

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.45

Wednesday, May 10th, 2017

Forty Fifth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:24 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 2 Senators absent as follows:

PRESENT – 35: The Honorable President Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, 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 –2: Senators DaPonte and Doyle.

INVOCATION

The Honorable President, by unanimous consent, presents Senator Gallo, to deliver the invocation.
(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President welcomes to the Chamber David Sears, former Senate Page.

COMMUNICATION

The Honorable President presents the following communication:

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

May 10, 2017

The Honorable Dominick J. Ruggerio
President of the Senate
Room 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, May 10, 2017 and Thursday, May 11, 2017 due to a work conflict.

I would appreciate your recording my letter in the appropriate Senate Journals. Thank you for your attention to this matter.

Sincerely,

Daniel Da Ponte
Senator, District 14

Read and placed on file.

REPORTS OF COMMITTEES**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. 5414

BY Giarrusso

ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH (Validates and ratify amendments to the Home Rule Charter of the town of East Greenwich, which amendments were adopted and approved by the electors of the town of East Greenwich on November 8, 2016.)
{LC180/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5233**BY** Ruggiero, Abney, Mendonca**ENTITLED**, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN (Validates and ratify an amendment to the Home Rule Charter of the town of Middletown, which amendment was adopted and approved by the electors of the town of Middletown on November 8, 2016.)

{LC984/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5133**BY** Fogarty, Tanzi, Filippi, McEntee**ENTITLED**, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF SOUTH KINGSTOWN (Ratifies and validates the amendment to the South Kingstown Home Rule Charter which was approved by the electors of the town of South Kingstown at the polls on November 8, 2016.)

{LC226/1}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 870****BY** Gallo**ENTITLED**, SENATE RESOLUTION COMMEMORATING "WORLD LUPUS DAY" IN THE STATE OF RHODE ISLAND ON MAY 10, 2017

{LC2663/1}

Recommended for Immediate Consideration.

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators Lombardi, Metts, Nesselbush, Jabour, Crowley, Felag, Conley, Lynch Prata, McCaffrey, Goodwin, Algieri, Morgan, Paolino, Goodwin, Seveney, Coyne and Calkin.

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

GUESTS

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President welcomes to the Chamber Bea Lanzi, Paula McFarland, Aida Crosson, Prutha Patel, Stephanie Anderson, Morgan Osediacz, David Powers, Justin Simone and Beverly Goodell from the Lupus Foundation of New England.

CONSENT CALENDAR

In order for the day is taken up as follows:

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-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.

3. **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.

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

Committee on Commerce recommends passage.

Senator Picard moves passage of the act, seconded by Senators Lombardi, McCaffrey, Lombardo, Archambault, and Morgan

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 Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, 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:

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.

Senator Lombardo moves passage of the act, seconded by Senators Lombardi, Nesselbush, Ciccone, and Archambault.

The act was read and passed prior to reconsideration.

Senator Sheehan moves to reconsider the bill, seconded by Senator Lombardi.

YEAS - 32: The Honorable President Ruggerio and Senators Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Paolino, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 1: Senator Morgan.

RECUSED - 2: Senators Algieri and Pearson.

Senator Sheehan moves passage, seconded by Senators Lombardo and Picard.

Senators Algieri and Pearson abstain from the act.

The act is read and passed, on a roll call vote, with 32 members voting in the affirmative, 1 member voting in the negative and 2 members abstain as follows.

YEAS - 32: The Honorable President Ruggerio and Senators Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Paolino, Picard, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 1: Senator Morgan.

RECUSED - 2: Senators Algieri and Pearson.

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.

Senator Felag moves passage of the act, seconded by Senators Coyne, DiPalma, Seveney, 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 Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, 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:

ANNOUNCEMENTS

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

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

Senator Metts announces that the Committee on Education will meet today at the rise, in Room 313 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 Archambault announces that the Committee on Judiciary will meet tomorrow at the rise, in Room 313 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 McCaffrey the Senate adjourns at 4:40 o'clock P.M.

Appendix**INVOCATION****SENATOR HANNA GALLO**

Heavenly Father, Patience, Compassion, and Virtue are the goals of a civilized government. Help us to recognize these qualities in ourselves as we all work to better the lives of all our citizens. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, MAY 11, 2017:**

1. **2017-H 5133**
 BY Fogarty
 ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE
 HOME RULE CHARTER OF THE TOWN OF SOUTH KINGSTOWN

 Committee on Housing & Municipal Government recommends passage in concurrence.
2. **2017-H 5233**
 BY Ruggiero
 ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE
 HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN

 Committee on Housing & Municipal Government recommends passage in concurrence.
3. **2017-H 5414**
 BY Giarrusso
 ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE
 HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH

 Committee on Housing & Municipal Government recommends passage in concurrence.

Appendix**CALENDAR****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.

Appendix**TRANSMITTED TO THE GOVERNOR****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}

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}