

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.47

Tuesday, May 16th, 2017

Forty Seventh Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:25 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, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, 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 Ciccone.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

Upon suggestion of Senator Archambault 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 Sage Leiner, Lincoln School.

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
316 State House
Providence, RI 02903

Dear President Ruggerio:

Please be advised that I will be unable to attend Senate Session today May 16, 2017, and, Wednesday May 17, 2017; I will be absent due to a medical procedure.

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

Sincerely,

Frank A. Ciccone, III
Senator District ~ 7

Read and placed on file.

REPORTS OF COMMITTEES**COMMITTEE ON HEALTH AND HUMAN SERVICES**

Chairman Miller, from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

Senate Bill No. 777

BY Goodwin

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - AUTOMATED EXTERNAL DEFIBRILLATORS REQUIRED (Requires an automated external defibrillator (AED) and qualified person to administer an AED at all public places capable of holding three hundred (300) people or more.)

{LC2505/1}

Read and ordered to be placed on the Calendar.

The Appointment of Rebecca L. Boss, M.A Director VICE Maria Montanaro to the Director of the Department of Behavioral Health, Developmental Disabilities and Hospitals

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 907**

BY Gallo

ENTITLED, SENATE RESOLUTION PROCLAIMING MAY AS "BETTER HEARING AND SPEECH MONTH" IN THE STATE OF RHODE ISLAND

{LC2713/1}

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, Sosnowski, Lynch Prata, Felag, Miller, Satchell, Algieri, Archambault, and Coyne.

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 folks here in honor of Better Hearing and Speech Month, Stephanie Clarke, Marie Magen, Kelsey Richardson, Mishal Siddiqui, Alan Mendez, Justin Yehle, Denise Corson, Ellen Connery, Mary Boyle, MJ Reidy, Alan Shaw, Carol Matthews, Jennifer Matarese, Elizabeth Wolchesky, Melissa Rosenberg, Allyson Messier, Jasmin Pineda, Ann-Marie Therien, Kristen O'Connor, and Erin Ormerod.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2017-S 873**
 BY Sosnowski
 ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE
 PASSING OF WALTER KETTELLE, JR., AND MEMORIALIZING THE
 DEDICATION OF AN ELKS LODGE HALL IN HIS HONOR

Ordered on the Consent Calendar.

2. **2017-S 906**
 BY Picard
 ENTITLED, SENATE RESOLUTION JOYOUSLY CELEBRATING THE 40TH
 ANNIVERSARY OF THE ICE CREAM MACHINE

Ordered on the Consent Calendar.

3. **2017-H 5226**
 BY Lombardi
 ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
 LICENSES

Committee on Special Legislation and Veterans Affairs 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,
Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, 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. The Appointment of Vivian Caruolo Council on Postsecondary Education VICE Michael Bernstein to the Board of Education for a term expiring January 31, 2020.

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

Senator Gallo moves the Advice and Consent of the appointment, seconded by Senators Lombardi, Doyle, Sosnowski, Archambault, Jabour, Goodwin, Algieri, Gee, DiPalma, Seveney, Metts and Nesselbush.

Senators Satchell, DiPalma, Sheehan, Metts, Calkin, Pearson, Felag, Lombardi, Archambault, and Nesselbush discuss the appointment.

Advice and Consent has been granted, on a roll call vote, with 34 members voting in the affirmative and 2 members voting in the negative as follows.

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

NAYS - 2: Senators Calkin, Satchell.

GUESTS

Upon suggestion of Senator Gee and by unanimous consent, the Honorable President welcomes to the Chamber Colonel Vivian L. Caruolo, member of the Council of Post-Secondary Education and her Husband, The Honorable James Caruolo, Associate Judge of the Rhode Island District Court.

ANNOUNCEMENTS

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 today 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 313 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.

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 4:57 o'clock P.M

Appendix

INVOCATION

SENATOR STEPHEN R. ARCHAMBAULT

Open our hearts Lord, not only to the needs of those we serve, but also to one another in this Chamber so as a community of leaders we can be led to wise and courageous actions that benefit Rhode Island. Amen.

Appendix
CALENDAR

IN ORDER FOR WEDNESDAY, MAY 17, 2017:

1. 2017-S 203 SUB A

BY Fogarty

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

2. 2017-S 733 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PESTICIDE
CONTROL

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

3. 2017-S 192 SUB A

BY Ruggerio

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
PAYMENT OF WAGES

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

4. 2017-S 288

BY Goodwin

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
FIREFIGHTERS' ARBITRATION

Committee on Labor recommends passage.

5. 2017-S 506

BY Gallo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -
EMPLOYMENT OF WOMEN AND CHILDREN

Committee on Labor recommends passage.

6. 2017-S 363 SUB A**BY** Lynch Prata**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES--GASPEE DAY COMMITTEE

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

7. 2017-S 538 SUB A**BY** DiPalma**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
REGISTRATION OF VEHICLES

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

8. 2017-S 816**BY** Felag**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
VETERANS' AFFAIRS

Committee on Special Legislation and Veterans Affairs recommends passage.

IN ORDER FOR THURSDAY, MAY 18, 2017:**1. The Appointment of Rebecca L. Boss, M.A Director VICE Maria Montanaro to the Director of the Department of Behavioral Health, Developmental Disabilities and Hospitals**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

2. 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.

3. 2017-S 777**BY** Goodwin**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - AUTOMATED
EXTERNAL DEFIBRILLATORS REQUIRED

Committee on Health & Human Services recommends passage.

Appendix

TRANSMITTED TO THE GOVERNOR

House Bill No. 5226

BY Lombardi

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

(Permits the Providence licensing board to issue a Class C liquor license for premises at 215 Dean Street.)

LC1033/1