

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 seventh day of January in the year of Our Lord two thousand and fourteen.

Volume 141, No.10

Wednesday, January 29, 2014

Tenth 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 4:19 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 Ottiano to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Ninth Legislative Day of the 2014 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President, welcomes to the Chamber founder and president of the Children's Defense Fund, Marian Wright Edelman and Elizabeth Burke Bryant, Executive Director of Rhode Island Kids Count.

Upon suggestion of Senator Sosnowski and by unanimous consent, the Honorable President, welcomes to the Chamber Leanne Peckham from South Kingstown.

Upon suggestion of Senator Crowley and by unanimous consent, the Honorable President, welcomes to the Chamber Marie A. Twohey, Central Falls City Clerk.

NEW BUSINESS

Senate Bill No. 2135

BY Satchell, Cool Rumsey, Conley, Metts, Goldin

ENTITLED, AN ACT RELATING TO EDUCATION - PAUL W. CROWLEY STUDENT INVESTMENT INITIATIVE

{LC3782/1}

Read and ordered to the Committee on Education.

Also:

Senate Bill No. 2136

BY Cool Rumsey, Goldin, Satchell, Crowley, Nesselbush

ENTITLED, AN ACT RELATING TO EDUCATION -- RESIDENCE OF CHILDREN FOR SCHOOL PURPOSES

{LC3553/1}

Read and ordered to the Committee on Education.

Also:

Senate Bill No. 2137

BY Sosnowski, Cool Rumsey, Walaska, Miller, Kettle

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY

{LC3447/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

Senate Bill No. 2138**BY** Walaska**ENTITLED**, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL ABUSER REGISTRY

{LC3187/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

Senate Bill No. 2139**BY** Walaska, Ruggerio**ENTITLED**, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY - CRUELTY TO ANIMALS

{LC3203/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

Senate Bill No. 2140**BY** Miller, Lynch, Metts**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE

{LC3813/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

Senate Bill No. 2141**BY** Miller, Sosnowski, Gallo, Jabour**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES

{LC3621/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 2142**BY** Walaska**ENTITLED**, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

{LC3230/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 2143

BY Felag, Bates, McCaffrey, Jabour, Walaska

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

{LC3856/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 2144

BY Walaska

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

{LC3234/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 2145

BY Felag, Walaska, O'Neill, Ciccone, DiPalma

ENTITLED, AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX

{LC3879/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 2146

(by request)

BY Picard, Cote

ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - LIABILITY AND COMPUTATION

{LC3861/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 2147

BY Walaska

ENTITLED, AN ACT RELATING TO TAXATION - LIABILITY AND COMPUTATION

{LC3143/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 2148

BY Pichardo, Jabour, Metts, Ciccone, Goodwin

ENTITLED, AN ACT RELATING TO TAXATION - MOTOR VEHICLE AND TRAILER
EXCISE TAX ELIMINATION ACT OF 1998

{LC3819/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 2149

BY Doyle, Nesselbush

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PHARMACIES
{LC3486/1}

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

Also:

Senate Bill No. 2150

BY Bates

ENTITLED, AN ACT RELATING TO HIGHWAYS - ABANDONMENT BY TOWNS -
BARRINGTON

{LC3669/1}

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

Also:

Senate Bill No. 2151

BY Kettle, Raptakis, Cool Rumsey

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
CHARTER OF THE TOWN OF WEST GREENWICH

{LC3521/1}

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

Also:

Senate Bill No. 2152

BY Pearson, Felag, Ottiano, Cool Rumsey, Sosnowski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - OPEN
MEETINGS

{LC3875/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 2153

BY McCaffrey, Ciccone, Lynch

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - BODY
ATTACHMENTS

{LC3907/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 2154

BY Metts

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

{LC3898/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 2155

BY McCaffrey, Ruggerio, Ciccone

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- SOLEMNIZATION OF
MARRIAGES

{LC3709/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 2156

BY McCaffrey

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

{LC3336/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 2157

BY McCaffrey

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

{LC3781/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 2158

BY Fogarty

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST
{LC3576/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Resolution No. 2159

BY Pichardo, Crowley, Metts, DiPalma, Ruggerio

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE BRIDGE.JOBS PROGRAM BE EXPANDED TO INCLUDE HIGH SCHOOL STUDENTS AND THAT IT PARTNER WITH THE STATE APPRENTICESHIP COUNCIL
{LC3683/1}

Read and ordered to the Committee on Labor.

Also:

Senate Bill No. 2160

BY Crowley

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - MERIT SYSTEM
{LC3834/1}

Read and ordered to the Committee on Labor.

Also:

Senate Bill No. 2161

BY Doyle

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- MEDICAL SERVICES
{LC3487/1}

Read and ordered to the Committee on Labor.

Also:

Senate Bill No. 2162

BY Felag, McCaffrey, Ciccone

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - PRIVATIZATION OF STATE SERVICES
{LC3878/1}

Read and ordered to the Committee on Labor.

Also:

Senate Bill No. 2163

BY Bates, Felag

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- VETERAN
DESIGNATION ON OPERATOR LICENSE
{LC3906/1}

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

Also:

Senate Bill No. 2164

BY Felag, Pichardo, Jabour, Walaska, Ciccone

ENTITLED, AN ACT RELATING TO DAYS OF SPECIAL OBSERVANCE - RHODE
ISLAND PATRIOT GUARD RIDERS
{LC3850/1}

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

Also:

Senate Bill No. 2165

BY Felag, Pearson, Lynch, Jabour

ENTITLED, AN ACT RELATING TO ELECTIONS - GENERAL STATE OFFICERS
{LC3822/1}

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

Also:

Senate Resolution No. 2166

BY Gallo

ENTITLED, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES TO
THE VOTTA FAMILY ON THE PASSING OF ANTHONY JOSEPH VOTTA, SR.
{LC3817/1}

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators Algieri and Ruggerio.

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

Also:

Senate Resolution No. 2167**BY** Lombardi

ENTITLED, SENATE RESOLUTION CONGRATULATING MARISSA CASTELLI AND HER SKATING PARTNER, SIMON SHNAPIR, FOR QUALIFYING FOR THE UNITED STATES WINTER OLYMPICS PAIRS FIGURE SKATING TEAM AND REPRESENTING THE UNITED STATES AT THE 2014 WINTER OLYMPICS IN SOCHI, RUSSIA
{LC3780/1}

Read and ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2014-S 2134**BY** Gallo

ENTITLED, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES TO THE BUTTS FAMILY ON THE PASSING OF ANTHONY J. BUTTS

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:

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 Ottiano announces that the Committee on Special Legislation and Veterans' Affairs will meet today, at the rise of the Senate, in Room 310 of the State House.

Senator Goodwin announces that Deborah A Gist, Commissioner of Education, will deliver the State of the Education Address at the rise of the Senate and House of Representatives.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Lombardi and upon suggestion of Senator Gallo the Senate adjourns at 4:27 o'clock P.M. in memory of Anthony Joseph Votta, Sr.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR CHRISTOPHER SCOTT OTTIANO**

Dear Lord, remind us as legislators we have a great responsibility to our constituents. Help us to emulate your examples of patience, respect, and kindness to all, as we strive to solve the problems and improve the lives of those we serve. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, JANUARY 30, 2014:

1. 2014-S 2167

BY Lombardi

ENTITLED, SENATE RESOLUTION CONGRATULATING MARISSA CASTELLI AND HER SKATING PARTNER, SIMON SHNAPIR, FOR QUALIFYING FOR THE UNITED STATES WINTER OLYMPICS PAIRS FIGURE SKATING TEAM AND REPRESENTING THE UNITED STATES AT THE 2014 WINTER OLYMPICS IN SOCHI, RUSSIA

Ordered on the Consent Calendar.

Appendix

CALENDAR

IN ORDER FOR THURSDAY, JANUARY 30, 2014:

1. 2014-S 2008

BY McCaffrey

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RHODE ISLAND COMMERCE CORPORATION

Committee on Judiciary. recommends passage.