

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.31

Wednesday, April 2, 2014

Thirty-first 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 4:23 o'clock P.M.

The roll is called and a quorum is declared present with 32 Senators present and 6 Senators absent as follows:

PRESENT – 32: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, DaPonte, DiPalma, Doyle, Fogarty, Goldin, Goodwin, Hodgson, Jabour, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Sosnowski, Walaska.

ABSENT – 6: Senators Crowley, Felag, Gallo, Kettle, Satchell, Sheehan.

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 Thirtieth Legislative Day of the 2014 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 Metts and by unanimous consent, the Honorable President, welcomes to the Chamber Deborah Wray, Direct Action for Rights and Equality Board Chair and Malchus Mills, Direct Action for Rights and Equality Tennant and Homeowners Association.

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President, welcomes to the Chamber Sarah Brown, Rhode Island Liaison from NCSL.

COMMUNICATIONS

The Honorable President presents the following communications:

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

April 1, 2014

The Honorable M. Teresa Paiva Weed
President of the Senate
State House, Room 318
Providence, RI 02903

Dear Madam President:

Please be advised that I will be unable to attend the Senate Session on Tuesday, April 1, 2014, due to illness.

Warmest personal regards, I remain.

Sincerely,

James C. Sheehan
Senate – District 36

Read and ordered to be placed on file.

Also:

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

April 2, 2014

The Honorable M. Teresa Paiva Weed
President of the Senate
318 State House
Providence, RI 02903

Dear President Paiva Weed:

Please be advised and let the record reflect that due to illness I will be absent from the chamber on Wednesday, April 2, 2014..

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely

Senator Adam J. Satchell
Senate District 09

Read and ordered to be placed on file.

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**

April 1, 2014

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64.14-6 of the Rhode Island General Laws, I have made the following appointment to the I-195 Redevelopment District Commission

Patrick A. Rogers, Esquire

VICE
Barrett W. Bready, M.D.

for a term expiring October 3, 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**

April 1, 2014

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64.14-6 of the Rhode Island General Laws, I have made the following reappointment to the I-195 Redevelopment District Commission

Diana L. Johnson

for a term expiring October 3, 2017.

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**

April 1, 2014

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64.14-6 of the Rhode Island General Laws, I have made the following reappointment to the I-195 Redevelopment District Commission

Barbara A. Hunger

for a term expiring October 3, 2017.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Commerce.

**REPORTS OF COMMITTEES
COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT**

Senator Pichardo from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measure:

Appointment of Stephen P. McAllister II of Warwick VICE T. Paul Dimeo to the Rhode Island Housing and Mortgage Finance Corporation for a term expiring July 1, 2017.

Read and ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **Appointment of Mary Louise Kennedy VICE Robert Kay to the State Properties Committee for a term expiring March 1, 2015.**
2. **Appointment of Robert L. Brunelle VICE Lawrence S. Eichler (resigned) to the State Properties Committee for a term expiring March 1, 2016.**
3. **2014-S 2844**
BY Cote
ENTITLED, SENATE RESOLUTION CONGRATULATING JOHN R. DIONNE ON BEING NAMED A 2014 INDUCTEE INTO THE RHODE ISLAND HERITAGE HALL OF FAME

Upon motion of Senator Ruggerio, seconded by Senator Algiere, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, DaPonte, DiPalma, Fogarty, Goldin, Goodwin, Hodgson, Jabour, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Sosnowski, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 02, 2014:

1. **2014-S 2555**
BY Goodwin
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES

Committee on Special Legislation and Veterans Affairs recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Tuesday, April 8, 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 Walaska announces that the Committee on Environment and Agriculture will meet today, at the rise of the Senate, in Room 313 of the State House.

Senator Metts announces that the Committee on Education will meet tomorrow, at the rise of the Senate, in Room 310 of the State House.

Senator Jabour announces that the Committee on Government Oversight will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Goodwin announces that Senator DiPalma will be receiving the "Make a Difference Award" tomorrow.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Bates the Senate adjourns at 4:30 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR HAROLD M. METTS

Dear Lord, In your Holy Scriptures it is written that ***“Your word is a lamp for my”(our) “feet and a light for my” (our) “path.”(Psalm 119: 105, NLT).*** Help us O Lord, because you see the distress our economy is in. During these trying times, we are trying our best to bring balance between competing interests over limited resources. It is our sincere desire to improve our business climate; yet we know that we must also show compassion **for the poor.** Lord we want to help everyone, but humbly acknowledge the challenges we face; and seek your wisdom. Your Word says to: ***“Trust in the Lord with all thine heart; and lean not unto thine own understanding. In all thy ways acknowledge him, and he shall direct thy paths.”*** Direct our path Lord, direct our path.(Proverbs 3: 5, 6, KJ) ***“And let us not be weary in well-doing: for in due season we shall reap, if we faint not.”***(Galatians 6:9 KJ) Hear our prayer O Lord; and give us the obedience, humility, faith, wisdom and strength for the journey, in Jesus name! Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, APRIL 03, 2014:

- 1. Appointment of Stephen P. McAllister II of Warwick VICE T. Paul Dimeo to the Rhode Island Housing and Mortgage Finance Corporation for a term expiring July 1, 2017.**

Committee on Housing & Municipal Government recommends that the Senate give its Advice and Consent to this nomination.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, APRIL 03, 2014:**

- 1. 2014-S 2443**
BY Pichardo
ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS

Committee on Commerce recommends passage.
- 2. 2014-S 2444**
BY Conley
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - VEHICLE INSURANCE

Committee on Commerce recommends passage.
- 3. 2014-S 2446**
BY Bates
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - SELF INSURANCE

Committee on Commerce recommends passage.
- 4. 2014-S 2450 SUB A**
BY Walaska
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - EXCAVATION NEAR UNDERGROUND UTILITY FACILITIES

Committee on Commerce recommends indefinite postponement of the original bill and passage of Substitute A.
- 5. 2014-S 2221 SUB A**
BY Sosnowski
ENTITLED, AN ACT RELATING TO INSURANCE -- GENDER RATING

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.
- 6. 2014-S 2354**
BY Goldin
ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND DEPARTMENT OF HEALTH TO PROVIDE ADDITIONAL INFORMATION REGARDING LICENSED ASSISTED RESIDENCES ON ITS WEBSITE

Committee on Health & Human Services recommends passage.

7. 2014-S 2522 SUB A**BY** Doyle**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

8. 2014-S 2504 SUB A**BY** Sheehan**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES TO ENHANCE THE CHILD WELFARE SYSTEM'S CAPACITY TO COLLECT AND UTILIZE DATA

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

IN ORDER FOR TUESDAY, APRIL 08, 2014:**1. 2014-S 2555****BY** Goodwin**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES

Committee on Special Legislation and Veterans Affairs recommends passage.