

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 third day of January in the year of Our Lord two thousand and seventeen.

Volume 144, No.30

Tuesday, March 28, 2017

Thirtieth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:23 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT – 35: Senators The Honorable President Ruggerio and Senators Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, Doyle, DiPalma, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

ABSENT – 3: Senators DaPonte, Gallo, and Paiva Weed.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Twenty Ninth Legislative Day of the 2017 proceedings is read in part.

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

COMMUNICATIONS

The Honorable President presents the following communications:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

March 23, 2017

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

To the Honorable Senate:

I have the honor to inform you that on the twenty third day of March, 2017 the oath of engagement was administered as President of the Senate for the State of Rhode Island and Providence Plantations to the Honorable Dominick J. Ruggerio.

Yours Sincerely,

Nellie M. Gorbea
Secretary of State

Read and placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

The Honorable Dominick J. Ruggerio
President of the Senate
State House Room 316
Providence, RI 02903

Dear President Ruggerio:

Please be advised and let record reflect that I will be absent from the Chamber Tuesday-Thursday, March 28th-30th due to health issues.

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

Thank you for attention this matter.

Warmest personal regards, I remain,

Hanna M. Gallo
Senator – District 27

Read and placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

March 28, 2017

The Honorable Senate
Senate Chamber
State House
Providence, RI 02903

To the Honorable, the Senate:

Pursuant to Rule 12 of the Rules of the Senate Democratic Caucus, I am making the following appointments for the years 2017 and 2018:

Senator Maryellen Goodwin
Senate Majority Whip

Senator Frank Lombardo, III
Deputy Majority Whip

Senator Joshua Miller
Democratic Caucus Policy Chair

Senator James E. Doyle, II
Senior Deputy Majority Leader

Senator Frank S. Lombardi
Deputy Majority Leader

Senator Donna M. Nesselbush
Deputy Majority Leader

Senator Ana B. Quezada
Deputy Majority Leader

Sincerely,

Dominick J. Ruggerio
President of the Senate

Read and placed on file.

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

March 28, 2017

The Honorable Senate
Senate Chamber
State House
Providence, RI 02903

To the Honorable, the Senate:

Pursuant to Section 5.1 of the Interim Senate Rules, I am making the following appointments to the Senate Standing Committees:

Senate Committee on Commerce

Roger A. Picard, Chairperson
Marc A. Cote, Vice Chairperson
Hanna M. Gallo, Secretary
Paul W. Fogarty
Frank Lombardo, III
Elaine J. Morgan
Ana B. Quezada

Senate Committee on Education

Hanna M. Gallo, Chairperson
Harold M. Metts, Vice Chairperson
Adam J. Satchell, Secretary
Louis P. DiPalma
Thomas J. Paolino
Ryan W. Pearson
Ana B. Quezada
James A. Seveney
James C. Sheehan

Senate Committee on Environment and Agriculture

V. Susan Sosnowski, Chairperson
Cynthia A. Coyne, Vice Chairperson
Jeanine Calkin, Secretary
Stephen R. Archambault
William J. Conley, Jr.
Nicholas D. Kettle
Joshua Miller

Senate Committee on Finance

William J. Conley, Jr, Chairperson
Louis P. DiPalma, First Vice Chairperson
Walter S. Felag, Jr., Second Vice Chairperson
Ryan W. Pearson, Secretary
Frank A. Ciccone, III
Daniel DaPonte
James E. Doyle, II
Nicholas D. Kettle
James A. Seveney
V. Susan Sosnowski

Senate Committee on Health and Human Services

Joshua Miller, Chairperson
Gayle L. Goldin, Vice Chairperson
James C. Sheehan, Secretary
Jeanine Calkin
Elizabeth A. Crowley
Thomas J. Paolino
Adam J. Satchell
V. Susan Sosnowski

Senate Committee on Housing and Municipal Government

Frank A. Ciccone, III, Chairperson
Elizabeth A. Crowley, Vice Chairperson
Donna M. Nesselbush, Secretary
James E. Doyle, II
Frank Lombardo, III
Thomas J. Paolino
Roger A. Picard

Senate Committee on Judiciary

Erin Lynch Prata, Chairperson
Stephen R. Archambault, Vice Chairperson
Harold M. Metts, Secretary
Cynthia A. Coyne
Mark W. Gee
Paul V. Jabour
Frank S. Lombardi
Donna M. Nesselbush
Leonidas P. Raptakis

Senate Committee on Labor

Paul W. Fogarty, Chairperson
Frank Lombardo, III, Vice Chairperson
Frank S. Lombardi, Secretary
Frank A. Ciccone, III
James E. Doyle, II
Mark W. Gee
Gayle L. Goldin

Senate Committee on Special Legislation and Veterans' Affairs

Walter S. Felag, Jr., Chairperson
Leonidas P. Raptakis, Vice Chairperson
James A. Seveney, Secretary
Marc A. Cote
Paul V. Jabour
Erin Lynch Prata
Elaine J. Morgan

Sincerely,

Dominick J. Ruggerio
President of the Senate

Read and placed on file.

REPORTS OF COMMITTEES**COMMITTEE ON FINANCE**

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

Senate Bill No. 212

BY Metts, Quezada

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION
(Exempts from taxation the real and tangible personal property of Oasis International, Inc., a Rhode Island nonprofit corporation, located in Providence, Rhode Island.)
{LC797/1}

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. 170**BY** Felag

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE GOOD SAMARITAN OVERDOSE PREVENTION AT OF 2016 (Adds alcohol and alcohol-related overdoses and possession or transportation of alcohol by an underage person, to the Good Samaritan Act.)
{LC976/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON RULES

Chairwoman Lynch Prata, from the Committee on Rules, reports back, with recommendation of passage of the following measure:

Senate Resolution No. 531**BY** Lynch Prata

ENTITLED, SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE FOR YEARS 2017-2018
{LC2089/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 627****BY** Sosnowski

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES TO THE TUCKER FAMILY ON THE PASSING OF WOODROW W. TUCKER
{LC2223/1}

Ordered to be placed on the Consent Calendar.

Senate Resolution No. 628**BY** Ruggerio

ENTITLED, SENATE RESOLUTION HONORING JIM PURCELL, ED. D., FOR HIS DEDICATED SERVICE TO THE YOUNG PEOPLE OF RHODE ISLAND AS COMMISSIONER FOR POSTSECONDARY EDUCATION
{LC2245/1}

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 Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, Doyle, DiPalma, Felag, Fogarty, Gee, Goldin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, and Sosnowski.

The resolution is read and passed, upon a voice vote.

GUESTS

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President welcomes to the Chamber Ms. Sandra Purcell, Dr. Jim Purcell's wife, Dr. Susan LaPanne – Associate Commissioner – Office of Postsecondary Education, Dr. Phyllis Harnick – Assistant Commissioner – OPC, Ms. Gail Mance-Rios – Deputy Director – OPC, Mr. Charlie Miller – CIO – OPC, Dr. Michael Walker-Jones – Assistant Commissioner – OPC, Mr. Ron Cavallaro, Esq. – OPC General Council, Ms. Ann Marie Coleman, Esq. – OPC General Council, Ms. Lisa Marie Shevlin – OPC, Ms. Amy Grzybowski – Executive Director – Westerly Higher Education Center, Mr. Doug Tingle – WHEC, Dr. Robin McGill – Communications – OPC.

Senate Resolution No. 629

BY Goodwin

ENTITLED, SENATE RESOLUTION CONGRATULATING VERA LATORRE ON THE JOYOUS OCCASION OF HER 107TH BIRTHDAY
{LC2333/1}

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 Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, Doyle, DiPalma, Felag, Fogarty, Gee, Goldin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, and Sosnowski.

The resolution is read and passed, upon a voice vote.

GUESTS

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President welcomes to the Chamber Vera Verdi Latorre, her sister Evelyn Verdi Pargnoli, Commander Thomas Verdi from the Providence Police Department and Colonel Ann Claire Assumpico, Superintendent of the Rhode Island State Police.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2017-S 625**
 BY Coyne
 ENTITLED, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES TO
 THE HALEY AND WILLIAMS FAMILIES ON THE PASSING OF JEAN HALEY
 AND MARTHA WILLIAMS

Ordered on the Consent Calendar.

2. **2017-S 280**
 BY Pearson
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

3. **2017-S 387**
 BY Jabour
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

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 - 35: The Honorable President Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

CALENDAR

In order for the day is taken up as follows:

1. **2017-S 20**
 BY Cote
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
 BARBERS, HAIRDRESSERS, COSMETICIANS, MANICURISTS AND
 ESTHETICIANS

Committee on Commerce recommends passage.

Senator Cote moves passage of the act, seconded by Senators Sheehan, Lombardi, Archambault, Paolino, Morgan, Raptakis, Ciccone, Goodwin, and Picard.

The act is read and passed, on a roll call vote, with 35 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 35: The Honorable President and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

2. 2017-S 70

BY Doyle

ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - PAROLE BOARD

Committee on Judiciary recommends passage.

Senator Doyle moves passage of the act, seconded by Senators Lynch Prata, Lombardo, Nesselbush, Goodwin, Felag, Metts, Archambault, Gee, Coyne, and Ciccone.

The act is read and passed, on a roll call vote, with 34 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 34: The Honorable President and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

3. 2017-S 278

BY Doyle

ENTITLED, AN ACT RELATING TO CRIMINAL LAW - PAROLE BOARD

Committee on Judiciary recommends passage.

Senator Doyle moves passage of the act, seconded by Senators Lynch Prata, McCaffrey, Archambault, Lombardi, Coyne, Gee, and Ciccone.

The act is read and passed, on a roll call vote, with 35 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 35: The Honorable President and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

4. 2017-S 281**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 Doyle, Lombardi, McCaffrey, Felag, Coyne, Seveney, and Ciccone.

The act is read and passed, on a roll call vote, with 35 members voting in the affirmative and 0 member voting in the negative as follows.

YEAS - 35: The Honorable President and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

5. 2017-S 373**BY** Nesselbush**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Judiciary recommends passage.

Senator Nesselbush moves passage of the act, seconded by Senators McCaffrey, Goodwin, Lynch Prata, Lombardi, Lombardo, Fogarty, Gee, DiPalma, Sosnowski, Crowley, and Quezada.

The act is read and passed, on a roll call vote, with 34 members voting in the affirmative and 1 member voting in the negative as follows.

YEAS - 34: The Honorable President Mr. President and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 1: Senator Morgan.

ANNOUNCEMENTS

Senator Felag announces that the Joint Committee on Finance and Committee on Health and Human and Services will meet today at the rise, in the Senate Lounge of the State House.

Senator Coyne announces that the Committee on Environment and Agriculture will meet tomorrow at the rise, in Room 212 of the State House.

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

Senator Lynch Prata announces that the Committee on Special Legislation and Veterans Affairs will meet tomorrow at the rise, in Room 310 of the State House.

Senator Archambault announces that the Committee on Judiciary will meet today at the rise, in Room 313 of the State House.

Senator McCaffrey congratulates Senator Picard on receiving an award from AARP.

GUESTS

Upon suggestion of Senator Goldin and by unanimous consent, the Honorable President welcomes to the Chamber Amanda Kelvee, Karl Dietrick, Ryan Heney, Claire Lyons, Emily Erickson, Roberta Goldman, Melissa Nothnagle, Reina Blackwood, Alketa Mezini, Chelsea Graham and Keith Callahan from the RI Academy of Family Physicians.

Upon suggestion of Senator Conley and by unanimous consent, the Honorable President welcomes to the Chamber John Faria, Chairman of the East Providence Democratic City Committee.

Upon suggestion of Senator Lynch Prata and by unanimous consent, the Honorable President welcomes to the Chamber Jennifer Griffin, Child Advocate, Kaitlyn Medeiros, Office of Child Advocate, and Dr. Trista Piccola, Director of DCYF.

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 or to the Honorable House of Representatives forthwith.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Algieri and upon suggestion of Senator Coyne the Senate adjourns at 4:55 o'clock P.M, in memory of *Jean Haley and Martha Williams*.

Appendix**INVOCATION****SENATOR FRANK S. LOMBARDI**

Dear God, we ask you today to grant us the strength and confidence to make the decisions that will be of the greatest benefit to our citizens. We are eternally grateful to have the opportunity to serve the people of our state, and therefore, serve you. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 29, 2017:

- 1. 2017-S 627**
BY Sosnowski
ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES TO THE
TUCKER FAMILY ON THE PASSING OF WOODROW W. TUCKER

Ordered on the Consent Calendar.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, MARCH 30, 2017:**

1. **2017-S 212**
 BY Metts
 ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO
 TAXATION

Committee on Finance recommends passage.

2. **2017-S 170**
 BY Felag
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE GOOD
 SAMARITAN OVERDOSE PREVENTION AT OF 2016

Committee on Judiciary recommends passage.

3. **2017-S 531 SUB A**
 BY Lynch Prata
 ENTITLED, SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE
 FOR YEARS 2017-2018

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