

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.40

Thursday, April 30, 2015

Fortieth 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 4:14 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT – 38: 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.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President, welcomes to the Chamber Pastors George and Dotty Ellingwood, Genesis Church in Coventry, Mr. Richard Russell Rhode Island National Day of Pray Committee and Mrs. Cheryl Russell, Rhode Island Coordinator National Day of Pray.

Upon suggestion of Senator Satchell and by unanimous consent, the Honorable President, welcomes to the Chamber Richard and Cheryl Russell.

Upon suggestion of Senator Sosnowski and by unanimous consent, the Honorable President, welcomes to the Chamber Peg Langhammer.

NEW BUSINESS**Senate Resolution No. 859**

BY Nesselbush, Paiva Weed, Sheehan, Conley, Lombardi

ENTITLED, SENATE RESOLUTION PROCLAIMING APRIL, 2015, TO BE "SEXUAL ASSAULT AWARENESS MONTH" IN THE STATE OF RHODE ISLAND
{LC2611/1}

Senator Nesselbush requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Nesselbush moves passage, seconded by Senators Sosnowski, Goodwin, Crowley, Morgan, Coyne, Goldin, Satchell, Lombardo, Gee, O'Neill, McCaffrey, Pichardo, Metts and Pearson.

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

GUESTS

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President, welcomes to the Chamber Peg Langhammer, Day One and Maureen Philbin, Day One.

COMMUNICATION

The Honorable President presents the following communication:

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

April 30, 2015

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

Dear Madam President:

Please be advised that I will be absent from the Senate session on Thursday, April 30, 2015, due to a prior business commitment. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

Dennis L. Algiere
SENATE MINORITY LEADER

Read and ordered to be placed on file.

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from Her Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

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

April 29, 2015

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 37-6-1 of the Rhode Island General Laws, I have made the following appointment to the State Properties Committee:

Robin L. Main, Esq.

VICE
Mary Louise Kennedy

for a term expiring March 1, 2018.

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Finance.

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. 5254

(by request)

BY Malik, Hearn

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO HOME RULE CHARTER OF THE TOWN OF BARRINGTON (Ratifies and confirms November 4, 2014, amendments to the Barrington Home Rule Charter approved by the electors.)

{LC306/1}

Read and ordered to be placed on the Consent Calendar for Wednesday, May 6, 2015.

Also:

House Bill No. 5530

BY Chippendale, Keable, Winfield

ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF GLOCESTER (Validates and ratifies amendments to the Home Rule Charter of the town of Gloucester, which amendments were adopted and approved by the electors of the town of Gloucester on November 4, 2014.)

{LC1854/1}

Read and ordered to be placed on the Consent Calendar for Wednesday, May 6, 2015.

Also:

House Bill No. 5901

BY Winfield, Costantino

ENTITLED, AN ACT VALIDATING AND RATIFYING THE 2014 AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF SMITHFIELD

{LC2049/1}

Read and ordered to be placed on the Consent Calendar for Wednesday, May 6, 2015.

NEW BUSINESS**Senate Resolution No. 872**

BY Miller

ENTITLED, SENATE RESOLUTION HONORING AND THANKING THE DEDICATED EFFORTS OF RHODE ISLAND'S RECOVERY COACHES AND CONGRATULATING THE 2ND GRADUATING CLASS OF THE RECOVERY COACH ACADEMY

{LC2513/1}

Senator Miller requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Miller moves passage, seconded by Senators Metts, Goodwin, Fogarty, Jabour, Ottiano, Kettle, Felag, Lombardo, Lombardi, Coyne, Goldin and Satchell.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

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.**
2. **2015-H 5319**
BY Ruggiero
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN
3. **2015-H 5751**
BY Giarrusso
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH
4. **2015-H 5253**
BY Hearn
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES GENERALLY

Upon motion of Senator Ruggerio, seconded by Senator Algiere, 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- 34: The Honorable President Paiva Weed and Senators Algiere, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, 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:

NEW BUSINESS

Senate Resolution No. 873

BY Morgan, Kettle, Paiva Weed, Lombardi, Sosnowski

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF WILLIAM J.G. LAWTON, JR.

{LC2589/1}

Senator Morgan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Morgan moves passage, seconded by Senators Kettle and Ruggerio.

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

Also:

Senate Bill No. 874

BY Fogarty, Ruggerio

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION (Amends workers' compensation act by authorizes the delivery of weekly compensation via electronic fund transfers.)

{LC2550/1}

Read and ordered to the Committee on Labor.

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 Jabour announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 313 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.

RECESS

Upon motion of Senator Goodwin seconded by Senator Kettle and upon suggestion of Senator Morgan the Senate stands at recess at 4:34 o'clock P.M. in memory of William J. G. Lawton, Jr.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5998

BY Edwards, Canario

ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF TIVERTON (Validates and ratifies amendments to the Home Rule Charter of the town of Tiverton, which amendments were adopted and approved by the electors of the town of Tiverton on November 4, 2014.)

{LC2306/1}

Read and ordered to be placed on the Calendar for Thursday, May 7, 2015.

CALLED TO ORDER

The Senate is called to order by the Honorable William A. Walaska, President Pro Tempore of the Senate, on Tuesday, May 5, 2015, at 4:18 o'clock P.M.

ADJOURNMENT

Upon motion of Senator Ruggerio seconded by Senator Algieri the Senate adjourns at 4:20 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR LOUIS P. DIPALMA**

Almighty and Most Merciful Father, We ask you that you send down your strength in order for these men and woman to better serve this state and the constituents which whom they represent. We also ask for your continued guidance all the days of this Legislative Session. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, MAY 06, 2015:**

1. **2015-S 875**
 BY Doyle
 ENTITLED, SENATE RESOLUTION PROCLAIMING MAY 6, 2015, TO BE
 "CHARTER PUBLIC SCHOOL DAY" IN THE STATE OF RHODE ISLAND

 Ordered on the Consent Calendar
2. **2015-H 5254**
 BY Malik
 ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO HOME
 RULE CHARTER OF THE TOWN OF BARRINGTON

 Committee on Housing & Municipal Government recommends passage in concurrence.
3. **2015-H 5530**
 BY Chippendale
 ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE
 HOME RULE CHARTER OF THE TOWN OF GLOCESTER

 Committee on Housing & Municipal Government recommends passage in concurrence.
4. **2015-H 5901**
 BY Winfield
 ENTITLED, AN ACT VALIDATING AND RATIFYING THE 2014 AMENDMENTS
 TO THE HOME RULE CHARTER OF THE TOWN OF SMITHFIELD

 Committee on Housing & Municipal Government recommends passage in concurrence.

Appendix

CALENDAR

IN ORDER FOR THURSDAY, MAY 07, 2015:

- 1. 2015-H 5998**
BY Edwards
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE
HOME RULE CHARTER OF THE TOWN OF TIVERTON

Read and ordered to be placed on the Calendar for passage in concurrence.

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

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}

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}