

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.39

Wednesday, April 29, 2015

Thirty-ninth 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 4:15 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 Algieri, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sosnowski, Walaska.

ABSENT – 2: Senators Gallo, Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Thirty-eighth Legislative Day of the 2015 proceedings is read in part.

Upon suggestion of Senator Picard 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**

April 29, 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, Wednesday, April 29th 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**

April 29, 2015

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing, without prejudice, the April 9, 2015 appointment of Tobias Lederberg, Esq, to the Rhode Island State Labor Relations Board.

Sincerely,

Gina M. Raimondo
Governor

Read and ordered to be placed on file.

Also:

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

April 29, 2015

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing, without prejudice, the March 24, 2015 appointment of Terrence J. Murray, Esq, to the Rhode Island State Properties Committee.

Sincerely,

Gina M. Raimondo
Governor

Read and ordered to be placed on file.

NEW BUSINESS

Senate Resolution No. 871

BY Goodwin, Ruggerio

ENTITLED, SENATE RESOLUTION CONGRATULATING THE RHODE ISLAND SCHOOL FOR THE DEAF BOYS BASKETBALL TEAM ON WINNING THE EASTERN SCHOOLS FOR THE DEAF ATHLETIC ASSOCIATION DIVISION II BASKETBALL CHAMPIONSHIP

{LC2561/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sosnowski and Walaska.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sosnowski, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President, welcomes to the Chamber Rhode Island School for the Deaf Boys Basketball Team, Tyler Travers, Jairee Hill, Justin Rahn, Joe Santiago, Zachary Sousa, Alphonso Sackor, Ariel Gonzalez, Junito Diaz, Mario Pacheco, Kyle Corsetti, Timothy Jallah, coach Todd Murano, Assistant Coach Paul Tomasian, Health Director Nancy Maguire and John Henry ASL Interpreter.

Upon suggestion of Senator Goldin and by unanimous consent, the Honorable President, welcomes to the Chamber Daisy Schnepel, Fox Point Neighborhood Association.

**REPORTS OF COMMITTEES
COMMITTEE ON FINANCE**

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

Appointment of Merrill W. Sherman Chairperson VICE James Hagerty Chairperson of the Rhode Island Clean Water Finance Agency: for a term expiring March 1, 2017.

Read and ordered to be placed on the Calendar.

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

Senator Pichardo from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

House Bill No. 5319

BY Ruggiero, Reilly, Abney

ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN (Ratifies the amendment to the Middletown town charter passed on November 4, 2014.)

{LC936/1}

Read and ordered to be placed on the Consent Calendar for Thursday, April 30, 2015.

Also:

House Bill No. 5751

BY Giarrusso

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH

{LC1896/1}

Read and ordered to be placed on the Consent Calendar for Thursday, April 30, 2015.

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:

House Bill No. 5253

(by request)

BY Hearn, Malik

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY (Removes the prohibition of the town of Barrington from issuing Class A licenses.)

{LC307/1}

Read and ordered to be placed on the Consent Calendar for Thursday, April 30, 2015.

NEW BUSINESS**Senate Resolution No. 870****BY** Ottiano, Paiva Weed**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF SALLY A. RAWNSLEY

{LC2570/1}

Senator Ottiano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ottiano moves passage, seconded by Senators DiPalma, Lombardo, Felag and Archambault.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2015-S 826**
 BY Coyne
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
2. **2015- 827**
 BY Lynch
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
3. **2015-H 5973**
 BY Canario
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
4. **2015-H 5974**
 BY Lombardi
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
5. **2015-H 5975**
 BY Ajello
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
6. **2015-H 5987**
 BY Mattiello
 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 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 29, 2015:

1. Appointment of Melissa Husband VICE Diana L. Johnson (Resigned) to the I-195 Redevelopment District Commission for a term expiring October 3, 2017.

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

Senator Picard seconded by Senators Pearson, Jabour, Metts, Fogarty, Nesselbush, Goodwin, Ruggerio, Morgan, Lombardi, Lombardo, Archambault and Pichardo moves that advice and consent of the Senate be given this appointment.

Senators Pichardo and Jabour discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Conley.

GUESTS

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed member of the I-195 Redevelopment District Commission, Melissa Husband.

CALENDAR**2. 2015-S 177****BY Pearson****ENTITLED, AN ACT RELATING TO THE CUMBERLAND FIRE DISTRICT**

Ordered on the Calendar

Senator Pearson moves passage, seconded by Senators Picard and Ruggerio.

Senator Pearson seconded by Senators Picard and Ruggerio, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2015 -- S 0177

AN ACT RELATING TO THE CUMBERLAND FIRE DISTRICT

Madam President:

I hereby move to amend 2015 -- S 0177, entitled "AN ACT RELATING TO THE CUMBERLAND FIRE DISTRICT", as follows:

1. On page 2, line 4, by inserting the following language after the language "passage.": "Provided that any individual elected to said committee prior to November 5, 2014, shall be eligible to serve on both said committee and the local town council until the next succeeding election."

Respectfully submitted,
Senator Pearson

The motion to amend prevails 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, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sosnowski, Walaska.

NAYS- 0:

Senator Pearson moves passage of the act, as amended, seconded by Senators Picard and Ruggerio.

The act is read and passed, by unanimous consent, as amended, 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, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sosnowski, Walaska.

NAYS- 0:

3. 2015-S 40

BY Crowley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
ECONOMIC AMBASSADOR OF RHODE ISLAND

Committee on Commerce recommends passage.

Senator Crowley moves passage, seconded by Senators Metts, Picard, Sosnowski, Pichardo and Cote.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

4. 2015-S 83

BY Picard

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
LAUNDRIES

Committee on Commerce recommends passage.

Senator Picard moves passage, seconded by Senator Pearson.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

5. 2015-S 200 SUB A**BY** Kettle**ENTITLED**, AN ACT RELATING TO WEIGHTS AND MEASURES - PRODUCE SCALES IN MARKETS

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

Senator Kettle moves passage, seconded by Senators Lombardo, Morgan 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 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, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sosnowski, Walaska.

NAYS- 0:

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)

GUESTS

Upon suggestion of Senator Lombardo and by unanimous consent, the Honorable President, welcomes to the Chamber Kristen Catanzaro, councilwoman from North Providence and owner of Ciara Restaurant & Lounge in Johnston.

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet tomorrow, at the rise of the Senate, in Room 211 of the State House.

Senator Lombardo announces that the Committee on Labor will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator Lynch announces that the Committee on Special Legislation and Veterans' Affairs will meet today, at the rise of the Senate, in Room 310 of the State House.

Senator Jabour announces that the Committee on Judiciary will meet tomorrow, at the rise of the Senate, in Room 313 of the State House.

Senator Crowley announces that the Committee on Housing and Municipal Government 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 Algieri the Senate adjourns at 4:44 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR ROGER A. PICARD**

Dear God, we are grateful for the privilege of serving in this Senate. Keep us ever mindful that we are here to serve those who have elected us. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, APRIL 30, 2015:**

1. **Appointment of Merrill W. Sherman Chairperson VICE James Hagerty Chairperson of the Rhode Island Clean Water Finance Agency: for a term expiring March 1, 2017.**

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

2. **2015-H 5319**
BY Ruggiero
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN

Committee on Housing & Municipal Government recommends passage in concurrence.

3. **2015-H 5751**
BY Giarrusso
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH

Committee on Housing & Municipal Government recommends passage in concurrence.

4. **2015-H 5253**
BY Hearn
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY

Committee on Special Legislation and Veterans Affairs recommends passage in concurrence.

Appendix**BILLS TRANSMITTED TO THE GOVERNOR****House Bill No. 5973****BY** Canario, Edwards, Reilly**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Norman Rogers to join Rebecca Choi and Charles Payne in marriage on or about October 9, 2015, within the Town of Portsmouth, Rhode Island)

{LC2264/1}

House Bill No. 5974**BY** Lombardi**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Melissa Meyer to join Eleanor Sabin and Jesse Thompson in marriage on or about May 15, 2015, within the City of Providence, Rhode Island.)

{LC2267/1}

House Bill No. 5975**BY** Ajello**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Curt S. Dzialo to join Holly Katherine Marchand and Joshua David Thibault on or about June 4, 2016, within the City of Providence, Rhode Island.)

{LC2260/1}

House Bill No. 5987**BY** Mattiello**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Deirdre Coyne to join Hannah Elizabeth Lupinacci and Richard John Fitzgerald in marriage on or about October 3, 2015, within the City of Warwick, Rhode Island.)

{LC2282/1}