

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.22

Tuesday, March 10, 2015

Twenty-second 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 4:35 o'clock P.M.

The roll is called and a quorum is declared present with 33 Senators present and 5 Senators absent as follows:

PRESENT – 33: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Walaska.

ABSENT – 5: Senators Conley, Doyle, Gallo, Pearson, Satchell.

INVOCATION

The Honorable President, by unanimous consent, presents Senator O'Neill to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Twenty-first Legislative Day of the 2015 proceedings is read in part.

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

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 10, 2015

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 Tuesday, March 10, 2015.

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.

Also:

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

March 9, 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, March 10, 2015 due to business.

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,

Ryan W. Pearson
Senator- District 19

Read and ordered to be placed on file.

Also:

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

March 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, March 10, 2015 I am out of state on business.

Sincerely,

James E. Doyle, II
Senator, District- 8
Pawtucket

Read and ordered to be placed on file.

Also:

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

March 10, 2015

Mr. Joseph R. Brady
Secretary of the Senate
State House, Room 145
Providence, RI 02903

Dear Mr. Secretary:

I would like to take this opportunity to respectfully request that the following bill be withdrawn at the sponsor's request.

The legislation I would like to have withdrawn is 2015 Senate Bill S-164 which has been assigned to the Finance Committee. I appreciate your assistance in this matter. If you have any questions, please feel free to contact me.

Sincerely,

Cynthia A. Coyne
RI State Senator
Senate District-32

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON COMMERCE**

Senator Picard from the Committee on Commerce, reports back, with recommendation of passage of the following measures:

Appointment of Edwin J. Santos VICE Colin Kane (Resigned) to the I-195 Redevelopment District Commission for a term expiring October 3, 2015.

Read and ordered to be placed on the Calendar.

Also:

Appointment of Robert C. Davis VICE John Kelly to the I-195 Redevelopment District Commission for a term expiring October 3, 2018.

Read and ordered to be placed on the Calendar.

Also:

Appointment of Sandra R. Smith VICE Mark Ryan to the I-195 Redevelopment District Commission for a term expiring October 3, 2018.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

Senator McCaffrey from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

House Bill No. 5035

BY Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Justin Barrasso to join Lindsay Pollock and Paul Erickson in marriage on or about June 27, 2015, within the City of Newport, Rhode Island.)

{LC179/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5030

BY Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Maureen Noonan to join Kara Shumila and Gregory Bush in marriage on or about June 19, 2015, within the City of Newport, Rhode Island.)

{LC176/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5026

BY Giarrusso

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Michael Louis Schwab to join Matthew Louis Schwab and Katy Ann Garbowicz in marriage on or about August 16, 2015, within the City of Newport, Rhode Island.)

{LC286/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5025

BY Azzinaro

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Robert Elmer to join Jessica Lee Brandt and Ryan Christopher Dunbar in marriage on or about June 14, 2015, within the City of Newport, Rhode Island.)

{LC180/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5023

BY Azzinaro

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Ryan Jacobson to join Lindsey Sullivan and Eric Korytkowski in marriage on or about September 12, 2015, within the Town of Middletown, Rhode Island.)

{LC227/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5022

BY Azzinaro

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Robert Elmer to join Christina Liv Towle and Christian Michael Wood in marriage on or about August 27, 2015, within the Town of Westerly, Rhode Island.)

{LC263/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5020**BY** Azzinaro**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Donato DiGenova to join Kayla Rose Mineau and David Daniel Kurtz in marriage on or about August 15, 2015, within the Town of Westerly, Rhode Island.)

{LC137/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5072**BY** Abney**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Keith Rivers to join Amy Elyse Robinson and Jeffrey David Raymond in marriage on or about October 3, 2015, within the Town of Middletown, Rhode Island.)

{LC341/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5073**BY** Canario, Edwards**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Stephen C. Bailey to join Abigail Rachel Bailey and Michael Joseph Parker in marriage on or about August 10, 2015, within the Town of Portsmouth, Rhode Island.)

{LC12/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5243**BY** Amore**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Gregg Amore to join Michael Anthony Silva and Marisa Martinez in marriage on or about July 25, 2015, within the City of Providence, Rhode Island.)

{LC712/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5186**BY** Abney**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Robert John Malone to join Amanda Lauren Heckert and Robert George Malone in marriage on or about October 3, 2015, within the City of Newport, Rhode Island.)

{LC739/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5185

BY Tanzi

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Gary M. Kuch to join Heather Margaret Barry and Samuel Clarence Paterson in marriage on or about June 13, 2015, within the Town of Westerly, Rhode Island.)
{LC678/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

Also:

House Bill No. 5159

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Eugene Mihaly to join Andrew Jonathan Pulner and Lauren Elizabeth Hess in marriage on or about September 26, 2015, within the City of Warwick, Rhode Island.)
{LC679/1}

Read and ordered to be placed on the Consent Calendar for Thursday, March 12, 2015.

COMMITTEE ON LABOR

Senator Fogarty, from the Committee on Labor, reports back, with recommendation of passage of the following measure:

Senate Bill No. 278

BY Archambault, Lombardi, Ciccone, Lombardo, McCaffrey

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS (Increases the administrative penalties for violations determined by the board of examiners of electricians.)
{LC512/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Bill No. 649

BY Goodwin, O'Neill, Ciccone, Crowley, Pearson

ENTITLED, AN ACT RELATING TO TWIN RIVER CASINO GAMBLING (Removes a provision in the 2005 public laws which prohibits the construction of a hotel on the Twin River premises in Lincoln, Rhode Island.)
{LC2057/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2015-H 5049

BY Handy

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 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Coyne, Crowley, DiPalma, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardo, Lynch, McCaffrey, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 0:

CALENDAR**IN ORDER FOR TUESDAY, MARCH 10, 2015:****1. Appointment of Joseph F. Azrack VICE Michael Van Leesten to the I-195 Redevelopment District Commission for a term expiring October 3, 2018.**

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

Senator Picard seconded by Senators Felag, Miller, Pichardo, McCaffrey, DaPonte, Lynch, Goodwin, Algieri and Ciccone moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Picard and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed member of the I-195 Redevelopment District Commission, Joseph F. Azrack.

CALENDAR**2. Appointment of Sidney Macky McCleary, IV VICE Paul McGreevy Director of the Department of Business Regulation**

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

Senator Picard seconded by Senators Lynch, Goodwin, McCaffrey, Algieri, Ruggerio, Jabour, Fogarty, Walaska, Morgan, O'Neill, Cote, Goldin and Archambault moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Picard and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Director of the Department of Business Regulation, Sidney Macky McCleary, IV along with his daughter, Camila.

CALENDAR**3. Appointment of Melba Depena VICE Sandra Powell Director of the Department of Human Services**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Senator Miller seconded by Senators Lynch, Nesselbush, Pichardo, Algieri, Ruggerio, Goodwin, Morgan, Ottiano, Jabour, Metts, Raptakis, Sheehan, Ciccone, Goldin and Crowley moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, 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 Miller and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Director of the Department of Human Services, Melba Depena, along with Narciso Depena, father, Anthony Affigne, husband and Doris De LaSanto, friend

CALENDAR**4. 2015-S 177****BY** Pearson**ENTITLED**, AN ACT RELATING TO THE CUMBERLAND FIRE DISTRICT

Committee on Judiciary recommends passage.

Upon suggestion of Senator Ruggerio and without objection, and without objection, ordered to be placed on the Calendar for Thursday, March 12, 2015.

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 Cote announces that the Committee on Commerce will meet today, at the rise of the Senate, in Room 212 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 Jabour announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 313 of the State House.

Senator Goodwin moves tomorrow's Calendar to Thursday, March 12, 2015.

ADJOURNMENT

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

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR EDWARD J. O'NEILL**

Heavenly Father, guide us in the ways of integrity and fairness. May we show loyalty towards those who elected us and be worthy of the trust they have placed in us. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, MARCH 12, 2015:**

1. **2015-H 5020**
 BY Azzinaro
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
2. **2015-H 5022**
 BY Azzinaro
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
3. **2015-H 5023**
 BY Azzinaro
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
4. **2015-H 5025**
 BY Azzinaro
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
5. **2015-H 5026**
 BY Giarrusso
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
6. **2015-H 5030**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
7. **2015-H 5035**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.

8. **2015-H 5072**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

9. **2015-H 5073**
 BY Canario
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

10. **2015-H 5159**
 BY Ruggiero
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

11. **2015-H 5185**
 BY Tanzi
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

12. **2015-H 5186**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

13. **2015-H 5243**
 BY Amore
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, MARCH 12, 2015:**

1. **Appointment of Edwin J. Santos VICE Colin Kane (Resigned) to the I-195 Redevelopment District Commission for a term expiring October 3, 2015.**

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

2. **Appointment of Robert C. Davis VICE John Kelly to the I-195 Redevelopment District Commission for a term expiring October 3, 2018.**

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

3. **Appointment of Sandra R. Smith VICE Mark Ryan to the I-195 Redevelopment District Commission for a term expiring October 3, 2018.**

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

4. **2015-S 177**
BY Pearson
ENTITLED, AN ACT RELATING TO THE CUMBERLAND FIRE DISTRICT

Committee on Judiciary recommends passage.

5. **2015-S 175**
BY Lombardo
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Judiciary recommends passage.

6. **2015-S 513**
BY Jabour
ENTITLED, AN ACT RELATING TO TAXATION - ESTATE TAXATION

Committee on Judiciary recommends passage.

7. **2015-S 68**
BY Crowley
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

8. **2015-S 278**
 BY Archambault
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
 ELECTRICIANS

Committee on Labor recommends passage.

Appendix

BILLS TRANSMITTED TO THE GOVERNOR

House Bill No. 5049

BY Handy

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Phillip Soder to join Misty Dawn Richard and Karen Lynn Beaupre in marriage on or about October 31, 2015, within the Town of North Smithfield, Rhode Island.)

{LC136/1}