

**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 first day of January in the year of Our Lord two thousand and thirteen.**

---

Volume 140, No.18

Thursday, February 7, 2013

Eighteenth Legislative Day

---

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:34 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

**PRESENT** – 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

**ABSENT** – 1: Senator Ciccone.

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

The Senate Journal of the Seventeenth Legislative Day of the 2013 proceedings is read in part.

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

**REPORTS OF COMMITTEES****TRANSFER OF BILLS**

Senator Picard, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Corporations to the Committee on Finance:

**Senate Bill No. 11**

**BY** Bates, DiPalma, Walaska, Lombardo, Ruggerio

**ENTITLED**, AN ACT RELATING TO TAXATION - FRANCHISE TAX (would provide each corporation with credit against the franchise tax, not to exceed \$400, of \$100 for each employee of such entity as of the last day of its preceding tax year.)

{LC86/1}

Read and referred to the Committee on Finance.

**REPORTS OF COMMITTEES  
COMMITTEE ON EDUCATION**

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

**Appointment of Colleen A. Callahan, Ed.D. of Cumberland to the Rhode Island Board of Education for a term expiring January 31, 2015.**

Read and ordered to be placed on the Calendar for Tuesday, February 12, 2013.

Also:

**Appointment of Michael A. Grande, CPA, MST of Warwick to the Rhode Island Board of Education for a term expiring January 31, 2014.**

Read and ordered to be placed on the Calendar for Tuesday, February 12, 2013.

Also:

**Appointment of Lawrence E. Purtill of Narragansett to the Rhode Island Board of Education for a term expiring January 31, 2015.**

Read and ordered to be placed on the Calendar for Tuesday, February 12, 2013.

Also:

**Appointment of Mathies J. Santos of Providence to the Rhode Island Board of Education for a term expiring January 31, 2014.**

Read and ordered to be placed on the Calendar for Tuesday, February 12, 2013.

**COMMITTEE ON JUDICIARY**

Senator McCaffrey from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 148**

**BY** Ottiano, DiPalma

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Robert J. Cordy to join Amanda Tarzwell and Antonio Trubiano in marriage within the Town of Portsmouth, Rhode Island, on or about June 14, 2013)

{LC582/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 159**

**BY** O'Neill

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

{LC772/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 163**

**BY** Paiva Weed

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

{LC743/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 164**

**BY** Sosnowski

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

{LC806/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5006****BY** Cimini**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Judith Fox to join Alison Rae Hopkins and Michael Baker O'Brien in marriage within the City of Providence, Rhode Island, on or about March 16, 2013.)

{LC37/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5007****BY** Gallison, Marshall**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Stephen T. O'Neill to join Kaitlin Elizabeth O'Rourke and Ryan Guy Croasdale in marriage within the City of Newport, Rhode Island, on or about September 6, 2013.)

{LC80/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5008****BY** Walsh**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Luke Connery to join James Golinveaux and Pamela Burke in marriage on or about July 20, 2013, within the City of Newport, Rhode Island.)

{LC98/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5009****BY** Azzinaro**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Dr. Reynold Levy to join Lauren Turner Kiel and Matthew David Sabato in marriage within the Town of Westerly, Rhode Island, on or about July 20, 2013.)

{LC124/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5021****BY** Martin**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Stacey Ostiguy LeMay to join Andrea Maruzzi and Brendan Crighton in marriage on or about August 30, 2013,

within the City of Newport, Rhode Island.)  
{LC211/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5039**

**BY** Ferri

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Dr. Walter Mullin to join Louisa Mullin and Luis Obando in marriage within the City of Warwick, Rhode Island, on or about July 5, 2013)  
{LC296/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5062**

**BY** Handy

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow John Furniss, III, to join Katherine Groff and Jamie Werchadlo in marriage within the City of Cranston, Rhode Island, on or about May 26, 2013)  
{LC239/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5065**

**BY** Ajello

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Deborah Johnson to join Pamela Good and Jed Goldberg in marriage on or about June 22, 2013, within the Village of Pascoag, Rhode Island)  
{LC311/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5076**

**BY** Walsh

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Leona McNeill to join Eileen Anne Claire and Kurt Berglund in marriage on or about May 18, 2013, within the Town of New Shoreham, Rhode Island)  
{LC338/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 5100**

**BY** Martin

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Marvin L. Abney to join Nicole Maria Moore and Tristan Robert Rock in marriage on or about February 26, 2013, within the City of Newport, Rhode Island)  
{LC451/1}

Read and ordered to be placed on the Consent Calendar.

**NEW BUSINESS**

**Senate Resolution No. 241**

**BY** Pichardo

**ENTITLED**, SENATE RESOLUTION PROCLAIMING FEBRUARY 11TH OF 2013 TO BE UNITED WAY 2-1-1 DAY IN THE STATE OF RHODE ISLAND  
{LC1035/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senators Felag, Lynch, Metts and Goodwin.

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

Also:

**Senate Resolution No. 240**

**BY** Fogarty

**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE BURRILLVILLE HIGH SCHOOL BRONCOS ON WINNING THE DIVISION II FIELD HOCKEY TITLE  
{LC1114/1}

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by Senators Goodwin, Gallo, Lynch, Kettle, Archambault, Goldin, Cool Rumsey, O'Neil, Nesselbush, Crowley and Metts.

The senate resolution is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

### GUESTS

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber the Division II State Champions, Burrillville High School Girls Field Hockey Team, Cortney Asselin, Brittney Bebeau, Gabrielle Belisle, Joyce Berlinghof, Alexandra Boisvert, Samantha DeSalvo, Kasey Desrosiers, Brianna Durand, Mikayla Fernandez, Megan Gilmore, Laura Hauser, Erica Houle, Kristina Iavarone, Alexandra LeClair, Alisha Marcotte, Samantha Moriarty, Chelsea Parkhurst, Rebecca Raymond, Shannon Smith, Kalen Valliere along with Susan Burgess, Coach and Kristen Gingelle Assistant Coach.

### NEW BUSINESS

#### **Senate Bill No. 242**

**BY** DiPalma, Felag, Ottiano, Bates, Paiva Weed

**ENTITLED**, AN ACT RELATING TO HIGHWAYS -- RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

{LC1154/1}

Read and ordered to the Committee on Finance.

### CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2013-S 169**  
**BY** Metts  
**ENTITLED**, SENATE RESOLUTION RECOGNIZING "JUNETEENTH NATIONAL FREEDOM DAY" ON JUNE 19 OF EACH YEAR
2. **2013-H 5016**  
**BY** Mattiello  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF MICHAEL J. HAYDEN, D.O., INC.

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin,

Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

### CALENDAR

#### IN ORDER FOR THURSDAY, FEBRUARY 07, 2013:

- 1. 2013-S 95**  
**BY** Jabour  
**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -  
PRACTICE IN PROBATE COURTS

Committee on Judiciary recommends passage.

Senator Jabour moves passage, seconded by Senators McCaffrey, Ruggerio, Hodgson, Lombardi and Goodwin.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

### TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

(See Appendix for List)

### GUESTS

Upon suggestion of Senator Pichardo and Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber special guests from United Way 2-1-1: Cristina Amadeo, Director, Janice Pothier, Volunteer, Seileak Huoth, Resource Coordinator, Marlene Moore, I&R Specialist, SHIP Coordinator, Jennifer Ortega, Perez-Bilingual I&R Specialist and Michelle Terranova, I&R Specialist.

**ANNOUNCEMENTS**

Senator Lynch announces that the Committee on Rules will meet today, at the rise of the Senate, in Room 310 of the State House.

**ADJOURNMENT**

Upon motion of Senator Goodwin seconded by Senator Algieri the Senate adjourns at 4:52o'clock P.M.

**JOSEPH R. BRADY**  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR JUAN M. PICHARDO**

Heavenly Father, we ask you to teach us to give and not count the cost, and to labor and not ask for rewards. Above all, teach us that it is only what we give in love and service to others which endures forever. Amen.

**Appendix****CONSENT CALENDAR****IN ORDER FOR TUESDAY, FEBRUARY 12, 2013:**

- 1. 2013-S 148**  
**BY Ottiano**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.
- 2. 2013-S 159**  
**BY O'Neill**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.
- 3. 2013-S 163**  
**BY Paiva Weed**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.
- 4. 2013-S 164**  
**BY Sosnowski**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.
- 5. 2013-H 5006**  
**BY Cimini**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.
- 6. 2013-H 5007**  
**BY Gallison**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.
- 7. 2013-H 5008**  
**BY Walsh**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

8. **2013-H 5009**  
**BY** Azzinaro  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- Committee on Judiciary recommends passage in concurrence.
9. **House Bill No. 5021**  
**BY** Martin  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Stacey Ostiguy LeMay to join Andrea Maruzzi and Brendan Crighton in marriage on or about August 30, 2013, within the City of Newport, Rhode Island.)
- Committee on Judiciary recommends passage in concurrence.
10. **2013-H 5039**  
**BY** Ferri  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- Committee on Judiciary recommends passage in concurrence.
11. **2013-H 5062**  
**BY** Handy  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- Committee on Judiciary recommends passage in concurrence.
12. **2013-H 5065**  
**BY** Ajello  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- Committee on Judiciary recommends passage in concurrence.
13. **2013-H 5076**  
**BY** Walsh  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- Committee on Judiciary recommends passage in concurrence.
14. **2013-H 5100**  
**BY** Martin  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
- Committee on Judiciary recommends passage in concurrence.

**Appendix****CALENDAR****IN ORDER FOR TUESDAY, FEBRUARY 12, 2013:**

- 1. Appointment of Colleen A. Callahan, Ed.D. of Cumberland to the Rhode Island Board of Education for a term expiring January 31, 2015.**

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

- 2. Appointment of Michael A. Grande, CPA, MST of Warwick to the Rhode Island Board of Education for a term expiring January 31, 2014.**

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

- 3. Appointment of Lawrence E. Purtil of Narragansett to the Rhode Island Board of Education for a term expiring January 31, 2015.**

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

- 4. Appointment of Mathies J. Santos of Providence to the Rhode Island Board of Education for a term expiring January 31, 2014.**

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

- 5. 2013-S 126  
BY DiPalma  
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - INDEBTEDNESS OF TOWNS AND CITIES**

Committee on Finance recommends passage.

**Appendix**

**BILLS TRANSMITTED TO THE GOVERNOR**

**House Bill No. 5016**

**BY** Mattiello

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE  
CHARTER OF MICHAEL J. HAYDEN, D.O., INC.

{LC83/1}