

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.26

Thursday, March 7, 2013

Twenty-sixth 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 4:28 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, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 1: Senator Lombardo.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Twenty-fifth Legislative Day of the 2013 proceedings is read in part.

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

GUESTS

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

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

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

March 7, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64-8 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Economic Development Corporation:

Roland Fiore

VICE
Lynn Singleton

for a term expiring February 1, 2017.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Commerce.

Also:

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

March 7, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64-8 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Economic Development Corporation:

Jason E. Kelly

VICE
Dan Sullivan

for a term expiring February 1, 2016.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Commerce.

Also:

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

March 7, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64-8 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Economic Development Corporation:

George Nee
(Representing Organized Labor)

for a term expiring February 1, 2016.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Commerce.

Also:

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

March 7, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64-8 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Economic Development Corporation:

Shannon E. Brawley

VICE
Dr. Tim Babineau

for a term expiring February 1, 2016.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Commerce.

Also:

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

March 7, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64-8 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Economic Development Corporation:

Nancy E. Carriuolo

VICE
David Dooley

for a term expiring February 1, 2017.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Commerce.

Also:

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

March 1, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 12-1.1-4 of the Rhode Island General Laws, I have made the following reappointment to the State Crime Laboratory Commission:

Clay J. Choquette of Glocester

for a term to expire January 1, 2015.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Judiciary.

Also:

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

March 1, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 12-1.1-4 of the Rhode Island General Laws, I have made the following reappointment to the State Crime Laboratory Commission:

Nancy R. Haley of West Kingston

for a term to expire January 1, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Judiciary.

Also:

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

March 1, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 12-1.1-4 of the Rhode Island General Laws, I have made the following appointment to the State Crime Laboratory Commission:

Chief Joseph H. Tavares
(Representing the Rhode Island Police Chiefs Association)

VICE
Chief John Whiting

for a term to expire January 1, 2015.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Judiciary.

**REPORTS OF COMMITTEES
COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

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

Senate Bill No. 177

BY Ruggerio, Sosnowski, Lombardi, Miller, Satchell

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY --
CRUELTY TO ANIMALS (would provide penalties for requiring the devocalization of dogs and cats as a condition of real estate occupancy.)

{LC571/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 519

(Environmental Management)

BY Sosnowski, Sheehan, Walaska, Kettle, Goldin

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - VETERINARY
PRACTICE

{LC1675/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON SPECIAL LEGISLATION AND VETERANS' AFFAIRS

Senator Felag from the Committee on Special Legislation and Veterans' Affairs, reports back, with recommendation of passage of the following measures:

Senate Bill No. 233

BY Doyle, Nesselbush, Conley, Crowley

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - NAMING BRIDGE NO. 550
IN PAWTUCKET (would name bridge No. 550 in Pawtucket, the Pawtucket River Bridge.)

{LC972/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 238

BY Gallo, Ottiano, Goodwin, Lynch, Sosnowski

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES PRIVILEGES (would authorize the division of motor vehicles to issue preliminary disability parking permits to applicants while they wait to receive their disability registration plate.)

{LC881/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 701

BY Nesselbush, Fogarty, Goodwin

ENTITLED, SENATE RESOLUTION RECOGNIZING MARCH 8TH, 2013, AS "INTERNATIONAL WOMEN'S DAY"

{LC2025/1}

Senator Nesselbush requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Nesselbush moves passage, seconded by Senators Gallo, Goldin, Algieri, Lynch, Crowley, Miller, Fogarty, Conley, Satchell and Felag.

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

Senate Bill No. 702

BY McCaffrey, Paiva Weed, Jabour, Lynch

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS-- FAMILY COURT {LC2029/1}

Read and ordered to the committee on Judiciary.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2013-S 336**
BY Walaska
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
2. **2013-S 349**
BY Paiva Weed
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

3. **2013-S 374**
BY Goodwin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
4. **2013-S 379**
BY Nesselbush
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
5. **2013-S 390**
BY Jabour
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
6. **2013-S 408**
BY Gallo
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
7. **2013-S 419**
BY Bates
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
8. **2013-S 424**
BY Paiva Weed
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
9. **2013-S 463**
BY Cool Rumsey
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
10. **2013-S 464**
BY Sosnowski
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
11. **2013-S 568**
BY Algieri
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
12. **2013-S 569**
BY Satchell
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

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 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, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo,

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

NAYS- 1: Senator Hodgson.

CONSENT CALENDAR II

In order for the day is taken up as follows:

1. **2013-S 594**
 BY Goodwin
 ENTITLED, SENATE RESOLUTION WELCOMING THE 54TH RESERVE
 MILITARY POLICE IRISH DEFENSE FORCE TO THE STATE OF RHODE ISLAND
2. **2013-S 595**
 BY Sosnowski
 ENTITLED, SENATE RESOLUTION CONGRATULATING MAJOR KAREN PINCH
 ON HER PROMOTION TO RHODE ISLAND STATE POLICE MAJOR
3. **2013-S 634**
 BY Lynch
 ENTITLED, SENATE RESOLUTION PROCLAIMING MARCH AS MULTIPLE
 MYELOMA MONTH IN THE STATE OF RHODE ISLAND
4. **2013-S 665**
 BY Lynch
 ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING AND
 EXPIRATION DATES OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY
 THE PUBLIC FUNDED ELECTION SYSTEM IN THE STATE OF RHODE ISLAND

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, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

CALENDAR**IN ORDER FOR THURSDAY, MARCH 07, 2013:****1. Appointment of Megan N. Clingham VICE H. Reed Cosper as Mental Health Advocate (for a term of five years from the date of Senate confirmation)**

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

Senator Miller seconded by Senators Ruggerio, Goodwin, McCaffrey, Conley, Doyle, Gallo, Walaska, Felag, Algieri, Hodgson, Ottiano, Sheehan, Satchell, Goldin, Cool Rumsey and Raptakis 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 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, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senators Walaska and Goodwin and by unanimous consent, the Honorable President welcomes to the Chamber Megan N. Clingham along with her husband Stephen Eldridge, daughter, Lucy Eldridge, mother, Sharon Eldridge and her mother-in-law Mary Eldridge.

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 Cote announces that the Committee on Commerce will meet today, at the rise of the Senate, in Room 212 of the State House.

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

Senator Felag announces that the Committee on Finance will meet on Tuesday, March 12, at 3:00 o'clock P.M. in Room 211 of the State House.

Senator Felag announces that the Committee on Finance will meet on Wednesday, March 13, at 2:00 o'clock P.M. in Room 211 of the State House.

Senator Felag announces that the Committee on Finance will meet on Thursday, March 14, at 3:00 o'clock P.M. in Room 211 of the State House.

Senator Jabour announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 313 of the State House.

GUESTS

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President welcomes to the Chamber Kelly Carse and welcomes all the Senators to the first annual International Women's Day today in the State Room.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Bates the Senate adjourns at 4:34 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR JAMES C. SHEEHAN

Heavenly Father, Join us today as we gather in a wider search for truth and purpose. In this quest, may we greet one another with open hearts and minds as we inspire each other to consider new questions and seek deeper meaning. Amen

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

1. **2013-S 347**
 BY McCaffrey
 ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS

 Committee on Judiciary recommends passage.

2. **2013-S 361**
 BY Raptakis
 ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL INSTITUTIONS - PAROLE

 Committee on Judiciary recommends passage.

IN ORDER FOR WEDNESDAY, MARCH 13, 2013:

1. **2013-S 177**
 BY Ruggerio
 ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

 Committee on Environment & Agriculture recommends passage.

2. **2013-S 519**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - VETERINARY PRACTICE

 Committee on Environment & Agriculture recommends passage.

3. **2013-S 233**
 BY Doyle
 ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - NAMING BRIDGE NO. 550 IN PAWTUCKET

 Committee on Special Legislation and Veterans Affairs recommends passage.

4. **2013-S 238**
 BY Gallo
 ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PARKING FACILITIES PRIVILEGES

 Committee on Special Legislation and Veterans Affairs recommends passage.