

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 sixth day of January in the year of Our Lord two thousand and fifteen.

Volume 142, No.3

Thursday, January 8, 2015

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 4:32 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT – 35: The Honorable President Paiva Weed and Senators Algiere, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sosnowski, Walaska.

ABSENT – 3: Senators Doyle, Nesselbush, Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Second Legislative Day of the 2015 proceedings is read in part.

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

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from Her 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**

January 8, 2015

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-7.2-3 of the Rhode Island General Laws, I have made the following appointment as Secretary of the Executive Office of Health and Human Services:

Elizabeth H. Roberts

VICE

Steven M. Costantino

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

Sincerely,

Gina M. Raimondo
Governor

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

Also:

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

January 8, 2015

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-6-3 of the Rhode Island General Laws, I have made the following appointment as Director of the Department of Labor and Training:

Scott R. Jensen

VICE

Charles J. Fogarty

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Labor.

Also:

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

January 8, 2015

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-64.19-4 of the Rhode Island General Laws, I have made the following appointment as Secretary of Commerce:

Stefan Pryor

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Commerce.

COMMUNICATIONS

The Honorable President presents the following communications:

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

January 8, 2015

Rhode Island State Senate
State House
Providence, RI 02903

To The Honorable Senate:

Pursuant to Rule 12 of the Rules of the Senate Democratic Caucus, I am making the following appointments for the years 2015 and 2016:

Senator James E. Doyle II
Senior Deputy Majority Leader

Senator Marc A. Cote
Deputy Majority Leader

Senator Frank S. Lombardi
Deputy Majority Leader

Senator Juan M. Pichardo
Deputy Majority Leader

Sincerely,

M. Teresa Paiva Weed
President of the Senate

Read and ordered to be placed on file.

Also:

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

January 8, 2015

Rhode Island State Senate
State House
Providence, RI 02903

To The Honorable Senate:

Pursuant to Rule 12 of the Rules of the Senate Democratic Caucus, I am making the following appointments for the years 2015 and 2016:

Senator Maryellen Goodwin
Senate Majority Whip

Senator Frank Lombardo, III
Deputy Majority Whip

Senator Harold M. Metts
Deputy President Pro- Tempore

Sincerely,

M. Teresa Paiva Weed
President of the Senate

Read and ordered to be placed on file.

Also:

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

January 8, 2015

Rhode Island State Senate
State House
Providence, RI 02903

To The Honorable Senate:

Pursuant to Section 5.2 of the Interim Senate Rules, I am making the following appointments to the Senate Standing Committees:

Judiciary Committee

Michael J. McCaffrey, Chairperson
Paul V. Jabour, Vice Chairperson
Erin P. Lynch, Secretary
Stephen R. Archambault
William J. Conley, Jr.
Mark W. Gee

Frank S. Lombardi
Harold M. Metts
Donna M. Nesselbush
Leonidas P. Raptakis

Finance Committee

Daniel DaPonte, Chairperson
Louis P. DiPalma, 1st Vice Chairperson
Walter S. Felag, Jr., 2nd Vice Chairperson
Ryan W. Pearson, Secretary
James E. Doyle
Maryellen Goodwin
Edward J. O'Neill
Christopher S. Ottiano
Juan M. Pichardo
V. Susan Sosnowski

Commerce Committee

Roger A. Picard, Chairperson
William A. Walaska, Vice Chairperson
Marc A. Cote, Secretary
Frank A. Ciccone, III
Paul W. Fogarty
Hanna M. Gallo
Paul V. Jabour
Frank Lombardo, III
Elaine J. Morgan

Health and Human Services Committee

Joshua B. Miller, Chairperson
Donna M. Nesselbush, Vice Chairperson
James C. Sheehan, Secretary
Cynthia A. Coyne
Elizabeth A. Crowley
Gayle L. Goldin
Christopher S. Ottiano
Adam J. Satchell
V. Susan Sosnowski

Government Oversight Committee

James C. Sheehan, Chairperson
Paul Jabour, Vice Chairperson
Edward J. O'Neill, Secretary
Stephen R. Archambault
Mark W. Gee
Erin P. Lynch
Ryan W. Pearson

Special Legislation and Veterans Affairs Committee

Walter S. Felag, Jr., Chairperson
Erin P. Lynch, Vice Chairperson
Leonidas P. Raptakis, Secretary
Marc A. Cote
Paul V. Jabour
Elaine J. Morgan
Juan M. Pichardo

Housing and Municipal Government Committee

Juan M. Pichardo, Chairperson
Elizabeth A. Crowley, Vice Chairperson
Nicholas D. Kettle, III, Secretary
Maryellen Goodwin
Michael J. McCaffrey
Joshua Miller
Donna M. Nesselbush
Ryan W. Pearson

Environment and Agriculture Committee

V. Susan Sosnowski, Chairperson
William J. Conley, Jr., Vice Chairperson
Gayle L. Goldin, Secretary
Stephen R. Archambault
Cynthia A. Coyne
Maryellen Goodwin
Nicholas D. Kettle
William A. Walaska

Education Committee

Hanna M. Gallo, Chairperson
Harold M. Metts, Vice Chairperson
Adam J. Satchell, Secretary
Daniel DaPonte
Louis P. DiPalma
Joshua B. Miller
Elaine J. Morgan
Edward J. O'Neill
Ryan W. Pearson
James C. Sheehan

Labor Committee

Paul W. Fogarty, Chairperson
Frank A. Ciccone, III, Vice Chairperson
Frank Lombardo, III, Secretary
James E. Doyle
Mark W. Gee
Maryellen Goodwin
Frank S. Lombardi
Michael J. McCaffrey
Roger A. Picard

Rules Committee

Erin P. Lynch, Chairperson
Stephen R. Archambault, Vice Chairperson
Frank S. Lombardi, Secretary
Daniel DaPonte
Maryellen Goodwin
Frank Lombardo, III
Michael J. McCaffrey
Christopher Ottiano

Sincerely,

M. TERESA PAIVA WEED
President of the Senate

Read and ordered to be placed on file.

Also:

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

January 8, 2015

Honorable Senate President Teresa Paiva Weed
State House
Providence, Rhode Island 02903

Dear Honorable Senate President Teresa Paiva Weed:

Due to my professional commitments outside of the general Assembly, please accept this formal resignation of my position as Legal Counsel to the Rhode Island Senate, Committee on Finance effective January 9, 2015. I was very fortunate to accept this position when you and your leadership team including Senator Daniel DaPonte took the helm in January 2009. It was an honor to assist in crafting legislation under your guidance that provides ground breaking and uncharted courses in out state's history. It is with deep gratitude that I express a very sincere sense of gratitude for this unique opportunity to serve the Members of the Rhode Island Senate and their constituents.

Very Sincerely Yours,

Rui P. Alves
Esquire

Read and ordered to be placed on file.

Also:

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

January 6, 2015

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 today, Thursday, January 8, 2015, due to illness.

Warmest personal regards, I remain,

Sincerely,

James C. Sheehan
Senator – District 36

Read and ordered to be placed on file.

Also:

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

January 6, 2015

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, Thursday, January 8, 2015, as I will be out of state on business.

Warmest personal regards, I remain,

Sincerely,

James E. Doyle, II
Senator – District 8

Read and ordered to be placed on file.

NEW BUSINESS

Senate Resolution No. 0002

BY Algiere, Morgan, Walaska, Paiva Weed, Ruggerio

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING
OF JEANETTE KATHERINE KENNEDY

{LC201/1}

Senator Algiere requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

Senate Resolution No. 0004

BY Algiere, Lombardi

ENTITLED, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES TO THE
GULLUSCIO FAMILY ON THE PASSING OF RETIRED WESTERLY POLICE CHIEF
JAMES R. GULLUSCIO

{LC288/1}

Senator Algiere requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

Also:

Senate Resolution No. 0003

BY Kettle, Ciccone, Fogarty, Ruggerio, Raptakis

ENTITLED, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE
PASSING OF ANN T. JACKSON

{LC259/1}

Senator Kettle requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Kettle moves passage, seconded by Senators Goodwin and Fogarty.

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

TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to Her Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

(See Appendix for List)

ANNOUNCEMENTS

Senator Miller announces that the Joint Committee on Finance and Health and Human Services will meet today, at the rise of the Senate, in Room 313 of the State House.

Senator Crowley announces that her constituent from Central Falls Viola Davis was featured on the People's Choice Awards.

Senator Ruggerio announces the birthday of Senator Fogarty.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Ruggerio and upon suggestion of Senator Algieri the Senate adjourns at 4:46 o'clock P.M. in memory of Jeanette Katherine Kennedy.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR ERIN P. LYNCH

Almighty God, bless those who serve in this Senate. Inspire us with your truth, surround us with your love, and fill us with your grace. Amen.