

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.24

Thursday, March 12, 2015

Twenty-fourth 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 6:26 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 Algiere, Archambault, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 5: Senators Ciccone, Doyle, Lynch, Raptakis, Ruggerio.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Kettle and by unanimous consent, the Honorable President, welcomes to the Chamber Ken Knight, Foster Sealer of Weights and Measures.

Upon suggestion of Senator DaPonte and by unanimous consent, the Honorable President, welcomes to the Chamber Jorge Gabriel, Administrator of the Luso-American Foundation.

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 12, 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 Thursday, March 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,

Dominick J. Ruggerio
Senate Majority Leader

Read and ordered to be placed on file.

Also:

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

March 12, 2015

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

Dear Secretary:

I would like to respectfully request that my name be removed from Senate Bill 0334, An Act Relating to Businesses and Professions-Motor Glass Repair and Replacement.

If you have any questions concerning this request feel free to contact me.

Respectfully,

Frank Lombardo III
Senator
District-25

Read and ordered to be placed on file.

Also:

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

March 12, 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 Thursday, March 12, 2015 I am out of state on business.

Sincerely,

James E. Doyle
Senator, District-8
Pawtucket

Read and ordered to be placed on file.

Also:

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

March 12, 2015

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

Dear Secretary Brady

Pursuant to rule 4.1 I would like to respectfully request that my name be removed from senate Bill S-607, AN ACT RELATING TO EDUCATION-THE BRIGHT TODAY SCHOLARSHIP AND OPEN ENROLLMENT EDUCATION ACT.

If you have any questions concerning this request feel free to contact me.

Respectfully,

Frank S. Lombardi
Senator
District-26

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON FINANCE**

Senator DaPonte from the Committee on Finance, reports back, with recommendation of passage of the following measures:

House Bill No. 5043

BY Nardolillo, Roberts, Nunes, Morgan, Chippendale

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.)

{LC285/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 218

BY Archambault, Felag

ENTITLED, AN ACT RELATING TO TAXATION (Increases the tax exemption for a war veteran in the town of Smithfield from four thousand dollars (\$4,000) to ten thousand dollars (\$10,000).)

{LC661/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 616

BY Felag, Ottiano, DiPalma

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION --TIVERTON ELDERLY EXEMPTION (Amends the town of Tiverton's elderly low income tax exemption in order to provide a tax credit to more seniors and would give the town council flexibility in enacting future town ordinances on such tax credits.)

{LC2061/1}

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 measure:

Senate Bill No. 267

BY Sosnowski, Lombardo, Crowley, Miller, Walaska

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOBILE TELEPHONE USE (Prohibits the use of a non-hands-free personal wireless communication device while operating a motor vehicle, except for public safety personnel or in an emergency situation, and provides for monetary fines for violations.)

{LC670/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Miller from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

Senate Resolution No. 419

BY Miller

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND DEPARTMENT OF HEALTH TO EXAMINE POLICIES AND PROCEDURES REGARDING THE CARE OF POSTPARTUM DEPRESSION

{LC1872/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Resolution No. 485

BY DiPalma, Goldin, Satchell, Ottiano, Sosnowski

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR CONVENE THE CHILDREN'S CABINET AS SOON AS PRACTICABLE WITH THE GOAL OF IMPROVING OUTCOMES FOR RHODE ISLAND CHILDREN AND FAMILIES SERVED BY MULTIPLE STATE PROGRAMS AND DEPARTMENTS

{LC1310/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Resolution No. 552

BY Miller

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES TO EXAMINE THE LICENSING REQUIREMENTS OF BEHAVIORAL HEALTH PROFESSIONALS IN RHODE ISLAND

{LC2005/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 680**

BY Lombardo, Archambault, Lombardi, Algieri

ENTITLED, SENATE RESOLUTION EXPRESSING OUR DEEPEST SYMPATHIES AND CONDOLENCES ON THE PASSING OF JOSEPHINE TAMBURINI

{LC2101/1}

Senator Lombardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lombardo moves passage, seconded by Senators Lombardi, Archambault, Felag, DaPonte and Jabour.

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

Also:

Senate Bill No. 681

BY McCaffrey, Paiva Weed, Ruggerio, Goodwin, Sheehan

ENTITLED, AN ACT RELATING TO ELECTIONS -- CAMPAIGN FINANCE (Requires political candidates that receive over \$1,000 in campaign contributions in 1 year to maintain a separate account for campaign funds, prohibits a candidate from serving as campaign treasurer, and requires that only the treasurer sign checks.)

{LC2140/1}

Read and ordered to the Committee on Judiciary.

Senate Bill No. 682

BY Archambault, Lombardi, Ciccone, Pearson, Miller

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- IDENTIFICATION AND APPREHENSION OF CRIMINALS (Redefines "first-time offender" and would permit individuals with a record of up to two (2) misdemeanor convictions to be eligible for expungement..)

{LC1270/1}

Read and ordered to the Committee on Judiciary.

Senate Bill No. 683

BY Nesselbush, Crowley, Pichardo, Miller, Fogarty

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL HYGIENISTS (Removes the requirement that the chief of the division of oral health possess a master's degree in public health.)

{LC1791/1}

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2015-S 677

BY Kettle

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF ROBERT A. CROWLEY

2. **2015-S 678**
 BY Fogarty
 ENTITLED, SENATE RESOLUTION HONORING SANDRA PHAIR MUNDY ON
 THE OCCASION OF HER RETIREMENT
3. **2015-S 679**
 BY Metts
 ENTITLED, SENATE RESOLUTION EXPRESSING SYMPATHY ON THE PASSING
 OF MRS. LINNEAR HOPKINS HORNE
4. **2015-H 5020**
 BY Azzinaro
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
5. **2015-H 5022**
 BY Azzinaro
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
6. **2015-H 5023**
 BY Azzinaro
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
7. **2015-H 5025**
 BY Azzinaro
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
8. **2015-H 5026**
 BY Giarrusso
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
9. **2015-H 5030**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
10. **2015-H 5035**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
11. **2015-H 5072**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
12. **2015-H 5073**
 BY Canario
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
13. **2015-H 5159**
 BY Ruggiero
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

14. **2015-H 5185**
BY Tanzi
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
15. **2015-H 5186**
BY Abney
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
16. **2015-H 5243**
BY Amore
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

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

NAYS- 0:

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.

Senator Picard seconded by Senators Archambault, Lombardi, Lombardo, Kettle, Fogarty and Metts 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 31 Senators voting in the affirmative and 0 Senators voting in the negative and 2 Senators abstaining as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Archambault, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

ABSTAINED- 2: Senators Algieri, Conley.

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, Edwin J. Santos.

CALENDAR

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.

Senator Picard seconded by Senators Fogarty, Jabour, Archambault, Lombardo, Lombardi, Algieri and Goodwin 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 31 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Archambault, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, McCaffrey, Metts, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Conley.

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.

Senator Picard seconded by Senators Jabour, Fogarty and Felag 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 32 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Algieri, Archambault, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Conley.

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, Sandra R. Smith.

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 Pearson and without objection, ordered to be placed on the desk.

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

Committee on Judiciary recommends passage.

Senator Lombardo moves passage, seconded by Senators Archambault, Nesselbush, Sosnowski, McCaffrey, Algieri, Walaska, Fogarty and Metts.

Senator Lombardo seconded by Senators Crowley, McCaffrey and Goodwin, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2015 -- S 0175

AN ACT RELATING TO ALCOHOLIC BEVERAGES

Madam President:

I hereby move to amend 2015 -- S 0175, entitled "AN ACT RELATING TO ALCOHOLIC BEVERAGES", as follows:

1. On page 2, line 14, by inserting the language "in dry or crystalline" after the language "encapsulated" and before the language "form".

Respectfully submitted,
Senator Lombardo

The motion to amend prevails 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, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Senator Lombardo moves passage of the act, as amended, seconded by Senator McCaffrey.

Senators Felag, Pichardo and Lombardo discuss the act.

The act is read and passed, by unanimous consent, as amended, 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, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

6. 2015-S 513

BY Jabour

ENTITLED, AN ACT RELATING TO TAXATION - ESTATE TAXATION

Committee on Judiciary recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Tuesday, March 17, 2015.

7. 2015-S 68

BY Crowley

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Tuesday, March 17, 2015.

8. 2015-S 278

BY Archambault

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - ELECTRICIANS

Committee on Labor recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Tuesday, March 17, 2015.

GUESTS

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President welcomes to the Chamber Alido Baldera, Deputy Chief Investigator Rhode Island District Court.

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 Lombardo announces that Senator Pearson was a Judge in spelling bee.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Kettle the Senate adjourns at 6:47 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR CHRISTOPHER SCOTT OTTIANO**

Almighty Father, let your spirit of wisdom transcend upon the leaders of our State. Tonight, as Governor Raimondo delivers her first State of the State Address, we are reminded of the challenges we face ahead. Help us all strive to work together to reach common ground and find positive solutions for the benefit of all our constituents as we move Rhode Island towards a brighter tomorrow. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, MARCH 17, 2015:

- 1. 2015-H 5043**
BY Nardolillo
ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF
LOCAL TAXES--COVENTRY

Committee on Finance recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MARCH 17, 2015:**

1. **2015-S 513**
 BY Jabour
 ENTITLED, AN ACT RELATING TO TAXATION - ESTATE TAXATION

 Committee on Judiciary recommends passage.
2. **2015-S 68**
 BY Crowley
 ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
 LICENSES

 Committee on Special Legislation and Veterans Affairs recommends passage.
3. **2015-S 278**
 BY Archambault
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
 ELECTRICIANS

 Committee on Labor recommends passage.
4. **2015-S 241 SUB A**
 BY Felag
 ENTITLED, AN ACT RELATING TO PROPERTY -- THE RHODE ISLAND FAIR
 HOUSING PRACTICES ACT

 Committee on Judiciary recommends indefinite postponement of the original bill and
 passage of Substitute A.
5. **2015-S 428**
 BY Ciccone
 ENTITLED, AN ACT RELATING TO PROPERTY - RESIDENTIAL LANDLORD
 AND TENANT ACT

 Committee on Judiciary recommends passage.
6. **2015-S 430**
 BY Ciccone
 ENTITLED, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD
 AND TENANT ACT

 Committee on Judiciary recommends passage.

7. **2015-S 516**
 BY Lombardi
 ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
 PROCEDURE IN PARTICULAR ACTIONS

Committee on Judiciary recommends passage.

8. **2015-S 526**
 BY Lynch
 ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
 COURTS - DISTRICT COURT

Committee on Judiciary recommends passage.

IN ORDER FOR WEDNESDAY, MARCH 18, 2015:

1. **2015-S 218**
 BY Archambault
 ENTITLED, AN ACT RELATING TO TAXATION

Committee on Finance recommends passage.

2. **2015-S 616**
 BY Felag
 ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
 TAXATION --TIVERTON ELDERLY EXEMPTION

Committee on Finance recommends passage.

3. **2015-S 419**
 BY Miller
 ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE
 ISLAND DEPARTMENT OF HEALTH TO EXAMINE POLICIES AND
 PROCEDURES REGARDING THE CARE OF POSTPARTUM DEPRESSION

Committee on Health & Human Services recommends passage.

4. **2015-S 485**
 BY DiPalma
 ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE
 GOVERNOR CONVENE THE CHILDREN'S CABINET AS SOON AS PRACTICABLE
 WITH THE GOAL OF IMPROVING OUTCOMES FOR RHODE ISLAND CHILDREN
 AND FAMILIES SERVED BY MULTIPLE STATE PROGRAMS AND
 DEPARTMENTS

Committee on Health & Human Services recommends passage.

5. 2015-S 552**BY** Miller

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES TO EXAMINE THE LICENSING REQUIREMENTS OF BEHAVIORAL HEALTH PROFESSIONALS IN RHODE ISLAND

Committee on Health & Human Services recommends passage.

6. 2015-S 267**BY** Sosnowski

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOBILE TELEPHONE USE

Committee on Judiciary recommends passage.

Appendix**BILLS TRANSMITTED TO THE GOVERNOR****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}

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}

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}

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}

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}

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}

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}

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}

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}

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}

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}

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}

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}

Appendix**PROCEEDINGS IN JOINT SESSION**

Thursday, March 12, 2015

The Honorable, President of the Senate, M. Teresa Paiva Weed in the Chair.

CALLED TO ORDER

The Joint Session is called to order at 6:57 o'clock P.M.

Upon suggestion of The Honorable, President of the Senate, and by unanimous consent, the reading of the roll of the Senate and the roll of the House of Representatives is dispensed with, there being a quorum of the Senate and a quorum of the House of Representatives present, therefore a quorum of the Joint Session.

The Honorable, President of the Senate, by unanimous consent, appoints Senators DaPonte, Gallo, Pichardo, Pearson, Ottiano and Nesselbush and Representatives Keable, McNamara, Newbury, Messier and Shekarchi to escort Her Excellency, the Governor, Gina M. Raimondo and guests to the Chamber.

Joint Session attends while members of the Judiciary enter the Chamber.

Joint Session attends while members of the Board of Governors, Board of Regents and President of the Rhode Island Institutions of Higher Education enter the Chamber.

Joint Session attends while the Mayors, Town Administrators and Local City and Town Officials enter the Chamber.

Joint Session attends while members of the Directors of the Executive Departments and Quasi Public Agencies enter the Chamber.

Joint Session attends while the mother of Gina M. Raimondo, Josephine Raimondo, enters the Chamber.

Joint Session attends while the first gentleman of Gina M. Raimondo, Andrew Moffit, enters the Chamber.

Joint Session attends while the Honorable Seth Magaziner, General Treasurer, enters the Chamber.

Joint Session attends while the Honorable Peter F. Kilmartin, Attorney General of the State of Rhode Island, enters the Chamber.

Joint Session attends while the Honorable Nellie M. Gorbea, Secretary of State, enters the Chamber.

Joint Session attends while the Honorable Daniel J. McKee, Lieutenant Governor, enters the Chamber.

Joint Session attends while the Honorable James R. Langevin, U.S. Representative for Rhode Island's 2nd Congressional District enters the Chamber.

Joint Session attends while Her Excellency, the Governor, Gina M. Raimondo, enters the Chamber.

The Honorable, President of the Senate, presents Her Excellency, the Governor, Gina M. Raimondo, to the Joint Session.

The Governor delivers her Budget & State of the State Address.

ADJOURNMENT

Upon motion of Speaker Mattiello, seconded by Senator Majority Whip Goodwin, and by unanimous consent, Joint Session adjourns and the two Houses separate at 7:41 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

State of the State & Budget Address
Governor Gina M. Raimondo
March 12, 2015

Speaker Mattiello, Senate President Paiva Weed, Members of the General Assembly, the Judiciary, the Cabinet, City and Town Leaders, and my fellow Rhode Islanders.

Good Evening. It is an honor to stand before you to address how we can work together to expand opportunities for all Rhode Islanders and create jobs.

The budget I present to you tonight is rooted in the core belief that every hardworking family deserves the chance to make it in Rhode Island. Despite starting with a nearly \$200M deficit, this budget is balanced, makes significant progress towards eliminating our structural deficit, involves no broad based tax increases, and calls for significant investments in economic growth and education.

From my first conversation with Speaker Mattiello and Senate President Paiva Weed, we agreed that priority one was jumpstarting our economy and creating jobs. I couldn't ask for better partners in this effort and I'd like to thank you both for the time and support you've given me these past few months.

Our biggest problem is that our state's economic engine is out of gas - we've lost 80K manufacturing jobs in the last few decades and we haven't positioned ourselves for job-creation in advanced industries with higher growth and higher wage jobs. The jobs we are creating are low wage and, as a result, our per capita income is about \$47K a year compared to \$57K in Massachusetts and \$60K in Connecticut. We remain among the last states in the nation in employment and in job growth, and we are one of the oldest states in America because our young people are fleeing to find work elsewhere.

All most people want is the chance to earn a decent living that lets them provide for their family. Parents want the chance to give their children a better life than they themselves led. That's what my parents wanted. My mom is here tonight - she and my dad worked so hard to provide stability for our family.

But now, not enough Rhode Islanders have the opportunity to do the same for their children because we aren't creating enough good jobs, and too many of the jobs we are creating don't pay a sufficient wage.

Our weak economy contributes to our budget deficit, forcing us into the same crunch every year: not enough jobs means lower state revenue, so we make painful cuts to balance the budget. But some of those cuts have been to economic development or infrastructure, which hurt our economy more. It is time to break this downward spiral and set in motion a virtuous cycle of progress and momentum driven by economic growth.

We need to cut in areas where we are inefficient or spend too much, and then invest in economic growth. Over time, our growth will lead to even more revenue, which will allow for further investments in education, infrastructure, and an adequate safety net.

Our turnaround won't happen overnight but we have to start immediately because Rhode Islanders are struggling right now.

A couple of weeks ago, I was at the Warwick Mall reading to kids, and a young mom told me about how she was barely scraping by.

I took my mom shopping and a man who has worked the same full time retail job for more than a decade told me that he can barely sleep because he's worried about the fact that there's no money in his checking account.

We need to give a boost to Rhode Islanders who are working hard and trying to provide a decent living for their family. No one who works full-time should be forced to raise their family in poverty.

That's why I'd like to work with you to raise the minimum wage to \$10.10 an hour. We need to do more to make work pay.

This budget expands the Earned Income Tax Credit from 10% to 15% over the next two years, putting more money directly in the pockets of working Rhode Islanders. If the revenue forecasts in May improve, I'd love to see us go to 15% this year.

It also eliminates state taxes on Social Security benefits for low and middle income seniors. Social Security is a crucial source of income for these seniors, and we should help them make ends meet. Speaker Mattiello is a leader in this effort and I am pleased to work with him to make it happen.

These steps will help families live a little more comfortably. But they will also stimulate our economy, because we know these folks will spend this money in our local economy.

And as this immediate action takes hold, we must together turn our attention to taking bold steps to create opportunities for Rhode Island.

I propose a bold comprehensive jobs plan that operates in waves with the first wave being the most robust to kick start our effort. We can't sit back and expect jobs to appear.

This budget sets us on the path to Rhode Island's comeback by focusing on three things:

First, building the skills our students and workers need to compete in the 21st century.

Second, attracting entrepreneurs and investment.

And third, fostering innovation, including in our state government, to enhance accountability and deliver value to taxpayers.

These principles -- and an unwavering focus on creating jobs and expanding opportunity -- guided every decision we made in assembling this budget.

Helping people build the skills they need to succeed is one of the best investments we can make.

Since being elected, I have dedicated time every week to talk with businesses, asking them what it will take to add jobs in Rhode Island. The thing I hear most often is that they want a skilled workforce, ready to work. We need to provide people with the training so Rhode Island is a more desirable place for 21st century businesses to invest.

This budget invests in each rung of the ladder - our schools, college affordability, and skills training for adults.

This budget invests record amounts in our K-12 public schools.

This budget also commits the necessary matching funds that allow us to more than triple the number of state sponsored pre-k classrooms in Rhode Island. It's never too early to put our youngest learners on a path to opportunity.

And we still have almost 2,000 kindergarten students who don't have access to full-day K. My husband and I know firsthand how much our kids flourished because of all day K and every Rhode Island kid deserves the same opportunity.

Senate President Paiva Weed is passionate about this too and I'm eager to work with her and others to bring universal full day Kindergarten to every school by September 2016. This budget makes it possible.

Teachers want it. Parents want it. And our kids need it. Let's get it done.

But how are students supposed to learn if they're in crumbling school buildings?

Too many of our children go to school each day in buildings that have outdated heating systems; that lack modern security or technology for 21st century learning; or suffer from general disrepair.

And so, the time has come to lift the current moratorium on school construction.

My budget proposes creating a new School Building Authority to partner with cities and towns to address critical renovation needs. We are seeding it with \$20 million this year, and to keep it going, starting next year, we'll create a long-term and stable source of funds for this purpose.

We'll put our kids in better schools. And we'll put construction crews to work, many of whom haven't seen steady work in years.

Building skills also means making education more relevant and effective. I propose an initiative called "Prepare RI" to empower every high school student across the state who qualifies to take college courses while they're in high school at no cost to the student. Whether you want to go to college, or start a career right after high school, we want to make your path to a degree or industry certification more affordable and more attainable.

My dad took advantage of the GI Bill and became the first person in our family to go to college. That enabled him to get a good job. One person going to college changed all of our lives. Now

more than ever, higher education can be the ladder to the middle class because in today's economy high wage jobs go to people with high skills.

But for too many a college degree is out of reach because of the cost.

So I propose restructuring our higher education grant programs to create a last-dollar scholarship that begins to tackle the unmet financial need of Rhode Island students. In its first year, this program will invest \$10M in students with proven academic performance but for whom the costs of higher education might be too high and prevent them from going.

I propose we do this by restructuring and consolidating redundant bureaucracies, specifically moving the Rhode Island Higher Education Assistance Authority to the Office of the Post Secondary Commissioner. These moves will enable the state to save money and fund these scholarships for Rhode Islanders. This is the right thing to do - let's do it together.

Even with these scholarships, we know that college costs are a lot to bear. So we're establishing a competitive student loan forgiveness program for college graduates who pursue careers in technology, engineering and design. This program will fully cover four years' worth of student debt for over 100 high achieving graduates per year. We want to stop the brain drain and keep these talented Rhode Islanders in Rhode Island after they graduate, especially in these fields.

Everyone knows that the global economy is changing and to compete we have to provide people access to opportunities to build the skills they need to get a job now.

Soon, I will announce a new approach to workforce training where we partner with businesses to make sure we're training people for the jobs that actually exist now. This new system won't require additional money in the budget, but will use existing funds to help Rhode Islanders get jobs, and help businesses get the well-trained workers they need. The difference is that we will put the employer at the center so we're training people for jobs that are in demand now.

While we are building skills we also have to cultivate conditions to make Rhode Island an attractive place to do business and add jobs.

We've already begun addressing our regulatory climate. We are modernizing the way we issue regulations to make sure we're as business-friendly as possible while still protecting our quality of life, air, water, and public safety. And we're reviewing old regulations to see what we can eliminate.

We're clearing away burdensome underbrush in other areas, too. After examining the over 300 licensed occupations in Rhode Island, we have identified about 30 that we can eliminate immediately. Wherever possible we should remove burdensome layers of bureaucracy to promote more economic activity.

The General Assembly to its great credit, recently cut the corporate tax rate to make us more competitive. But it's no secret that Rhode Island's taxes remain uncompetitive in some areas. Tonight I propose building on your good work.

To reduce business's energy costs, I am proposing that we phase-out the sales tax on energy that the state imposes on commercial users. This will provide \$5.1 million in tax relief to businesses next fiscal year, and help reduce the burden of rising energy costs.

We also have some taxes that are just a nuisance on businesses and don't raise much revenue for the state. For instance, we are one of the only states that places special taxes on imaging centers and outpatient health services. To help contain health care costs and promote job creation in the healthcare industry, I am recommending phasing out both of these surcharges over four years.

Despite all this, let's face it, Rhode Island has developed a reputation as a tough place to do business.

So to get companies to invest and create jobs here, we need to be proactive. This is especially true because so many other states offer incentives and have much more robust economic development efforts. If we want to compete...if we want companies to add jobs here, we can't put ourselves at such a disadvantage relative to our neighbors.

It is time for our economic development strategy to turn heads, change perceptions, and put Rhode Island back in the game. Now I know we've made mistakes in economic development in the past. We must learn from them and never repeat them. We must move forward.

This budget proposes investing to attract high-quality companies, and encouraging the growth of businesses already here.

We are working with the legislature to introduce competitive tax packages that encourage businesses to create well-paying jobs, particularly well-paying jobs in promising industries.

We will implement these credits with rigorous accountability provisions, and won't spend a dollar of state money until long after the jobs have been created.

There's so much construction booming in Boston that they say the state bird of Massachusetts is the crane. I want job-producing construction here, so we propose creating a new initiative to encourage more real estate projects. These benefits will only be provided after the buildings are built, and are modeled after similar successful programs in other states.

Small businesses are the backbone of our state, and our comeback cannot occur without ensuring they are healthy and growing. Unlike our neighboring states, Rhode Island lacks a state-backed small business loan fund. So we will create a Small Business Program and an Innovation Initiative to expand access to capital for small businesses enabling them to thrive and expand.

Also, to leverage the businesses we already have, we will implement an Anchor Tax Credit that incentivizes our large employers to attract their suppliers to Rhode Island. These employers will benefit from having more of their suppliers close by, and the state will gain new businesses and jobs. If we are going to turn our economy around, everyone has a role to play, including our largest employers.

I am also proposing a series of steps to grow our innovation economy. Since 2010, over 1 million jobs have been created in America in advanced industries marked by technology and innovation - these industries pay more and are growing faster than most. It's time Rhode Island got its fair share of these jobs for our families.

It is not the time to be passive or timid. We're falling behind other states, and unemployed or

underemployed Rhode Island families are bearing the brunt. If we succeed in sparking a recovery and creating jobs, everything is possible. If we don't, nothing else will matter.

Finally, we must reinvigorate state government with fresh ideas and new ways of doing things in order to get better results. This starts with an honest and ethical government that the public deserves.

A key innovation priority this year is reinventing Medicaid.

It isn't sustainable to have a system that has the second highest cost per enrollee of any state in the nation -- a cost that is 60% higher than the national average and where a small percent of the enrollees account for the vast majority of the spending.

We have an opportunity to deliver better health care services to Rhode Islanders, and to make our system more affordable at the same time. To do so, we will have to crack down on fraud and waste; improve quality and coordination of care; and make Rhode Island a leader in health innovation by paying for value not volume.

I recently learned of a story from one of our health centers of a homeless man who was in the ER once a week with substance abuse issues. The health center would treat him, but until the root cause was addressed his cost of care continued to mount.

This is why our work to address Medicaid's structural problems will continue beyond this evening with our working group.

I realize this working group is different than the way we've addressed medicaid in the past, but I believe the magnitude and complexity of the challenges we face requires it. And I am grateful to the General Assembly leadership for their flexibility as we work in partnership to find solutions. We have an opportunity with all the stakeholders at the table to put in place changes that will yield savings for years to come. This budget proposes a 9 percent cut in Medicaid expansion this year.

I intend to deliver a budget amendment to more specifically identify the cost savings that the working group generates. The working group is similar to a successful effort in New York.

Our redesigned system will focus on providing a coordinated system of care that delivers better outcomes, and delivers better value for taxpayers.

It's also long past time to modernize our antiquated personnel rules in state government. We want to recruit and reward the best people, and ensure that there are incentives in place to encourage employees to be their best.

So this budget includes a proposal to provide state government with greater flexibility in hiring and managing personnel. In addition to a more efficient government, our goal is to achieve savings this year. If the revenue estimates in May are stronger, I would ask the General Assembly to reduce this saving target. We will work collaboratively with state employees to reduce personnel costs in a way that causes the least amount of disruption, avoids significant layoffs and honors the pay increases of the most recent contract. For my part, I am going to start by cutting my own pay by 5% this year.

The General Treasurer and I are working on another innovation -- the Rhode Island Infrastructure Bank -- to put Rhode Islanders back to work, improve our infrastructure, and reduce our demand for energy.

The bank will create a dependable source of capital to complete energy efficiency projects. We will integrate private capital into the mix of existing state funds to ramp up the deployment of clean energy technologies, while at the same time helping to create jobs.

This infrastructure bank -- along with the school building authority and full funding for the municipal road and bridge revolving fund - will put people back to work and help our localities keep property taxes stable.

Despite all of our challenges, there's a lot to love about Rhode Island. We love our neighborhoods, places to eat and shop. We love our beaches and our bay. For my family, a weekend in the summer is never complete without a visit to Sand Hill Cove.

We need more people to experience the things we all love. For too many years, though, we haven't maximized the effectiveness in our state-funded tourism efforts. Rather than spending the resources in one concentrated way to maximize the bang for our buck, we've been sprinkling state-funded tourism dollars among various tourism bureaus around the state.

The time has come to redesign how we market our wonderful state to prospective visitors.

My proposal will restructure our tourism marketing efforts by concentrating resources behind a unified statewide tourism message. I realize that this proposal will cause some initial concern among the local bureaus, and that it is a change from the way we've always done it, but let's work together over the coming months to find a solution. If we do this right, we can supercharge our tourism industry and create thousands of jobs just like other states have and that our families deserve.

The fiscally responsible budget I submit tonight takes a balanced approach to solving our challenges. We started with a nearly \$200 million deficit, and we closed it by focusing mainly on spending cuts.

But, we also looked for ways to generate new revenue without imposing broad-based tax increases.

I propose closing a tax loophole on certain real estate transactions. This budget also asks those among us who are most able, to pay a little more. I propose asking those who have second homes worth more than \$1 million to pay a modest assessment on those homes. This new revenue source, together with certain other revenue enhancements, is enabling us to invest in creating jobs.

We also have an opportunity now to take advantage of historically low interest rates to restructure some of our outstanding debt. By more actively managing our debt, something other states have done, we will be able to make important investments in job growth to jumpstart our economy.

The funds we will generate through refinancing will not be used to plug a budget hole, but will be

part of a long-term plan to jumpstart economic growth and invest in specific economic development programs outlined in the budget.

I look forward to productive discussions and working together in the weeks to come. The truth is the people of Rhode Island are counting on us to because they are struggling and are losing faith in government. They want us to work together and make the right decisions to put Rhode Island on a better path.

I know all of us here tonight are aware of these challenges and want to rise to the occasion. I am asking you to.

Be a part of the team that sparks Rhode Island's economic comeback.

Be a part of the team that restores people's faith in government by showing that we can get things done.

Be a part of the team that restores optimism and confidence in our future.

This budget sets forth a path to a Rhode Island full of opportunity, where everyone who works hard has a chance.

Now, I know we have a high hill to climb, but let's start now, and climb it together.