

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.13

Tuesday, February 10, 2015

Thirteenth 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, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 2: Senators Doyle, Gallo.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Coyne and by unanimous consent, the Honorable President, welcomes to the Chamber her constituents from Barrington Elizabeth Welshman, Lin Rathbone, Erin Welshman, William Rathbone and Lulu Arnone who were here today to interview Her Excellency, the Governor Gina M. Raimondo for the Barrington Times.

Upon suggestion of Senators Metts and Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber Mr. Thomas Whitten, author and retired President and CEO of the John Hope Settlement House.

COMMUNICATIONS

The Honorable President presents the following communications:

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

February 10, 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 Senate session on Tuesday, February 10, 2015. I am out of state on business.

Sincerely,

James E. Doyle, II
Senator, District- 8

Read and ordered to be placed on file.

Also:

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

February 10, 2015

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

Dear Madam President,

Please be advised and let the record reflect that I will be absent from the Chamber on Tuesday- Thursday, February 10-12, 2015.

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

Thank you for your attention to this matter

Warmest personal regards, I remain,

Sincerely,

Hanna M. Gallo
Senator – District 27

Read and ordered to be placed on file.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5004 SUB A

BY Newberry

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF NORTH SMITHFIELD (Ratifies the 2014 amendment to the North Smithfield town charter and provides for the town charter's amendment to be applicable to state law relative to school committee composition, election and terms of members.)

{LC37/A/1}

Read and ordered to be placed on the Consent Calendar.

**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. 22

BY Paiva Weed

ENTITLED, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO PURCHASE 138 NARRAGANSETT AVENUE IN SAID TOWN AND TO FINANCE THE PURCHASE AND RENOVATION THEREOF BY THE ISSUANCE OF NOT MORE THAN \$1,500,000 BONDS AND NOTES THEREFOR

{LC293/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 28

BY Raptakis, Kettle

ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES -- COVENTRY (Permits the town of Coventry to adopt a tax classification plan including a class of mixed-use residential and commercial properties.)

{LC321/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 196****BY** Gallo

ENTITLED, SENATE RESOLUTION CELEBRATING "LIBRARY LEGISLATIVE AWARENESS DAY" ON FEBRUARY 10, 2015, IN THE STATE OF RHODE ISLAND
{LC846/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senator Goldin, Algieri, Ruggerio, Walaska and Lombardi.

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

Also:

Senate Bill No. 197**BY** Lombardo

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
{LC891/1}

Read and ordered to the Committee on Judiciary.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2015-S 149**BY** Pearson

ENTITLED, SENATE RESOLUTION HONORING CAPTAIN CHARLES DELISLE, BASIC EMT, ON THE OCCASION OF HIS RETIREMENT FROM THE CUMBERLAND FIRE DEPARTMENT

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, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

CALENDAR**IN ORDER FOR TUESDAY, FEBRUARY 10, 2015:****1. Appointment of Michael DiBiase VICE Richard A. Licht Director of the Department of Administration**

Committee on Finance recommends that the Senate give its Advice and Consent to this nomination.

Senator DaPonte seconded by Senators Sheehan, Lombardo, Algiere, Ruggerio, Lynch, Pearson, Walaska, Felag, Archambault and Ciccone moves that advice and consent of the Senate be given this appointment.

Senator Sheehan discusses the appointment.

The advice and consent of the Senate is given this appointment, 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 Algiere, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator DaPonte and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Director of the Department of Administration Michael DiBiase along with his wife Janice Devitt.

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 Crowley announces that the Committee on Housing and Municipal Government will meet tomorrow, at the rise of the Senate, in Room 212 of the State House.

Senator Archambault announces that the Committee on Rules will meet today, at the rise of the Senate, in Room 310 of the State House.

Senator Conley announces that the Committee on Environment and Agriculture will meet tomorrow, at the rise of the Senate, in the Senate Lounge 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.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Kettle the Senate adjourns at 4:45 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR FRANK LOMBARDO, III**

As we reconvene in the Senate Chamber, let us once again contemplate our reasons for being here. Let us also ask of our Creator that he bestow special blessings today on us all and properly guide us in serving the people of our State. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, FEBRUARY 11, 2015:

- 1. 2015-H 5004 SUB A**
BY Newberry
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
CHARTER OF THE TOWN OF NORTH SMITHFIELD

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

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, FEBRUARY 11, 2015:**

1. **Appointment of Scott R. Jensen VICE the Honorable Charles J. Fogarty Director of the Department of Labor and Training**

Committee on Labor recommends that the Senate give its Advice and Consent to this nomination.

IN ORDER FOR THURSDAY, FEBRUARY 12, 2015:

1. **2015-S 22**
BY Paiva Weed
ENTITLED, AN ACT AUTHORIZING THE TOWN OF JAMESTOWN TO PURCHASE 138 NARRAGANSETT AVENUE IN SAID TOWN AND TO FINANCE THE PURCHASE AND RENOVATION THEREOF BY THE ISSUANCE OF NOT MORE THAN \$1,500,000 BONDS AND NOTES THEREFOR

Committee on Finance recommends passage.

2. **2015-S 28**
BY Raptakis
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES -- COVENTRY

Committee on Finance recommends passage.