

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

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**Journal of the Senate**

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**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.**

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Volume 140, No.19

Tuesday, February 12, 2013

Nineteenth Legislative Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:12 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 Metts to deliver the invocation.

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

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

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

**GUESTS**

Upon suggestion of Senator Pearson and by unanimous consent, the Honorable President, welcomes to the Chamber Colleen A. Callahan, Ed.D, along with her husband Robert Delaney and Frank Flynn, President Rhode Island Federation of Teachers and Health Professionals.

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President, welcomes to the Chamber the family of the Senate Reading Clerk John S. Baxter, wife, Stephanie R. Baxter and sons Tyler J. Baxter and J. Cameron Baxter.

**COMMUNICATION**

The Honorable President presents the following communication:

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

January 7, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with provisions of Section 42-99-4 of the Rhode Island General Laws, I have made the following appointment to the Convention Center Authority:

**Yudis A. Mendez of West Warwick**

VICE  
Bernard V. Buonanno

For a term expiring June 30, 2016.

To this appointment, I respectfully request your Advice and Consent.

Sincerely,

Angel Taveras  
Mayor

Read and ordered to the Committee on Corporations.

**FROM THE HOUSE OF REPRESENTATIVES**

A message from the House of Representatives transmits with announcement of passage, of the following measure:

**House Resolution No. 5099**

**BY** Palumbo

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL JOINT COMMISSION TO STUDY THE QUALITY OF LIFE AND CREATE POSITIVE OUTCOMES FOR INDIVIDUALS WITH AUTISM IN THE STATE OF RHODE ISLAND

{LC367/1}

Read and ordered to the Committee on Special Legislation and Veterans' Affairs.

**REPORTS OF COMMITTEES  
COMMITTEE ON JUDICIARY**

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

**Senate Bill No. 143**

**BY** Walaska, Felag, Bates

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PARTICULAR ACTIONS - SMALL CLAIMS AND CONSUMER CLAIMS (would increase the jurisdictional limit on counterclaims from one thousand five hundred dollars (\$1,500) to two thousand five hundred dollars (\$2,500)

{LC405/1}

Read and ordered to be placed on the Calendar.

**NEW BUSINESS**

**Senate Bill No. 258**

**BY** Picard

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

{LC832/1}

Read and ordered to the Committee on Corporations.

Also:

**Senate Bill No. 259**

**BY** Picard

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - AGENCY RELATIONSHIPS IN RESIDENTIAL REAL ESTATE TRANSACTIONS

{LC1136/1}

Read and ordered to the Committee on Corporations.

Also:

**Senate Bill No. 260**

**BY** Pichardo, Metts, Ottiano, Gallo, DiPalma

**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS - SMALL LOAN LENDERS

{LC329/1}

Read and ordered to the Committee on Corporations.

Also:

**Senate Bill No. 261**

**BY** Ruggerio, Sosnowski, Lombardo, Walaska, Cool Rumsey  
**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY  
{LC1103/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

**Senate Bill No. 262**

**BY** Pearson, Picard  
**ENTITLED**, AN ACT RELATING TO EDUCATION - FOUNDATION LEVEL SCHOOL  
SUPPORT  
{LC1028/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 263**

**BY** Crowley  
**ENTITLED**, AN ACT CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY  
EVICTION PROTECTION FOR TENANTS AND HOMEOWNERS POST FORECLOSURE  
{LC384/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 264**

**BY** Kettle, Hodgson, Ottiano, Cote, Raptakis  
**ENTITLED**, AN ACT RELATING TO TAXATION -- SALES TAX  
{LC1127/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 265**

**BY** Walaska, Bates, Lombardo  
**ENTITLED**, AN ACT RELATING TO THE GENERAL ASSEMBLY - PERFORMANCE  
AUDITS OF GOVERNMENTAL ENTITIES  
{LC901/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 266**

**BY** Raptakis, Cote, Sheehan, O'Neill, Hodgson

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
ESTABLISHING AN OFFICE OF INSPECTOR GENERAL

{LC1047/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 267**

**BY** Jabour, Lombardi, O'Neill, Hodgson, Ottiano

**ENTITLED**, AN ACT RELATING TO TAXATION - ESTATE AND TRANSFER TAXES -  
LIABILITY AND COMPUTATION

{LC1087/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 268**

**BY** Pearson

**ENTITLED**, AN ACT RELATING TO TAXATION - MOTOR VEHICLE EXCISE TAX

{LC1155/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 269**

**BY** Lynch, Miller, Gallo, Sosnowski, Pearson

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - HEALTH CARE FOR  
FAMILIES

{LC53/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 270**

**BY** DiPalma, Sosnowski, Pearson, Pichardo, Goldin

**ENTITLED**, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENT  
DISABILITIES AND HOSPITALS -- DIVISION OF DEVELOPMENTAL DISABILITIES

{LC791/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 271**

**BY** Fogarty, Archambault, Doyle, Lombardo

**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES --  
RETIREMENT SYSTEM -- CONTRIBUTIONS AND BENEFITS

{LC790/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 272**

**BY** Bates, Hodgson, Lynch, Walaska, McCaffrey

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - PUBLIC ASSISTANCE ACT

{LC263/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 273**

**BY** Walaska, Lombardo

**ENTITLED**, AN ACT RELATING TO TAXATION - CIGARETTE TAX

{LC890/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 274**

**BY** Kettle, Bates, O'Neill, DaPonte, Ottiano

**ENTITLED**, AN ACT RELATING TO TAXATION - INCOME TAX REFUNDS - STATE  
TAX OFFICIALS

{LC1065/1}

Read and ordered to the Committee on Finance.

Also:

**Senate Bill No. 275**

**BY** Sosnowski, Miller, Cool Rumsey, Cote, Raptakis

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - EQUIPMENT  
AND ACCESSORIES GENERALLY

{LC803/1}

Read and ordered to the Committee on Health and Human Services.

Also:

**Senate Bill No. 276**

**BY** Miller, Sosnowski, Jabour, Goldin, Cool Rumsey

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- MATERNAL AND CHILD HEALTH SERVICES

{LC999/1}

Read and ordered to the Committee on Health and Human Services.

Also:

**Senate Bill No. 277**

**BY** Cool Rumsey, Sosnowski, Walaska, Ottiano, Pichardo

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES - RIGHTS OF BLIND AND DEAF PERSONS

{LC993/1}

Read and ordered to the Committee on Health and Human Services.

Also:

**Senate Bill No. 278**

**BY** Lynch, Miller, Gallo, Goldin, Sosnowski

**ENTITLED**, AN ACT RELATING TO BEHAVIORAL HEALTHCARE, DEVELOPMENTAL DISABILITIES AND HOSPITALS

{LC255/1}

Read and ordered to the Committee on Health and Human Services.

Also:

**Senate Bill No. 279**

**BY** Lynch, Goodwin, Ottiano, Miller, Gallo

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - PALLIATIVE CARE AND QUALITY OF LIFE - SERVICES AND EDUCATION

{LC782/1}

Read and ordered to the Committee on Health and Human Services.

Also:

**Senate Bill No. 280**

**BY** Gallo, Lynch, Ottiano, Satchell

**ENTITLED**, AN ACT RELATING TO TAXATION - FACILITY AND IMAGING SURCHARGES

{LC935/1}

Read and ordered to the Committee on Health and Human Services.

Also:

**Senate Bill No. 281**

(by request)

**BY** Ottiano, Algieri, Hodgson, Nesselbush, Sosnowski

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PHYSICIAN ASSISTANTS

{LC1094/1}

Read and ordered to the Committee on Health and Human Services.

Also:

**Senate Bill No. 282**

**BY** Crowley, Sosnowski, Ottiano, Nesselbush

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- PROGRAM INTEGRITY FOR MEDICAID, RITE CARE AND RITE SHARE PROGRAM

{LC382/1}

Read and ordered to the Committee on Health and Human Services.

Also:

**Senate Bill No. 283**

**BY** Raptakis, Kettle

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS

{LC1051/1}

Read and ordered to the Committee on Housing and Municipal Government.

Also:

**Senate Bill No. 284**

**BY** Doyle, Pearson, Jabour, Gallo, Lynch

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- DUTIES OF UTILITIES AND CARRIERS

{LC603/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 285**

**BY** Jabour, Lombardi, McCaffrey

**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - CLAIMS AGAINST DECEDENTS' ESTATES

{LC1067/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 286**

**BY** Jabour, Lombardi, Ottiano, McCaffrey

**ENTITLED**, AN ACT RELATING TO FIDUCIARIES

{LC1071/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 287**

**BY** Miller

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY -- JUDGMENTS, ORDERS AND DECREES -- INTEREST ON JUDGMENTS

{LC1046/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 288**

**BY** Doyle, Jabour, McCaffrey, Lynch

**ENTITLED**, AN ACT RELATING TO CRIMINAL LAW - PAROLE BOARD

{LC948/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 289**

**BY** Fogarty, Doyle, DiPalma, Pearson, Ottiano

**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY

{LC728/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 290**

**BY** Fogarty

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST  
{LC727/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 291**

**BY** Nesselbush, Miller, Sosnowski, Cool Rumsey, Crowley

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH WARRANTS  
{LC673/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 292**

**BY** Walaska, Bates

**ENTITLED**, AN ACT RELATING TO PROPERTY - ESTATES IN REAL PROPERTY  
{LC1020/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 293**

**BY** Miller, Doyle, Lombardi, Gallo, McCaffrey

**ENTITLED**, AN ACT RELATING TO LABOR -- APPRENTICESHIP  
{LC1128/1}

Read and ordered to the Committee on Labor.

Also:

**Senate Bill No. 294**

**BY** DiPalma, Sosnowski, Pearson, Lombardi, Ciccone

**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND  
PAYMENT OF DEBT BY CONTRACTORS  
{LC849/1}

Read and ordered to the Committee on Labor.

Also:

**Senate Bill No. 295**

**BY** Miller, Lombardo, Lynch, Walaska, Jabour

**ENTITLED**, AN ACT RELATING TO HOLIDAYS AND DAYS OF SPECIAL OBSERVANCE -- WORK ON HOLIDAYS AND SUNDAYS

{LC361/1}

Read and ordered to the Committee on Labor.

Also:

**Senate Bill No. 296**

**BY** Raptakis, Felag, Lynch, Jabour, Ottiano

**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

{LC1048/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

**Senate Bill No. 297**

**BY** Felag, DiPalma, Paiva Weed, Ciccone

**ENTITLED**, AN ACT RELATING TO INSURANCE - FRATERNAL CODE

{LC735/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

**Senate Bill No. 298**

**BY** DiPalma, Ruggerio, Goodwin, McCaffrey, Metts

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES

{LC1166/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

**Senate Resolution No. 300****BY** Pichardo**ENTITLED**, SENATE RESOLUTION CONGRATULATING PRESIDENT BARACK OBAMA ON HIS SECOND TERM INAUGURATION AS THE 44TH PRESIDENT OF THE UNITED STATES OF AMERICA

{LC1125/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Metts.

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

Also:

**Senate Resolution No. 299****BY** Metts, Pichardo, Goodwin, Ruggerio, Paiva Weed**ENTITLED**, SENATE RESOLUTION PROCLAIMING THE MONTH OF FEBRUARY AS "BLACK HISTORY MONTH" IN THE STATE OF RHODE ISLAND

{LC1104/1}

Senator Metts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Metts moves passage, seconded by Senators Pichardo, Algieri, Ruggerio, Gallo, Sosnowski, Lynch, Picard, Goldin, Archambault and DiPalma.

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

**CONSENT CALENDAR**

In order for the day is taken up as follows:

1.     **2013-S 148**  
      **BY Ottiano**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
2.     **2013-S 159**  
      **BY O'Neill**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
3.     **2013-S 163**  
      **BY Paiva Weed**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
4.     **2013-S 164**  
      **BY Sosnowski**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
5.     **2013-H 5006**  
      **BY Cimini**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
6.     **2013-H 5007**  
      **BY Gallison**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
7.     **2013-H 5008**  
      **BY Walsh**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
8.     **2013-H 5009**  
      **BY Azzinaro**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
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.)**
10.    **2013-H 5039**  
      **BY Ferri**  
      **ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

11. **2013-H 5062**  
**BY Handy**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
12. **2013-H 5065**  
**BY Ajello**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
13. **2013-H 5076**  
**BY Walsh**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**
14. **2013-H 5100**  
**BY Martin**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Upon motion of Senator Ruggiero, seconded by Senator Algieri, the measures on today's Consent Calendar, are read and passed, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggiero, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 1: Senator Hodgson.

## 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.

Senator Gallo seconded by Senators Ruggiero, Goodwin, Crowley, Pearson, Lombardi and Lynch moves that advice and consent of the Senate be given this appointment.

Senators O'Neill, Gallo, Hodgson and Sheehan discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 33 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS - 33: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, Ottiano, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS - 3: Senators Hodgson, Kettle, O'Neill.

**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.

Senator Gallo seconded by Senators Lynch, Miller, Ruggerio, Goodwin, Felag, Doyle, Crowley, Metts, Satchell and Kettle moves that advice and consent of the Senate be given this appointment.

Senator Walaska discusses the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS - 36: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, Da Ponte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS - 1: Senator Hodgson.

**3. Appointment of Lawrence E. Purtill 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.

Senator Gallo seconded by Senators Miller, Lynch, McCaffrey, Felag, Ruggerio, Sosnowski, Crowley, Metts, Satchell, Archambault and Jabour moves that advice and consent of the Senate be given this appointment.

Senator O'Neill discusses the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 34 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin,

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

NAYS- 3: Senators Hodgson, Kettle, O'Neill

**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.

Senator Gallo seconded by Senators Jabour, Metts, Miller, Crowley, Pichardo, Lynch, DaPonte, Felag, Raptakis, Archambault, DiPalma, Goldin and Sheehan moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 1: Senator Hodgson.

**5. 2013-S 126**

**BY DiPalma**

**ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - INDEBTEDNESS OF TOWNS AND CITIES**

Committee on Finance recommends passage.

Senator DiPalma moves passage, seconded by Senators Ruggerio, Goldin and DaPonte.

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:

**GUESTS**

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Cheryl Burrell Administrator of Human Resources, Out Reach and Diversity and Tony Johnson Director of Intercultural Student Engagement and Rhode Island School of Design..

Upon suggestion of Senators Goldin and by unanimous consent, the Honorable President, welcomes to the Chamber newly appointed member of the Board of Education Mathies J. Santos along with his wife Michelina Santos and his father Matthew "Tia" Santos.

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President, welcomes to the Chamber Dr. Wayne Montague, retired educator, Mr. James Vincent, President of Providence Branch of National Association for the Advancement of Colored People and Mr. Darrell Lee, Health Administrator and Community Organizer.

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber the wife of Senator Metts, Dayus Metts and his sister-in-law Deborah Tunstall.

Upon suggestion of Senator Cote and by unanimous consent, the Honorable President, welcomes to the Chamber Reverend Samuel Vaughn, Pastor of St. James Baptist Church in Woonsocket.

**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)

**ANNOUNCEMENTS**

Senator Gallo announces that the Committee on Education will meet tomorrow, at the rise of the Senate, in the Senate Lounge of the State House.

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

Senator Felag announces that the Committee on Finance will meet tomorrow, at the rise of the Senate, in Room 313 of the State House.

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

Senator Goodwin reminds all of the Senators that the senate bill introduction deadline is on Thursday, February 14<sup>th</sup>, 2013.

**ADJOURNMENT**

Upon motion of Senator Goodwin seconded by Senator Algieri the Senate adjourns at 4:46o'clock P.M.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix****INVOCATION****SENATOR HAROLD M. METTS**

Lord Jesus, Today help us to be ever mindful of our heritage as individuals, but equally important, help us to be even more mindful of our collective unity as citizens, in this great country and state. Lord, Help us never to forget the challenges that you brought us through, that through faith became opportunities and positive contributions. Protect us from evil, give us discernment. Help us to reflect and apply Matthew 5:16 that says, "Let's your light so shine before men, that they may see your good works, and glorify your father which is in heaven" Amen.

**Appendix**

**CALENDAR**

**IN ORDER FOR THURSDAY, FEBRUARY 14, 2013:**

- 1. 2013-S 143**  
**BY** Walaska  
**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -  
PARTICULAR ACTIONS - SMALL CLAIMS AND CONSUMER CLAIMS

Committee on Judiciary recommends passage.

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

**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}

**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}

**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}

**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}

**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}

**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}

**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}

**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}

**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}