

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.33

Tuesday, April 4, 2017

Thirty Third Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:18 o'clock P.M.

The roll is called and a quorum is declared present with 33 Senators present and 4 Senators absent as follows:

PRESENT – 33: Senators The Honorable President Ruggerio and Senators Algiere, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

ABSENT –4: Senators Archambault, Gallo, Paolino, and Sheehan.

INVOCATION

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

(See Appendix for 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 Thirty Second Legislative Day of the 2017 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 is approved as recorded.

GUESTS

Upon suggestion of Senator Goldin and by unanimous consent, the Honorable President welcomes to the Chamber Noorjahan Akbar, Guest Speaker, Suzanne Fogarty, Head of Lincoln School, Kara Newman-Gilligan, Dean of Students of Lincoln School. Students from Lincoln School, Emily Lewiss, Guadalupe Cantera, Sasha Floru, Jasmine Algassar, and Jady Ramos.

COMMUNICATIONS

The Honorable President presents the following communications:

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

April 7, 2017

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

Dear Mr. President,

Please be advised that I will be unable to attend the Senate Session today, Tuesday, April 4, 2017 due to sickness.

Warmest personal regards, I remain,

Sincerely,

James C. Sheehan
Senator – District 36

Read and placed on file.

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

April 4, 2017

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

Dear President Ruggerio:

Please be advised and let the record reflect that I will be absent from the Chamber Tuesday - Thursday, April 4-6th, 2017 due to health issues.

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,

Hanna M. Gallo
Senator – District 27

Read and placed on file.

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

April 7, 2017

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

Dear Mr. President,

Please be advised that I will be unable to attend the Senate Session today, Tuesday, April 4, 2017.
I am out of town on business

Warmest personal regards, I remain,

Sincerely,

Stephen R. Archambault
Senator – District 22

Read and placed on file.

APPOINTMENTS BY THE GOVERNOR

The Honorable President 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**

April 4, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 12-1.1-4 of the Rhode Island General Laws, I have made the following appointment to the State Crime Laboratory Commission:

Linda J. Bachand-Jackson

Public Member

Vice
Major Clay Choquette

For a term expiring January 1, 2019

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Judiciary.



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF GOVERNOR GINA M. RAIMONDO**

April 4, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 12-1.1-4 of the Rhode Island General Laws, I have made the following appointment to the State Crime Laboratory Commission:

Thomas Oates III

Representative of the Rhode Island Police Chiefs' Association

Vice
Chief David Randall
(Resigned)

For a term expiring January 1, 2018

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Judiciary.

NEW BUSINESS**Senate Resolution No. 699****BY** Goldin, Lynch Prata, Metts, DiPalma, Lombardi**ENTITLED**, SENATE RESOLUTION PROCLAIMING APRIL 4, 2017, AS "EQUAL PAY DAY" IN THE STATE OF RHODE ISLAND

{LC2416/1}

Recommended for Immediate Consideration.

Senator Goldin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goldin moves passage, seconded by Senators Lynch Prata, Goodwin, Morgan, Calkin, Nesselbush, Sosnowski, and Crowley.

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

Senate Bill No. 700**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS--CREDIT UNIONS

(Transfers the expulsion power of members to credit union management from the board of directors, provides written notice to the member of expulsion, and establishes a ten (10) business day appeal procedure to the board of directors.)

{LC2188/1}

Referred to the Committee on Commerce.

Senate Bill No. 701**BY** Coyne, Felag, Conley, Seveney, DiPalma**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS (Extends the co-operation requirement public utilities have by law with contractors involved in state construction projects to municipal political subdivisions and other quasi-governmental agencies.)

{LC2242/1}

Referred to the Committee on Commerce.

Senate Bill No. 702**BY** Satchell, Metts, Sheehan**ENTITLED**, AN ACT RELATING TO EDUCATION - FUNDING OF CHARTER PUBLIC SCHOOLS

{LC2256/1}

Referred to the Committee on Education.

Senate Bill No. 703**BY** DiPalma, Sosnowski, Kettle

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY - FARM CONSERVATION AND RENEWABLE ENERGY (Provides for the siting and operating standards for farm-based renewable energy facilities.)
{LC2272/1}

Referred to the Committee on Environment and Agriculture.

Senate Bill No. 704**BY** Fogarty

ENTITLED, AN ACT ENABLING THE TOWN COUNCIL OF THE TOWN OF BURRILLVILLE TO EXEMPT CERTAIN PROPERTY FROM TAXATION (Reduces to three (3) years the residency requirement for the town of Burrillville's partial real estate tax exemption for the elderly.)
{LC2339/1}

Referred to the Committee on Finance.

Senate Bill No. 705**BY** Metts, Miller, Goldin, Sosnowski, Crowley

ENTITLED, AN ACT AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS – MENTAL HEALTH CONSUMER ADVOCATES OF RHODE ISLAND - OASIS WELLNESS AND RECOVERY CENTER (Establishes a mental health consumer advocate and wellness recovery center to provide support for those suffering from mental health issues and would appropriate two-hundred ninety five thousand dollars (\$295,000) to operate the program.)
{LC2334/1}

Referred to the Committee on Finance.

Senate Bill No. 706**BY** McCaffrey, Felag, Ruggerio

ENTITLED, AN ACT RELATING TO TAXATION-PERSONAL INCOME TAX (Subtracts from the federal adjusted gross income, recovery of Rhode Island income taxes attributable to any amount deducted for federal income taxes in any prior tax year for the purposes of calculation of the same income tax.)
{LC2124/1}

Referred to the Committee on Finance.

Senate Bill No. 707**BY** Coyne, Calkin, Satchell, Goldin, DiPalma

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- RHODE ISLAND FOOD, DRUGS, AND COSMETICS ACT (Requires manufacturers to fully disclose to the DOH all ingredients contained in their cosmetic products manufactured, distributed or sold in the state, and further subjects a manufacturer to financial penalties for a violation of this requirement.)
{LC2381/1}

Referred to the Committee on Health and Human Services.

Senate Bill No. 708**BY** Fogarty

ENTITLED, AN ACT IN AMENDMENT TO AN ACT ENTITLED "AN ACT TO INCORPORATE THE WEST GLOCESTER FIRE DISTRICT" (Amends the charter of the West Gloucester Fire District.)
{LC2373/1}

Referred to the Committee on Housing and Municipal Government.

Senate Bill No. 709**BY** McCaffrey

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - OPEN MEETINGS (Amends the open meeting act.)
{LC2182/1}

Referred to the Committee on Judiciary.

Senate Bill No. 710**BY** Nesselbush, Lombardi, Fogarty, Crowley, Sosnowski

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES-MOTOR VEHICLES REPARATION ACT (Penalizes driving any motor vehicle required to be registered in this or any state without insurance or proof of insurance and abolish requirement that operator knew the vehicle was uninsured or unregistered making them strict liability offenses.)
{LC2332/1}

Referred to the Committee on Judiciary.

Senate Bill No. 711**BY** Lombardi, Archambault, Lynch Prata, Conley, Nesselbush

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - LIMITED GUARDIANSHIP AND GUARDIANSHIP OF ADULTS (Provides persons under limited guardianship, guardianship conservatorship with rights designed to protect them from mental, physical and financial abuse by guardians and conservators retroactively and prospectively.)
{LC2379/1}

Referred to the Committee on Judiciary.

Senate Bill No. 712**BY** Ciccone, Lombardi, Felag, Archambault, Lombardo

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE (Removes the state police from the department of public safety and has the superintendent report directly to the governor.)
{LC2357/1}

Referred to the Committee on Judiciary.

Senate Bill No. 713**BY** McCaffrey

ENTITLED, AN ACT RELATING TO INSURANCE - SNOW REMOVAL SERVICE LIABILITY LIMITATION ACT (Defines snow removal contracts between service providers and service receivers and limit liability between them and declare indemnity agreements void as against public policy.)
{LC1440/1}

Referred to the Committee on Judiciary.

Senate Bill No. 714**BY** Fogarty

ENTITLED, AN ACT RELATING TO TAXATION - BURRILLVILLE PROPERTY TAX (Further delineates the ability of the town of Burrillville to tax electrical power generation facilities, regulated or otherwise and for private consumption on resale.)
{LC2341/1}

Referred to the Committee on Judiciary.

Senate Bill No. 715**BY** Pearson, Picard

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Westley Chaplin to join Ashley Dopart and Greg Preliasco in marriage on or about October 21, 2017, within the Town of Narragansett, Rhode Island.)
{LC2378/1}

Referred to the Committee on Judiciary.

Senate Bill No. 716**BY** McCaffrey

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- EMPLOYMENT SECURITY - BENEFITS (Increases the maximum weekly unemployment benefit rate to the higher of fifty-seven and one-half percent (57.5%) of the average weekly wages paid to workers in the prior calendar year or six hundred sixteen dollars (\$616) per week.)
{LC2190/1}

Referred to the Committee on Labor.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. The Reappointment of David V. D. Borden to the Atlantic States marine Fisheries Commission for a term expiring January 1, 2020.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

2. **The Reappointment of Jerry A. Sahagian (Public Member Representing the Coastal Community) to the Coastal Resources Management Council for a term expiring January 31, 2020.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

3. **The Reappointment of Michael Hudner (Municipality Under 25,000 Elected or Appointed Official) to the Coastal Resources Management Council for a term expiring January 31, 2020.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

4. **The Reappointment of Raymond Coia, Esq (Coastal Municipality Over 25,000 Elected or Appointed Official) to the Coastal Resources Management Council for a term expiring January 31, 2020.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

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

NAYS - 0:

GUESTS

Upon suggestion of Senator Goldin and by unanimous consent, the Honorable President welcomes to the Chamber David and Laurie Sholes, Providence.

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet today at the rise, in the Room 211 of the State House.

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

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

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

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

Senator Coyne announces that the Committee on Environment and Agriculture will meet tomorrow at the rise, in Room 211 of the State House.

Senator Raptakis announces that the Committee on Special Legislation and Veterans Affairs' will meet tomorrow at the rise, in Room 211 of the State House.

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 the Senate adjourns at 4:32 o'clock P.M

Appendix

INVOCATION

SENATOR CYNTHIA A. COYNE

Dear Lord, keep our vision clear and our purpose pure as we take part in trying to help all of our people live in decency, dignity, and honor. Amen.