate Bill No. 872

BY Ruggerio, Sosnowski, Algiere, Ciccone **ENTITLED**, AN ACT RELATING TO THE GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (Names the URI College of Engineering Building as the "Fascitelli Center for Advanced Engineering.") {LC2559/1}

Introduced, referred to Senate Special Legislation and Veterans Affairs.

CALENDAR

In order for the day is taken up as follows:

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.

Upon the motion of Senator Goodwin this bill is ordered to be placed on the Calendar for Tuesday, May 14, 2019.

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.

Upon the motion of Senator Goodwin this bill is ordered to be placed on the Calendar for Tuesday, May 14, 2019.

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.

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

Senator Miller 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 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS –34: Senators, Algiere, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, de la Cruz, DiPalma, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Morgan, Murray, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Rogers, Seveney, Sheehan, and Valverde.

NAYS - 0:

 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.

Senator McCaffrey moves passage of the act, seconded by Senators Gallo, Felag, Ciccone, Lombardi, Quezada, Bell, DiPalma, and Murray.

Senators Nesselbush, Ciccone, and Bell discuss the act.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote, with 24 Senators voting in the affirmative, 8 Senators voting in the negative, and 2 Senators abstaing as follows:

YEAS –24: Senators, Bell, Cano, Ciccone, Coyne, Crowley, DiPalma, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Murray, Pearson, Quezada, Raptakis, Seveney, Sheehan, and Valverde.

NAYS – 8: Senators, Algiere, Archambault, de la Cruz, Lombardo, Morgan, Nesselbush, Paolino, and Rogers.

RECUSE – 2: Senators Conley, and Picard.

5. 2019-Н 5662

BY Edwards **ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -MINIMUM WAGES

Committee on Labor recommends passage in concurrence.

Senator Lombardi moves passage of the act, seconded by Senators McCaffrey, Goodwin, Felag, Lombardo, Ciccone, Lawson, Quezada, Bell, Archambault, Seveney, Murray, Cano, and Gallo. Senator Raptakis discusses the act.

The act is read and passed, in concurrence, on a roll call vote, with 28 Senators voting in the affirmative, and 6 Senators voting in the negative as follows:

YEAS –28: Senators, Algiere, Archambault, Bell, Cano, Ciccone, Conley, Coyne, Crowley, DiPalma, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Murray, Paolino, Pearson, Picard, Quezada, Seveney, Sheehan, and Valverde.

NAYS – 6: Senators de la Cruz, McKenney, Morgan, Nesselbush, Raptakis, and Rogers.

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

Committee on Labor recommends passage in concurrence.

Senator Lombardi moves passage of the act, seconded by Senators Ciccone, McCaffrey, Gallo, Lombardo, Felag, Pearson, Archambault, Bell, and DiPalma.

The act is read and passed, in concurrence, on a roll call vote, with 27 Senators voting in the affirmative, 6 Senators voting in the negative, and 1 Senator abstaining as follows:

YEAS –27: Senators, Algiere, Archambault, Bell, Cano, Ciccone, Coyne, Crowley, DiPalma, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Murray, Paolino, Pearson, Picard, Quezada, Seveney, Sheehan, and Valverde.

NAYS - 6: Senators de la Cruz, McKenney, Morgan, Nesselbush, Raptakis, and Rogers.

RECUSE – 1: Senator Conley.

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

ADJOURNMENT

Upon the Motion of Senator Goodwin seconded by Senator Algiere the Senate adjourns at 4:53 o'clock P.M.

ROBERT L. RICCI Secretary of the Senate

INVOCATION

SENATOR CYNTHIA ARMOUR COYNE

Lord, as we observe Mother's Day this weekend, we ask you to bless our mothers for the endless hours of time they spent and the boundless energy they invested in us. Bless our mothers for their sacrifices on our behalf as they often gave up or deferred their own dreams so that we could have ours. Most of all, Lord, bless our mothers for their unconditional love, for loving us no matter what, and for frequently showing love in ways that make us feel valued and cherished. Amen.

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.

CALENDAR

IN ORDER FOR TUESDAY, MAY 14, 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 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.

4. 2019-S 713 SUB A

BY Ciccone

ENTITLED, AN ACT RELATING TO PROPERTY AND WORKS - LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

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

5. 2019-S 714 SUB A

BY Coyne

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --GOVERNOR'S WORKFORCE BOARD RHODE ISLAND

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

6. 2019-S 726 SUB A BY Cano ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --APPRENTICESHIPS

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

TRANSMITTED TO THE GOVERNOR

House Bill No. 5437 SUB A

BY Vella-Wilkinson, O'Brien, Serpa, Morin, Millea **ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -ARBITRATION - CONTINUANCE OF CONTRACTUAL PROVISIONS (Provides for the extension of certain contractual provisions in a school teachers' collective bargaining agreement if the parties are engaged in negotiations.) {LC1501/A/3}

Transmitted to Governor.

House Bill No. 5662 BY Edwards 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.) {LC1717/1}

Transmitted to Governor.

House Bill No. 5663 BY Edwards 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.) {LC1756/1}

Transmitted to Governor.