

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.44

Tuesday, May 9th, 2017

Forty Fourth 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 36 Senators present and 1 Senator absent as follows:

PRESENT – 36: The Honorable President Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

ABSENT –1: Senator Doyle.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty Third Legislative Day of the 2017 proceedings is read in part.

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

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**

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Governor's Workforce Board:

Monica Dzialo
Representative of ORS

VICE
Vacant

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following reappointment to the Governor's Workforce Board:

Robin Coia
Representative Labor

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following reappointment to the Governor's Workforce Board:

George Nee
Representative Labor

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following reappointment to the Governor's Workforce Board:

Michael Grey
Representative Employer

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Governor's Workforce Board:

Steve Kitchen

Chair of Local Workforce Investment Board/ Designee Workforce Partnership of Greater RI

VICE
Vacant

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Governor's Workforce Board:

Janet Raymond

Chair of Local Workforce Investment Board/ Designee Providence/Cranston Workforce
Investment Board

VICE
Vacant

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Governor's Workforce Board:

Catherine Doyle
Representing Community Based Organization

VICE
Channavy Chhay

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Governor's Workforce Board:

Deborah Proffitt

Employer Representative

VICE

Vacant

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Governor's Workforce Board:

Jordan Boslego
Representing Employer/Disabilities

VICE
Monica Dzialo

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Governor's Workforce Board:

David Chenevert

Employer Representative

VICE

Cheryl Merchant

For a term expiring January 1, 2020

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.



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

May 9, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-102-2 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Housing and Mortgage Finance Corporation:

Kevin D. Orth

For a term expiring July 1, 2021

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Finance.

COMMUNICATION

The Honorable President presents the following communication:

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

May 9, 2017

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

Dear President Ruggerio:

Please be advised that I will be unable to attend Senate session on Tuesday May 9 and Wednesday May 10, 2017, I am out of state on personal business.

Sincerely,

James E. Doyle, II
Senator, District- 8
Pawtucket

Read and placed on file.

REPORTS OF COMMITTEES**COMMITTEE ON EDUCATION**

Chairwoman Gallo, from the Committee on Education, reports back, with recommendation of passage of the following measures:

Senate Bill No. 106

BY Satchell, Conley, Metts, Picard

ENTITLED, AN ACT RELATING TO EDUCATION - CURRICULUM (Requires the department of education to consider incorporating media literacy education in the basic education program.)

{LC316/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 633 SUB A**BY** Gallo, DiPalma, Satchell, Pearson, Metts**ENTITLED**, AN ACT RELATING TO EDUCATION -- CIVIC EDUCATION COMMISSION (Alters the membership, reporting protocol, and meeting requirements of the civic education commission.)

{LC2143/A/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Chairwoman Sosnowski, from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measures:

Senate Bill No. 112 SUB A**BY** Conley, Sosnowski, Miller, Paiva Weed, Kettle**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RENEWABLE ENERGY GROWTH PROGRAM (Expands the renewable energy growth program for an additional ten (10) years after the fifth program year, with an annual target of forty (40) nameplate megawatts for each year of the ten (10) year period.)

{LC837/A/1}

of Sub A

Read and ordered to be placed on the Calendar.

Senate Bill No. 202**BY** Fogarty, Sosnowski, Goodwin, Nesselbush**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT - DOCK SAFETY (Requires DEM to issue regulations requiring any dock or pier longer than twenty feet (20') and located on a freshwater lake or pond to be equipped with reflective material such that it can be seen by watercraft operators.)

{LC591/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 442 SUB A**BY** Lynch Prata, Gallo, Sosnowski, Miller, Coyne**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - THE CLIMATE CHANGE COASTAL ADAPTATION TRUST FUND (Establishes the RI coastal adaptation trust fund which would enable cities and towns and the state to apply for grants to fund projects that invest in measures that adapt infrastructure on public lands to address the impacts of climate change.)

{LC1823/A/2}

Read and ordered to be placed on the Calendar.

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

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

House Bill No. 5135

BY Keable, Newberry

ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF BURRILLVILLE (Validates and ratifies amendments to the Home Rule Charter of the town of Burrillville, which amendments were adopted and approved by the electors of the town of Burrillville on November 8, 2016.)
{LC404/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5271

BY Hearn, Knight

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOCAL PLANNING BOARD OR COMMISSION (Permits the Barrington town council to appoint two alternate members to the planning board.)
{LC1076/1}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 867**

BY Goodwin

ENTITLED, SENATE RESOLUTION CELEBRATING MAY 7TH THROUGH MAY 13TH, 2017, AS "NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK" IN THE STATE OF RHODE ISLAND
{LC2592/1}

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 Metts, Gallo, Lynch Prata, Felag, Jabour, McCaffrey, Sosnowski, Crowley, Quezada, Raptakis, Paolino, Cote, Coyne, and Calkin.

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 Richard Furuccio, President of R.I.B.O.C.

NEW BUSINESS**Senate Resolution No. 868**

BY Picard, Cote, Raptakis

ENTITLED, SENATE RESOLUTION CONGRATULATING ROGER LALIBERTE ON BEING INDUCTED INTO THE RHODE ISLAND RADIO HALL OF FAME
{LC2661/1}

Ordered to be placed on the Consent Calendar.

Senate Resolution No. 869

BY Crowley, Quezada

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF REINALDO PEREZ
{LC2609/1}

Ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2017-S 858

BY Lynch Prata

ENTITLED, SENATE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE PASSING OF AMEDEO C. MEROLLA, BRIGADIER GENERAL, RET.

Ordered on the Consent Calendar.

2. 2017-S 859

BY Lombardo

ENTITLED, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF LINDA A. VENDETTI

Ordered on the Consent Calendar.

3. 2017-S 860

BY Lombardo

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF ANNA MARY ACCETTURO

Ordered on the Consent Calendar.

4. 2017-S 861

BY Kettle

ENTITLED, SENATE RESOLUTION EXPRESSING SYMPATHY ON THE PASSING OF CARLO ARMANDO GAMBA

Ordered on the Consent Calendar.

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, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, 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 333

BY Crowley

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - RHODE ISLAND DEVELOPMENT IMPACT FEE ACT

Committee on Housing & Municipal Government recommends passage.

Senator Crowley moves passage of the act, seconded by Senators Lombardi, Fogarty, Satchell, Archambault, Lombardo, Cote, Sosnowski, Quezada, and Metts.

The act is read and passed, on a roll call vote, with 36 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 36: The Honorable President Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, 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:

GUESTS

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President welcomes to the Chamber Deborah DeBare.

ANNOUNCEMENTS

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

Senator Goldin announces that the Committee on Health and Human Services will meet today at the rise, the Senate Lounge 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 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 will meet tomorrow at the rise, in Room 310 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.

Leader McCaffrey congratulates Senator Gayle Goldin on receiving the YWMC, Isabelle Ahevea O'Neill Award.

Senator Nesselbush requests the reading of a resolution previously passed:

Senate Resolution No. 846

Resolution 214

BY Nesselbush, Goodwin

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF CHARLES A. DEBARE
{LC2600/1}

The senate resolution is read.

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 by Senator Nesselbush the Senate adjourns at 4:35 o'clock P.M in memory of *Charles A. DeBare*.

Appendix**INVOCATION****SENATOR FRANK CICCONE**

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 pressures 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**CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, MAY 10, 2017:**

1. **2017-S 868**
 BY Picard
 ENTITLED, SENATE RESOLUTION CONGRATULATING ROGER LALIBERTE ON
 BEING INDUCTED INTO THE RHODE ISLAND RADIO HALL OF FAME

Ordered on the Consent Calendar.

2. **2017-S 869**
 BY Crowley
 ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE
 PASSING OF REINALDO PEREZ

Ordered on the Consent Calendar.

3. **2017-H 5135**
 BY Keable
 ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE
 HOME RULE CHARTER OF THE TOWN OF BURRILLVILLE

Committee on Housing & Municipal Government recommends passage in concurrence.

4. **2017-H 5271**
 BY Hearn
 ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOCAL PLANNING
 BOARD OR COMMISSION

Committee on Housing & Municipal Government recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MAY 10, 2017:**

1. **2017-S 299**
 BY Picard
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - REAL ESTATE BROKERS AND SALESPERSONS

 Committee on Commerce recommends passage.
2. **2017-S 543 SUB A**
 BY Lombardo
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - REAL ESTATE APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT

 Committee on Commerce recommends indefinite postponement of the original bill and passage of Substitute A.
3. **2017-S 791**
 BY Felag
 ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF WARREN

 Committee on Housing & Municipal Government recommends passage.

IN ORDER FOR THURSDAY, MAY 11, 2017:

1. **2017-S 106**
 BY Satchell
 ENTITLED, AN ACT RELATING TO EDUCATION - CURRICULUM

 Committee on Education recommends passage.
2. **2017-S 633 SUB A**
 BY Gallo
 ENTITLED, AN ACT RELATING TO EDUCATION -- CIVIC EDUCATION COMMISSION

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

3. 2017-S 112 SUB A**BY** Conley**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
RENEWABLE ENERGY GROWTH PROGRAM

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

4. 2017-S 202**BY** Fogarty**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT - DOCK SAFETY

Committee on Environment & Agriculture recommends passage.

5. 2017-S 442 SUB A**BY** Lynch Prata**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION - THE
CLIMATE CHANGE COASTAL ADAPTATION TRUST FUND

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.