

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

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Volume 141, No.28

Wednesday, March 26, 2014

Twenty-eighth 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 4:20 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 Algiere, Archambault, Bates, Ciccone, 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, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

**ABSENT** – 1: Senator Raptakis.

## 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 Twenty-seventh Legislative Day of the 2014 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 approved as recorded.

### GUESTS

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President, welcomes to the Chamber John Bagwill from Middletown.

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President, welcomes to the Chamber Bob Sweeney, Director of Development for the Boston Bruins Foundation.

### REPORTS OF COMMITTEES COMMITTEE ON FINANCE

Senator DaPonte from the Committee on Finance, reports back, with recommendation of passage of the following measures:

#### **Senate Bill No. 2487**

**BY** Sheehan, Hodgson

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING \$4,900,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN, PRIMARILY FOR THE WICKFORD COMMERCIAL AREA, INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND USER FEES

{LC4731/1}

Read and ordered to be placed on the Calendar.

Also:

#### **Senate Bill No. 2316**

**BY** Goldin, Miller, Goodwin

**ENTITLED**, AN ACT RELATING TO TAXATION - COOPERATIVE HOUSING CORPORATIONS (would change the formula for assessing owner-occupied units in cooperative housing corporations within the city of Providence)

{LC4119/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2478****BY** Sheehan, Hodgson**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING \$6,600,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN, PRIMARILY FOR POST ROAD NORTH, INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND USER FEES

{LC4730/1}

Read and ordered to be placed on the Calendar.

**NEW BUSINESS****Senate Resolution No. 2831****BY** DaPonte, Paiva Weed, Algieri, Metts, Satchell**ENTITLED**, SENATE RESOLUTION COMMENDING OCEAN STATE JOB LOT FOR ITS "THREE SQUARE MEALS" HUNGER RELIEF PROGRAM

{LC5296/1}

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Hodgson, O'Neill, Cool Rumsey, Gallo, Miller, Ruggerio, Algieri, Doyle, Felag, Conley, Pearson and Picard.

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

Also:

**Senate Resolution No. 2830****BY** McCaffrey, Lynch, Lombardi, Walaska, Cool Rumsey**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF JOHN I. HOWELL, SR.

{LC5258/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senators Algieri, Walaska and Lynch.

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

Also:

**Senate Bill No. 2832****BY** Goodwin, Ruggerio**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- RENTAL VEHICLE SURCHARGE (This act would prohibit motor vehicle rental companies from using salvage title vehicles as rental vehicles.)

{LC5244/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 2833****BY** Goodwin, Ruggerio**ENTITLED**, AN ACT RELATING TO INSURANCE - UNFAIR CLAIMS SETTLEMENT FACILITIES ACT (This act would prohibit insurance companies from requiring the use of used or remanufactured airbags and/or suspension parts when vehicle repairs are made by an auto body shop.)

{LC5243/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 2834****BY** Goodwin, Ruggerio**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - AUTOMOBILE BODY REPAIR SHOP LICENSES (Creates 2 distinct license classifications and labor rate surveys for auto body repair shop facilities.)

{LC5245/1}

Read and ordered to the Committee on Judiciary.

Also:

**Senate Bill No. 2835****BY** Goodwin, Ruggerio**ENTITLED**, AN ACT RELATING TO INSURANCE - MOTOR VEHICLE BODY REPLACEMENT PARTS (This act would amend the definition of the term "aftermarket part" to refer to all motor vehicle replacement parts and would amend the title of the chapter 10.2 to reference the change.)

{LC5242/1}

Read and ordered to the Committee on Judiciary.

**CALENDAR****IN ORDER FOR WEDNESDAY, MARCH 26, 2014:**

- 1. 2014-S 2546**  
**BY** McCaffrey  
**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -  
COURTS - COURT ADMINISTRATION

Committee on Judiciary recommends passage.

Upon suggestion of Senator McCaffrey and without objection, ordered to be placed on the Calendar for Thursday, March 27, 2014.

**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 Lombardo announces that the Committee on Labor 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 tomorrow, at 2:00 o'clock P.M. in Room 211 of the State House.

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

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

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

**AT EASE**

The Senate stands at ease at 4:30 o'clock P.M.

**CALLED TO ORDER**

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Wednesday, March 26, 2014, at 4:34 o'clock P.M.

**NEW BUSINESS****Senate Resolution No. 2798**

**BY** McCaffrey, Paiva Weed, Crowley, Lombardo, Miller

**ENTITLED**, SENATE RESOLUTION CONGRATULATING WPRO NEWS REPORTER KIMBERLY KALUNIAN ON BEING NAMED RHODE ISLAND'S CHERRY BLOSSOM PRINCESS IN A CROWNING CEREMONY ON FEBRUARY 14, 2014, AT THE RHODE ISLAND STATE HOUSE

{LC5303/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senators Walaska, Felag, Algieri, Lynch, Sosnowski, Picard, Archambault, Cool Rumsey, Goldin and Ciccone..

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

**GUESTS**

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President, welcomes to the Chamber Kimberly Kalunian, Rhode Island's 2014 Cherry Blossom Princess, along with her parents Karen and Keith Kalunian.

**ANNOUNCEMENTS**

Senator Goodwin announces that Senator DiPalma will be recognized for his work with development disabilities tomorrow at 3:30 o'clock P.M in the Senate Lounge.

**ADJOURNMENT**

Upon motion of Senator Goodwin seconded by Senator Bates the Senate adjourns at 4:40 o'clock P.M.

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

**Appendix**

**INVOCATION**

**SENATOR STEVEN R. ARCHAMBAULT**

We ask, that You guide us, Lord, in broadening our minds and extending ourselves in service to our constituents. May we better understand their concerns and needs and do our best to assist them. Amen.

**Appendix**

**CALENDAR**

**IN ORDER FOR THURSDAY, MARCH 27, 2014:**

1.     **2014-S 2546**  
       **BY** McCaffrey  
       **ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -  
       COURTS - COURT ADMINISTRATION

Committee on Judiciary recommends passage.

2.     **2014-S 2101 SUB A**  
       **BY** Bates  
       **ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- DNA  
       DETECTION OF SEXUAL AND VIOLENT OFFENDERS

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

**Appendix****CALENDAR****IN ORDER FOR TUESDAY, APRIL 01, 2014:****1. 2014-S 2316****BY** Goldin**ENTITLED**, AN ACT RELATING TO TAXATION - COOPERATIVE HOUSING CORPORATIONS

Committee on Finance recommends passage.

**2. 2014-S 2478****BY** Sheehan**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING \$6,600,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN, PRIMARILY FOR POST ROAD NORTH, INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND USER FEES

Committee on Finance recommends passage.

**3. 2014-S 2487****BY** Sheehan**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO ISSUE BONDS AND NOTES TO AN AMOUNT NOT EXCEEDING \$4,900,000 TO FINANCE THE CONSTRUCTION OF SEWERS AND SEWERAGE SYSTEMS IN THE TOWN, PRIMARILY FOR THE WICKFORD COMMERCIAL AREA, INCLUDING THE ACQUISITION OF LAND THEREFOR AND AUTHORIZING THE IMPOSITION OF SEWER ASSESSMENTS AND USER FEES

Committee on Finance recommends passage.