

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.39

Wednesday, April 26, 2017

Thirty Ninth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggiero, President of the Senate, at 4:14 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 3 Senators absent as follows:

PRESENT – 34: The Honorable President Ruggiero 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, and Sosnowski.

ABSENT –3: Senators, DaPonte, Gallo, and Morgan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Thirty Eighth Legislative Day of the 2017 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President welcomes to the Chamber students from the Pell School in Newport, RI: Ben Borgueta, Bailey, Brennan, Louis Brickner, Anna Dahlquist, Ella DiBari, Miles Ford, Emma, Hoag, Laura Hoag, Kendall Jaquette, Adryionna Lockhart, Ayana Mack, Misheilys Marerro, Gionna Michel, Connor Mullins, Mollyana Nuki, Margaret Phelps, Bryana Pierre, Frank Ramset, Velincia Reddick, Alex Toribio, Tucker Turanski, Miles Ventura. Parents Lindsay Ford, and Thais Turanski. Staff from the Pell School: Matt Thadeio, Lisa Graham, Christine Arouth, and Erin Hallene.

COMMUNICATION

The Honorable President presents the following communication:

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

April 26, 2017

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

Dear President Ruggerio:

Please be advised and let the record reflect that I will be absent from the Chamber on Wednesday, April 26, 2017, due to illness. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

Elaine J. Morgan
DEPUTY MINORITY WHIP

Read and placed on file.

REPORTS OF COMMITTEES
COMMITTEE ON COMMERCE

Chairman Picard, from the Committee on Commerce, reports back, with recommendation of passage of the following measures:

Senate Bill No. 618 SUB A

(Secretary of State)

BY Lombardo, Archambault, Algieri

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS - RHODE ISLAND NONPROFIT CORPORATION ACT (Simplifies process for foreign corporations to obtain certificate of authority by producing only certificate of good standing legal assistance from incorporating state or country.)
{LC1707/A/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 95 SUB A

BY Archambault, Sosnowski, Miller, Conley, Kettle

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND REGULATORY REFORM ACT (The office of regulatory reform shall consult with various state agencies and plant-based representatives to facilitate economic growth.)
{LC423/A/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 198 SUB A

BY Picard, Pearson

ENTITLED, AN ACT RELATING TO PROPERTY - CONDOMINIUM INSURANCE (Requires a condominium association to provide a unit owner, whose unit has sustained insurance covered damages, with a written copy of the insurance company's damage appraisal.)
{LC1016/A/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 700 SUB A

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}

Read and ordered to be placed on the Calendar.

Senate Bill No. 96**BY** Picard

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE BROKERS AND SALESPERSONS (Defines the term an "opinion of value" to be an analysis, opinion, of conclusion prepared by a real estate broker pertaining to the price of property.)
{LC1046/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 98**BY** Conley, Jabour, Coyne, Lombardi, Gee

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - SECURITIZATION ACT (Repeals The Public Utility Securitization Act (§§39-1-43 to 60), passed in 1997.)
{LC235/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 430**BY** Sosnowski

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - TRANSPORTATION NETWORK COMPANY SERVICES (Allows the town of New Shoreham to establish its own regulatory framework regarding transportation network company services.)
{LC1672/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

Chairman Miller, from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

Senate Bill No. 145**BY** Goldin, Miller

ENTITLED, AN ACT RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES (Requires a health care entity or health plan to issue a decision regarding the credentialing of a health care provider within forty-five (45) calendar days of receiving a complete credentialing application.)
{LC1000/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 745**BY** Miller, Metts, Quezada, Goldin, Goodwin**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- RHODE ISLAND PATHWAYS PROJECT (Requires the executive office of health and human services (EOHHS) to conduct a study to assess the impact of using Medicaid funds to provide coverage for the treatment of the chronically homeless.)

{LC2390/1}

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. 760**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Fiona Fitzpatrick to join Ann Choi and Luke Fitzpatrick in marriage on or about September 30, 2017, within the New Shoreham, Rhode Island.)

{LC2469/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 6019**BY** Abney, Carson**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Joshua Jaye DelVecchio to join Ashley Suzanne Boulais and Christopher Grayson in marriage on or about June 2, 2017, within the City of Newport, Rhode Island.)

{LC2311/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 6020**BY** O'Brien, Corvese, Hull**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Azarig Kooloian, Jr., to join Kim Kooloian and David Anthony Ventris in marriage on or about June 24, 2017, within the City of Providence, Rhode Island.)

{LC2327/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 6037**BY** Shekarchi

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Scott Avedisian to join Alicia Elizabeth Seguin and Joshua Michael Sylvain in marriage on or about May 6, 2017, within the City of Warwick, Rhode Island.)
{LC2343/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 6067**BY** Costantino

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Michael Narducci, Sr., to join Kelley Diaz and Michael Narducci, Jr., in marriage on or about June 24, 2017, within the City of Providence, Rhode Island.)
{LC2359/1}

Read and ordered to be placed on the Consent Calendar.

TRANSFER OF BILL

Chairwoman Sosnowski, from the Committee on Environment and Agriculture, reports back the following measure, with recommendation of transfer to the Committee on Finance.

Senate Bill No. 365**BY** Calkin, Quezada, Seveney, Metts, Lombardo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ENERGIZE RHODE ISLAND: CLEAN ENERGY INVESTMENT AND CARBON PRICING ACT OF 2017 (Establishes a fee on companies that sell fossil fuels in RI and also establishes a receipt account to disburse the funds from.)
{LC1017/1}

Transferred to the Committee on Finance.

NEW BUSINESS**Senate Resolution No. 817**

(General Treasurer)

BY Gallo

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF APRIL, 2017, TO BE "FINANCIAL LITERACY MONTH" IN THE STATE OF RHODE ISLAND
{LC2403/1}

Introduced, ordered to be placed on the Consent Calendar.

Senate Resolution No. 818**BY** Archambault, Lombardo, Goodwin, McCaffrey, Ruggerio**ENTITLED**, SENATE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE PASSING OF JOHN J. TASSONI

{LC2478/1}

Recommended for Immediate Consideration.

Senator Archambault requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Archambault moves passage, seconded by Senators Algieri, 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, and Sosnowski.

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

Senate Resolution No. 819**BY** Miller**ENTITLED**, SENATE RESOLUTION HONORING AND COMMENDING THE BOYS & GIRLS CLUBS OF RHODE ISLAND YOUTH OF THE YEAR PROGRAM

{LC2490/1}

Recommended for Immediate Consideration.

Senator Miller requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Miller moves passage, seconded by Senators Metts, Nesselbush, Lombardi, Fogarty, Pearson, Conley, Sosnowski, Doyle, Goodwin, Felag, Satchell, Gee, Lombardo, Paolino, Raptakis, Coyne, DiPalma, and Goldin.

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

GUESTS

Upon suggestion of Senator Miller and by unanimous consent, the Honorable President welcomes to the Chamber Jaiden Fiore- Boys & Girls Club of Warwick, John Batista- Boys & Girls Club of Pawtucket, Katherine Ruggieri- Boys & Girls Club of Providence, Leo Rodriguez- Boys & Girls Club of Cumberland, Lyla Carvalho- Boys & Girls Club of East Providence, Matthew Marshall- Boys & Girls Club of Newport, Valerie Heron-Duranti, M.Ed-Dir. of Creative Youth Development Boys & Girls Clubs of America, Joe Pratt-Newport, Boy and Girls, Chastity Mitchill, and Erin Gilliatt- East Providence Director.

Senate Bill No. 820**BY** Metts, Quezada, Goodwin, Goldin**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - COMMISSION ON JUDICIAL TENURE AND DISCIPLINE (Imposes certain discovery obligations/procedural changes upon judicial tenure/discipline commission regarding removal of judges.)

{LC838/1}

Introduced, referred to the Committee on Judiciary.

Senate Bill No. 821**BY** Goodwin**ENTITLED**, AN ACT RELATING TO INSURANCE (Mandates insurance coverage for medically necessary expenses for standard fertility preservation services when a medical treatment may directly or indirectly cause iatrogenic infertility.)

{LC2591/1}

Introduced, referred to the Committee on Health and Human Services.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2017-H 6002**BY** Lima**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF RUBALCOOK, INC.

Ordered to be placed on the Consent Calendar for 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 - 34: 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, 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 517**
BY McCaffrey
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
LITIGATION LENDING AGREEMENTS

Committee on Judiciary recommends passage.

Senator Goodwin orders this item to be placed on the Calendar on Thursday, May 4th.

ANNOUNCEMENTS

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

Senator Raptakis announces that the Committee on Special Legislation and Veterans Affairs' will meet today at the rise, in Room 310 of the State House.

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

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

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

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

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

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

Senator Cote announces that the Committee on Commerce will meet tomorrow at the rise, in Room 212 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 Kettle and upon suggestion by Senator Archambault the Senate adjourns at 4:36 o'clock P.M in memory of *John J. Tassoni*.

Appendix**INVOCATION****SENATOR ROGER A. PICARD**

Dear Lord, Please remind us daily to use the time you have given us to add something of value to each day. Please help us to remember that our decisions are made without obligation or expectation of any benefit to ourselves, but only to benefit our citizens and most importantly, for the benefit of our children. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, APRIL 27, 2017:**

1. **2017-S 817**
 BY Gallo
 ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF APRIL, 2017, TO BE "FINANCIAL LITERACY MONTH" IN THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar.

2. **2017-S 760**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

3. **2017-H 6019**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

4. **2017-H 6020**
 BY O'Brien
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

5. **2017-H 6037**
 BY Shekarchi
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

6. **2017-H 6067**
 BY Costantino
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, APRIL 27, 2017:**

1. **2017-S 324 SUB A**
 BY Miller
 ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - HOME-VISITING
 SYSTEM COMPONENTS

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

2. **2017-S 328**
 BY Sheehan
 ENTITLED, SENATE RESOLUTION RESPECTFULLY ENCOURAGING THE
 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES (EOHHS) TO
 EXAMINE CURRENT POLICIES AND TO MAKE RECOMMENDATIONS ON
 IMPROVING THE QUALITY OF MENTAL HEALTH SERVICES IN RHODE
 ISLAND

Committee on Health & Human Services recommends passage.

3. **2017-S 329 SUB A**
 BY Miller
 ENTITLED, AN ACT RELATING TO INSURANCE -- INSURANCE COVERAGE
 FOR MENTAL ILLNESS AND SUBSTANCE ABUSE

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

4. **2017-S 330 SUB A**
 BY Coyne
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
 THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004--HEALTH
 INSURANCE OVERSIGHT

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

5. **2017-S 331**
 BY Calkin
 ENTITLED, AN ACT RELATING TO HUMAN SERVICES

Committee on Health & Human Services recommends passage.

6. 2017-S 332 SUB A**BY** Miller**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - COMPREHENSIVE DISCHARGE PLANNING

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

7. 2017-S 650**BY** Kettle**ENTITLED**, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF FOSTER

Committee on Housing & Municipal Government recommends passage.

8. 2017-S 708**BY** Fogarty**ENTITLED**, AN ACT IN AMENDMENT TO AN ACT ENTITLED "AN ACT TO INCORPORATE THE WEST GLOCESTER FIRE DISTRICT"

Committee on Housing & Municipal Government recommends passage.

IN ORDER FOR TUESDAY, MAY 2, 2017:**1. 2017-S 95 SUB A****BY** Archambault**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND REGULATORY REFORM ACT

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

2. 2017-S 96**BY** Picard**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE BROKERS AND SALESPERSONS

Committee on Commerce recommends passage.

3. 2017-S 98**BY** Conley**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - SECURITIZATION ACT

Committee on Commerce recommends passage.

4. **2017-S 198 SUB A**
 BY Picard
 ENTITLED, AN ACT RELATING TO PROPERTY - CONDOMINIUM INSURANCE

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

5. **2017-S 430**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
 TRANSPORTATION NETWORK COMPANY SERVICES

Committee on Commerce recommends passage.

6. **2017-S 618 SUB A**
 BY Lombardo
 ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND
 PARTNERSHIPS - RHODE ISLAND NONPROFIT CORPORATION ACT

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

7. **2017-S 700 SUB A**
 BY McCaffrey
 ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS--CREDIT
 UNIONS

Committee on Commerce recommends passage.

8. **2017-S 145 SUB A**
 BY Goldin
 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.

9. **2017-S 745**
 BY Miller
 ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- RHODE ISLAND
 PATHWAYS PROJECT

Committee on Health & Human Services recommends passage.

IN ORDER FOR THURSDAY, MAY 4, 2017:

- 1. 2017-S 517**
BY McCaffrey
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
LITIGATION LENDING AGREEMENTS

Committee on Judiciary recommends passage.

Appendix

TRANSMITTED TO THE GOVERNOR

House Bill No. 6002

BY Lima

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

{LC2285/1}