

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.33

Tuesday, April 8, 2014

Thirty-third 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 36 Senators present and 2 Senators absent as follows:

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

ABSENT – 2: Senators Goldin, Ruggerio.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

COMMUNICATION

The Honorable President presents the following communication:

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

April 8, 2014

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

Dear Madam President:

Please be advised that I will be out of town on business on Wednesday, April 9, 2014 and Thursday, April 10, 2014 and, thus, unable to attend the Senate session. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely

David E. Bates
Senate Minority Whip

Read and ordered to be placed on file.

NEW BUSINESS**Senate Resolution No. 2852**

BY Raptakis, Kettle, Cool Rumsey, Archambault, Algieri

ENTITLED, SENATE RESOLUTION HONORING AND THANKING THE COVENTRY POLICE DEPARTMENT AND THE CENTRAL COVENTRY FIRE DEPARTMENT FOR THEIR EXEMPLARY SERVICE SAVING THE LIVES OF TWO PEOPLE SUFFERING FROM A SUSPECTED OPIOID DRUG OVERDOSE ON THE NIGHT OF MARCH 30, 2014
{LC5378/1}

Senator Raptakis requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Raptakis moves passage, seconded by Senator Hodgson.

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

Also:

Senate Bill No. 2853**BY** Goodwin**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - PUBLIC MOTOR VEHICLES

(Eliminates the minimum allowable charge for public motor vehicles when service is prearranged, and the rate is disclosed to a passenger in advance through software application.)

{LC5262/1}

Read and ordered to the Committee on Commerce.

CONSENT CALENDAR

In order for the day is taken up as follows:

- 1. Appointment of Dennis J. Duffy, Esquire of Cranston VICE Michael A. Grande to the Rhode Island Board of Education for a term expiring January 31, 2017.**

Upon motion of Senator Goodwin, 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 0 Senators 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, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

RECOMMITTAL

Senator Goodwin requests that Senate Bill 2014-S 2185 Sub A be recommitted to the Committee on Education:

Senate Bill No. 2185 SUB A**BY** Metts, Crowley, Pichardo, Jabour, Satchell**ENTITLED**, AN ACT RELATING TO EDUCATION - THE PAUL W. CROWLEY RHODE ISLAND STUDENT INVESTMENT INITIATIVE - NOTICE PROVISIONS (Requires the department of elementary and secondary education to create a model notification for students who are identified as academically at risk on any state assessment.)

{LC3611/A/1}

Read and recommitted to the Committee on Education.

CALENDAR

IN ORDER FOR TUESDAY, APRIL 08, 2014:

1. 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.

Senator Doyle moves passage, seconded by Senators Goodwin, DaPonte, Gallo, Lynch, McCaffrey, Felag, Miller, Nesselbush, Fogarty, Metts, Pearson, Algieri, Bates and Hodgson.

Senator Doyle seconded by Senators Gallo, Lynch and Goodwin, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2014 -- S 2522 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY

Madam President:

I hereby move to amend 2014 -- S 2522 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY", as follows:

1. On page 2, line 1, by inserting the word "or" after the language "breast ultrasound screening,".
2. On page 2, line 2, by deleting the language "a 3-D tomosynthesis mammography, or multiple tests" and by inserting in place thereof the following language: "or both".

Respectfully submitted,

SENATOR DOYLE

The motion to amend prevails upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators 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, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Senator Doyle moves passage of the act, as amended, seconded by Senator Archambault.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators 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, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

2. 2014-S 2555

BY v

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

Committee on Special Legislation and Veterans Affairs recommends passage.

Senator Goodwin moves passage, seconded by Senators DaPonte, Gallo, Lynch, Pichardo, Bates and Lombardi.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators 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, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, 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 tomorrow, at the rise of the Senate, in Room 310 of the State House.

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

Senator Nesselbush announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Crowley announces that the Committee on Housing and Municipal Government will meet on Thursday, April 10, at the rise of the Senate, in Room 310 of the State House.

Senator Goodwin announces that Senator Sosnowski and Senator Walaska were honored with the 2014 Rhode Island Clean Energy Council Award.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Bates the Senate adjourns at 4:42 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR FRANK A. CICCONE III

Open our minds, Lord, to the wisdom in others. Help us to work in a unified effort towards harmony and peace for all the people of our State. Amen.

CALENDAR**IN ORDER FOR WEDNESDAY, APRIL 09, 2014:**

1. **2014-S 2596**
 BY Jabour
 ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SPEED RESTRICTIONS

 Committee on Judiciary recommends passage.
2. **2014-S 2639**
 BY Jabour
 ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE

 Committee on Judiciary recommends passage.
3. **2014-S 2648**
 BY Jabour
 ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -- ACCOUNTS OF EXECUTORS AND ADMINISTRATORS

 Committee on Judiciary recommends passage.
4. **2014-S 2649**
 BY Lombardi
 ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - INDICTMENTS, INFORMATIONS, AND COMPLAINTS

 Committee on Judiciary recommends passage.
5. **2014-S 2708**
 BY Jabour
 ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST

 Committee on Judiciary recommends passage.
6. **2014-S 2343**
 BY Ottiano
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DISTRESSED AREAS ECONOMIC REVITALIZATION ACT

 Committee on Finance recommends passage.