

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.51

Tuesday, May 28, 2019

Fifty 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 4:21 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, 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 – 1: Senator Archambault.

INVOCATION

The Honorable President, by unanimous consent, presents Senator Felag to deliver the 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 Fiftieth 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 Cano and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Juan Pablo Barrera, Briana Barrera, Melissa Pontiers Mancilla, Magalis Morales Perez, and Sergio Miranda Ortega.

Upon the suggestion of Senator Nesselbush and by Unanimous consent, The Honorable President of the Senate, welcomes to the Chamber Kenny Davie Rodriguez Torres, Darwin, Castano, Hernande3z, Valeria Castilla Divasto, Anwar Garcia Aceredo, Evan Pereira Durando, and Evan Pereira Herrera.

REPORTS OF COMMITTEES**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 measures:

Senate Bill No. 138

BY Euer, Goldin, Coyne, Crowley, Miller

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- LABORATORIES (Restores provisions of chapter 16.2 of title 23 as well as all of chapter 16.3 of title 23, which were repealed or deleted in the 2015 Budget Act, relating to definitions, licensing, and the operation of medical laboratories.)
{LC733/1}

From the Committee on Health and Human Services to the Calendar.

Senate Bill No. 144

BY Goldin, Miller

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- LONG-TERM MANAGED CARE ARRANGEMENTS (Requires managed care organizations to consult with the executive office of health and human services to develop incentives for nursing facilities that demonstrate lower direct care staff turnover.)
{LC1032/1}

From the Committee on Health and Human Services to the Calendar.

Senate Bill No. 304**BY** Satchell, Miller, Sheehan, Valverde, McCaffrey**ENTITLED**, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT -- NON-OPIATE DIRECTIVE (Directs filing non-opiate directives with the DOA and deletes requirements for recording in electronic health record and verification by a registered practitioner. Replaces medical disciplinary board with the dept of health for compliance violations.)

{LC1463/1}

From the Committee on Health and Human Services to the Calendar.

Senate Bill No. 775**BY** Valverde, Miller, Murray**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - PREVENTION AND SUPPRESSION OF CONTAGIOUS DISEASES - HIV/AIDS (Permits clinical laboratories as defined in § 23-16.2-2(2) to conduct its own analysis of specimens for the detection of HIV/AIDS instead of sending the specimens to the department of health.)

{LC2311/1}

From the Committee on Health and Human Services to the Calendar.

Senate Bill No. 799**BY** Ruggiero, Lynch Prata, Euer, Crowley, Lawson**ENTITLED**, AN ACT RELATING TO INSURANCE -- LIFE INSURANCE POLICIES AND RESERVES (Prohibits insurer from denying application/exclude/limit coverage under any life insurance policy based solely on prescription to carry or possess naloxone.)

{LC2257/1}

From the Committee on Health and Human Services to the Calendar.

NEW BUSINESS**Senate Resolution No. 920****BY** Lynch Prata**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF BEVERLY A. SODERBERG

{LC2700/1}

Recommended for Immediate Consideration.

Senator Lynch Prata requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lynch Prata moves passage, seconded by Senators, McCaffrey, Sheehan, Lombardi, Lombardo, Quezada, Cano, Murray, and Euer.

The resolution is read and passed upon a rising vote.

CONSENT CALENDAR

In order for the day is taken up as follows:

IN ORDER FOR TUESDAY, MAY 28, 2019:**1. 2019-H 5772**

BY McNamara

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF AMARAL & ASSOCIATES REAL ESTATE, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.

2. 2019-H 5931

BY Carson

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF VECTOR CUSPIS OCEANUS, LLC

Ordered to be placed on the Consent Calendar for passage in concurrence.

3. 2019-H 6011

BY Mattiello

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF GYM KIDS INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.

Upon motion of Senator McCaffrey, seconded by Senator Morgan, 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 Ruggerio, and Senators, Algieri, 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 TUESDAY, MAY 28, 2019:**1. 2019-S 294**

BY Goodwin

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - FAMILY CAREGIVERS SUPPORT ACT OF 2013

Committee on Health & Human Services recommends passage.

Senator Goodwin moves passage of the act, seconded by Senators Lynch Prata, Lombardo, Gallo, Nesselbush, Seveney, Satchell, Coyne, Lawson, Cano, McKenney, Goldin, Euer, and DiPalma.

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 Ruggerio, and Senators, Algieri, 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 309

BY Goodwin

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
TRAUMATIC BRAIN INJURIES

Committee on Health & Human Services recommends passage.

Senator Goodwin moves passage of the act, seconded by Senators Gallo, Lynch Prata, Miller, Felag, Lombardi, Lombardo, Nesselbush, Lawson, Metts, Pearson, McKenney, Valverde, and Coyne,.

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 Ruggerio, and Senators, Algieri, 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:

3. 2019-S 445 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO INSURANCE -- ACCIDENT AND SICKNESS
INSURANCE POLICIES

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Sosnowski moves passage of the act, seconded by Senators Sheehan, McCaffrey, Conley, Nesselbush, Satchell, Bell, Murray, Seveney, and Metts.

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 0 Senators voting in the negative as follows:

YEAS –37: The Honorable President Dominick Ruggiero, and Senators, Algieri, 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:

4. 2019-S 570

BY Valverde

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
THE HEALTH CARE SERVICES FUNDING PLAN ACT

Committee on Health & Human Services recommends passage.

Senator Valverde moves passage of the act, seconded by Senators, Bell, Cano, Ciccone, Conley, Coyne, Crowley, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Murray, Nesselbush, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

The act is read and passed, on a roll call vote, with 32 Senators voting in the affirmative, and 5 Senators voting in the negative as follows:

YEAS –32: The Honorable President Dominick Ruggiero, and Senators, Bell, Cano, Ciccone, Conley, Coyne, Crowley, DiPalma, Euer, Felag, Gallo, Goldin, Goodwin, Lawson, Lombardi, Lombardo, Lynch Prata, McCaffrey, McKenney, Metts, Miller, Murray, Nesselbush, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski, and Valverde.

NAYS – 5: Senators Algieri, de la Cruz, Morgan, Paolino, and Rogers.

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

Senator Quezada announces that the Committee on Commerce will meet today at the rise of the Senate in Room 212 of the State House.

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

Senator DiPalma announces that feminine product tax day will meet tomorrow at 3:30 P.M. in the Rotunda of the State House.

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 Raptakis announces that the Committee on Special Legislation and Veteran's Affairs will meet tomorrow at the rise of the Senate in Room 211 of the State House.

Senator Lynch Prata announces that the Committee on Judiciary will meet today at the rise of the Senate in Room 313 of the State House.

Senator Coyne announces that the Committee on Environment will meet tomorrow at the rise of the Senate in Room 211 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 Algieri, and upon the suggestion of Senator Lynch Prata, the Senate adjourns at 4:39 o'clock P.M. *in memory of Beverly A. Soderberg.*

ROBERT L. RICCI
Secretary of the Senate

Appendix

INVOCATION

SENATOR WALTER S. FELAG, JR.

Dear Lord, We thank you for giving us the opportunity to serve as public servants for this great state. As the days get longer, and the pressure of our legislative duties compete with our own personal lives, grant us the wisdom and patience to work together for the benefit of all our citizens. Amen.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, MAY 30, 2019:**

- 1. 2019-S 138 SUB A**
BY Euer
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- LABORATORIES

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

- 2. 2019-S 144**
BY Goldin
ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- LONG-TERM MANAGED CARE ARRANGEMENTS

Committee on Health & Human Services recommends passage.

- 3. 2019-S 304**
BY Satchell
ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM CONTROLLED SUBSTANCES ACT -- NON-OPIATE DIRECTIVE

Committee on Health & Human Services recommends passage.

- 4. 2019-S 775**
BY Valverde
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - PREVENTION AND SUPPRESSION OF CONTAGIOUS DISEASES - HIV/AIDS

Committee on Health & Human Services recommends passage.

- 5. 2019-S 799 SUB A**
BY Ruggiero
ENTITLED, AN ACT RELATING TO INSURANCE -- LIFE INSURANCE POLICIES AND RESERVES

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

Appendix

TRANSMITTED TO THE GOVERNOR

House Bill No. 5772

BY McNamara

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF AMARAL & ASSOCIATES REAL ESTATE, INC.

{LC1988/1}

Transmitted to the Governor.

House Bill No. 5931

BY Carson

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF VECTOR CUSPIS OCEANUS, LLC

{LC2303/1}

Transmitted to the Governor.

House Bill No. 6011

BY Mattiello

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF GYM KIDS INC.

{LC2459/1}

Transmitted to the Governor.