

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.38

Tuesday, April 29, 2014

Thirty-eighth 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 4:29 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, 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 Crowley.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senator Miller and by unanimous consent, the Honorable President, welcomes to the Chamber members of RICARE (Rhode Island Communities for Addiction Recovery Efforts) and Dr. Michael Fine, Director of the Rhode Island Department of Health who received the Rhoda Perry Award for his service to the recovery community.

COMMUNICATION

The Honorable President presents the following communication:

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

April 18, 2014
Honorable M. Teresa Paiva Weed
President of the Senate
318 State House
Providence, RI 02903

Re: State Investment Commission Appointment

Dear President Paiva Weed:

It is with great pleasure that I write to notify you of my nomination of Faith LaSalle to the State Investment Commission pursuant to Rhode Island General Laws 35-10-1(a). Currently, Ms. LaSalle serves as the chair on the board of directors of the higher education assistance authority. As you may know, Ms. LaSalle's nomination is subject to the advice and consent of the Senate.

I respectfully request her nomination be given consideration in your chamber.

Should you have any questions or concerns please contact me directly.

Sincerely,

Gina M. Raimondo
General Treasurer
State of Rhode Island

Read and ordered to the Committee on Finance.

FROM THE HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage, of the following measure:

House Bill No. 7944 SUB A as amended

BY Mattiello

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - BUDGET COMMISSIONS

(Would extend the provisions of the budget commission chapter to include and cover fire districts. Also would provide additional financial reporting requirements for fire districts, which requirements would be similar to those applicable to a city or town.)

{LC4952/A/1}

Read and ordered to be placed on the Calendar for Thursday, May 1, 2014.

REPORTS OF COMMITTEES
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 measure:

Senate Resolution No. 2424

(Human Services)

BY Felag, Pichardo, Lombardi, Walaska, McCaffrey

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING RHODE ISLAND EMPLOYERS TO PROVIDE THEIR EMPLOYEES WHO ARE VETERANS WITH TIME OFF ON VETERANS' DAY

{LC4219/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 2907

BY Gallo, Ruggerio, Goodwin, McCaffrey, Jabour

ENTITLED, SENATE RESOLUTION PROCLAIMING APRIL 24, 2014, AS "ARMENIAN GENOCIDE REMEMBRANCE DAY" TO COMMEMORATE THE ARMENIAN GENOCIDE OF 1915 TO 1923 AND IN HONOR OF ARMENIAN-AMERICANS

{LC3825/1}

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators Goodwin, Ruggerio, Sosnowski, Miller, Lombardi, Cool Rumsey, Archambault and Jabour.

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

GUESTS

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President, welcomes to the Chamber Ani Haroian, Malcolm Varadian, Levon Zobian, Alex Sakov and Steve Ecmasian.

NEW BUSINESS**Senate Resolution No. 2906****BY** Sosnowski

ENTITLED, SENATE RESOLUTION COMMEMORATING THE CELEBRATION OF
"ARBOR DAY" ON APRIL 25TH OF 2014 IN THE STATE OF RHODE ISLAND
{LC5400/1}

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded by Senators Ruggerio and Algiere.

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

Also:

Senate Resolution No. 2908**BY** DiPalma

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF APRIL, 2014, TO
BE THE "MONTH OF THE MILITARY CHILD" IN RHODE ISLAND
{LC5538/1}

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 2811**
 BY Satchell
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
2. **2014-H 7591**
 BY Fox
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
3. **2014-H 7848**
 BY Fox
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
4. **2014-H 7851**
 BY Martin
 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 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, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR TUESDAY, APRIL 29, 2014:

1. 2014-S 2728

BY Pichardo

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE RHODE ISLAND DELEGATION TO THE UNITED STATES CONGRESS AND THE UNITED STATES CONGRESS SUPPORT FEDERAL LEGISLATION THAT WOULD AWARD THE CONGRESSIONAL GOLD MEDAL TO THE 65TH INFANTRY REGIMENT, KNOWN AS THE BORINQUENEERS, FOR THEIR HONORABLE MILITARY SERVICE

Committee on Special Legislation and Veterans Affairs recommends passage.

Senator Pichardo moves passage, seconded by Senators Lombardi, Ottiano, Gallo, Lynch, Pearson, Cool Rumsey, Raptakis, Felag, Metts and Nesselbush.

The act is read and passed, by unanimous consent, as amended, in concurrence, 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, 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:

2. 2014-S 2828

BY Walaska

ENTITLED, SENATE RESOLUTION SUPPORTING UNITED STATES SENATE RESOLUTION 378 AND CONDEMNING RUSSIAN MILITARY AGGRESSION AGAINST UKRAINE

Committee on Special Legislation and Veterans Affairs recommends passage.

Senator Walaska moves passage, seconded by Senators Sosnowski, Gallo, Felag, Algieri, O'Neill, Sheehan, Archambault and Raptakis.

The act is read and passed, by unanimous consent, 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, 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:

3. 2014-S 2055 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
REPARATIONS ACT

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

Senator Bates moves passage, seconded by Senators Lombardi, Algieri, Gallo, Pearson and DiPalma.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, 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, 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:

4. 2014-S 2178 SUB A

BY Ciccone

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

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

Senator Ciccone moves passage, seconded by Senators McCaffrey and Picard.

The bill marked Substitute “A” is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 34 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 3: Senators Hodgson, Kettle, O’Neill.

5. 2014-S 2682 SUB A

BY Miller

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
BARBERS, HAIRDRESSERS, COSMETICIANS, MANICURISTS AND
ESTHETICIANS

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

Senator Miller moves passage, seconded by Senators Gallo, Lombardo, Nesselbush, Metts and Picard.

The bill marked Substitute “A” is read and passed, and the original bill indefinitely postponed, by unanimous consent, 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, 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 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 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 Goodwin would like to congratulate President of the Senate Paiva Weed on receiving the Award for Citizen of the Year by the Newport Elks, Lodge 104.

PERSONAL PRIVILEGE

Senator Nesselbush rises on a point of personal privilege regarding an article in the Providence Journal on Monday, April 28, 2014, as it pertained to my lack of support for the elimination of the so called Master Lever method of voting. I support the elimination of the Master Lever method and look forward to supporting it when it comes to the Senate floor for consideration.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Bates the Senate adjourns at 4:51 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR HANNA M. GALLO

Almighty God, as we return to this chamber, we beseech you to fit us for today's work and for the work in days ahead. Amen

Appendix**CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 30, 2014:**

- 1. 2014-H 7541**
BY Finn
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - SELF INSURANCE

Committee on Commerce recommends passage in concurrence.
- 2. Appointment of Thomas J. Gulluscio Jr. (Member of a recognized Rhode Island Humane Group) of Westerly VICE David Holden to Rabies Control Board for a term expiring September 1, 2014.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.
- 3. Reappointment of James Hagerty to the Rhode Island Clean Water Finance Agency for a term expiring March 1, 2015.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.
- 4. Reappointment of Joshua Celeste to the Rhode Island Clean Water Finance Agency for a term expiring March 1, 2016.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.
- 5. Reappointment of Lisa Ferrara to the Rhode Island Clean Water Finance Agency for a term expiring March 1, 2015.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.
- 6. Reappointment of Scott D. Lajoie to the Rhode Island Clean Water Finance Agency for a term expiring March 1, 2016.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.
- 7. Appointment of Clarkson A. Collins of Kingston to the State Conservation Committee for a term expiring January 1, 2017.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

8. Appointment of Emerson Wildes of Little Compton to the State Conservation Committee for a term expiring January 1, 2017.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

9. Appointment of Maria Mack of Kingston VICE Eric Offenbergl to the State Conservation Committee for a term expiring January 1, 2017.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

10. Appointment of Paul C. Dolan of Foster to the State Conservation Committee for a term expiring January 1, 2017.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

11. 2014-S 2908

BY DiPalma

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF APRIL, 2014, TO BE THE "MONTH OF THE MILITARY CHILD" IN RHODE ISLAND

Ordered on the Consent Calendar.

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 30, 2014:****1. 2014-S 2298 SUB A****BY** Picard**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - STATE AID

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

2. 2014-S 2488 SUB A**BY** DaPonte**ENTITLED**, AN ACT RELATING TO JUSTICES OF SUPREME, SUPERIOR, AND FAMILY COURTS

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

3. 2014-S 2150**BY** Bates**ENTITLED**, AN ACT RELATING TO HIGHWAYS - ABANDONMENT BY TOWNS - BARRINGTON

Committee on Housing & Municipal Government recommends passage.

4. 2014-S 2151**BY** Kettle**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF WEST GREENWICH

Committee on Housing & Municipal Government recommends passage.

5. 2014-H 7281**BY** Fox**ENTITLED**, AN ACT RELATING TO TAXATION - COOPERATIVE HOUSING CORPORATIONS

Committee on Finance recommends passage in concurrence.

IN ORDER FOR THURSDAY, MAY 01, 2014:**1. 2014-S 2424****BY** Felag**ENTITLED**, JOINT RESOLUTION RESPECTFULLY REQUESTING RHODE ISLAND EMPLOYERS TO PROVIDE THEIR EMPLOYEES WHO ARE VETERANS WITH TIME OFF ON VETERANS' DAY

Committee on Special Legislation and Veterans Affairs recommends passage.

2. **2014-H 7944 SUB A as amended**
 BY Mattiello
 ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - BUDGET
 COMMISSIONS

Ordered to be placed on the Calendar for passage in concurrence.

Appendix**BILLS TRANSMITTED TO THE GOVERNOR****House Bill No. 7591****BY** Fox

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (This act would allow Hollie Blum to join Edward Sohn and Kelly Hulme in marriage on or about May 25, 2014, within the City of Providence, Rhode Island.)

{LC4898/1}

House Bill No. 7848**BY** Fox

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (This act would allow Edward J. Finn, Ph.D., to join Christian B. W. Stephens and Laura E. Bange in marriage on or about July 4, 2014, within the City of Newport, Rhode Island.)

{LC5072/1}

House Bill No. 7851**BY** Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (This act would allow Jared Crotty to join Jordan Eramo and Benjamin Becker in marriage on or about August 17, 2014, within the City of Newport, Rhode Island.)

{LC5048/1}