

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 third day of January in the year of Our Lord two thousand and seventeen.

Volume 144, No.22

Tuesday, March 7, 2017

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 4:26 o'clock P.M.

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

PRESENT -38: The Honorable President Paiva Weed and Senators Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Picard, Pearson, Quezada, Raptakis, Satchell, Seveney, Sheehan, Sosnowski.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President, by unanimous consent, presents Senator Sosnowski 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 2017 proceedings is read in part.

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

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
OFFICE OF GOVERNOR GINA M. RAIMONDO**

March 7, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-140.1-4 of the Rhode Island General Laws, I have made the following reappointment to the Energy Efficiency and Resource Management:

Joseph Cirillo RA, AIA

Person with knowledge of energy design and codes

For a term expiring April 1, 2022

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Environment and Agriculture.

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 6, 2017

Secretary of the Senate
State House Room 145
Providence, RI 02903

Dear Mr. Secretary:

Pursuant to Rule 4.1, I would like to respectfully request that my name be removed from 2017 Senate Bill 109, Entitled, An Act Relating To Health And Safety (Prohibits Retail Sales Establishments From Making Available To Their Customers, Plastic Checkout Bags, Or Plastic Water Bottles Or Expanded Polystyrene Disposable Food Containers At The Point Of Sale.) {Lc476/1}

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

Respectfully,

William J. Conley, Jr
Senator ~ District 18
East Providence, Pawtucket

Read and placed on file.

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

March 7, 2017

Secretary of the Senate
State House
Room 145
State House
Providence, RI 02903

Dear Mr. Secretary:

Pursuant to rule 4.1 I would like to respectfully request that my name be removed from senate Bill 452, AN ACT RELATING TO TAXATION - SUGARY DRINKS (Creates a tax on sugary drinks for the purpose of reducing the demand for those beverages, and discouraging the excessive consumption of, sugary drinks.).

If you have any questions concerning this request, please feel free to contact me on my cell at 401-447-9441.

Respectfully,

Frank S. Lombardi
Senator
District-26

Read and 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 measure:

Senate Bill No. 30 SUB A

BY DaPonte

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - PROPERTY ASSESSED CLEAN ENERGY PROGRAM (Includes a tax sale as a transfer of property ownership that would trigger the past due balances of any PACE assessment.)

{LC789/A/1}

Read and order to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 529**

BY Sosnowski

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THOMAS G. SUPROCK

{LC1976/1}

Recommended for Immediate Consideration.

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded by Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Picard, Pearson, Quezada, Raptakis, Satchell, Seveney, and Sheehan.

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

Senate Resolution No. 530

BY Ruggerio, Goodwin, Gallo, Lynch Prata, Lombardi

ENTITLED, SENATE RESOLUTION PROCLAIMING MARCH 9, 2017, TO BE "WORLD KIDNEY DAY" IN THE STATE OF RHODE ISLAND

{LC2067/1}

Ordered to be placed on the Consent Calendar for Thursday, March 9th.

Senate Resolution No. 531**BY** Lynch Prata**ENTITLED**, SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE FOR YEARS 2017-2018

{LC2089/1}

Introduced, referred to the Committee on Rules.

CONSENT CALENDAR**Senator Goodwin moves that item 2 on today's Consent Calendar be moved to next Tuesday's Calendar and item 3 to be held on the desk.**

In order for the day is taken up as follows:

1. 2017-S 518**BY** Picard**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE CHARLES F. GOULD

Ordered on the Consent Calendar.

2. 2017-S 520**BY** Morgan**ENTITLED**, SENATE RESOLUTION PROCLAIMING THE MONTH OF MARCH TO BE "MAPLE SYRUP MONTH" IN THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar.

Removed from the Consent Calendar and Ordered to be placed on the Calendar for Tuesday, March 14th**3. 2017-S 521****BY** Lombardi**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE HONORABLE ROBERT W. GEMMA ON HIS RETIREMENT AFTER THIRTY-FIVE YEARS OF DEVOTED AND DISTINGUISHED SERVICE TO THE CITIZENS OF RHODE ISLAND AND THE RHODE ISLAND GENERAL ASSEMBLY

Ordered on the Consent Calendar

Removed from the Consent Calendar and Ordered to be held on the desk.**4. 2017-S 522****BY** Lombardi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF VIJOTAR, INC.

Ordered on the Consent Calendar.

5. **2017-S 523**
 BY Lynch Prata
 ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
 CHARTER OF PICERNE-SIERRA BAYAMON, INC.

Ordered on the Consent Calendar.

6. **2017-S 524**
 BY Lynch Prata
 ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
 CHARTER OF PICERNE-TOA ALTA, INC.

Ordered on the Consent Calendar.

7. **2017-S 525**
 BY Lynch Prata
 ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE
 CHARTER OF CONCURRENT COMPUTER CORPORATION

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote:

YEAS - 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Ruggerio, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

ANNOUNCEMENTS

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

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

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

Senator Goldin announces that the Committee on Health and Human Services will meet today at the rise of the Senate in the Senate Lounge on the State House.

Senator Conley announces that the Committee on Environment and Agriculture will meet tomorrow at the rise of the Senate in Room 211 on the State House.

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

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

Senator Nesselbush announces that tomorrow, March 8th is International Women's Day and a reception will held at 3 PM in the State Room.

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.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Kettle, and upon suggestion of Senator Sosnowski the Senate adjourns at 4:38 o'clock P.M, in memory of *Thomas G. Suprock*.

Appendix**INVOCATION****SENATOR V. SUSAN SOSNOWSKI**

Guide us, Lord, towards a deeper understanding of the needs of the people of our State; may we be instrumental in serving those needs. Let us work to improve the lives of those who have no voice in their government. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, MARCH 9, 2017:

1. **2017-S 530**
 BY Ruggerio
 ENTITLED, SENATE RESOLUTION PROCLAIMING MARCH 9, 2017, TO BE
 "WORLD KIDNEY DAY" IN THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar.

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MARCH 8, 2017:**

1. **The Appointment of Scottye Lindsey VICE Elizabeth Kelleher Dwyer (Interim) as Director of Business Regulation.**

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

2. **2017-S 48**
BY Fogarty
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF BURRILLVILLE

Committee on Housing & Municipal Government recommends passage.

3. **2017-S 157**
BY Gee
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF EAST GREENWICH

Committee on Housing & Municipal Government recommends passage.

4. **2017-S 158**
BY Coyne
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOCAL PLANNING BOARD OR COMMISSION

Committee on Housing & Municipal Government recommends passage.

5. **2017-S 161**
BY Sosnowski
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF SOUTH KINGSTOWN

Committee on Housing & Municipal Government recommends passage.

6. **2017-S 164**
BY DiPalma
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.

7. **2017-S 239**
 BY Fogarty
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
 ELECTRICIANS - TRADES LICENSING - PENALTY FOR VIOLATIONS

Committee on Labor recommends passage.

8. **2017-S 284**
 BY Doyle
 ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
 CONTRACTORS' BONDS

Committee on Labor recommends passage.

IN ORDER FOR THURSDAY, MARCH 9, 2017:

1. **2017-S 30 SUB A**
 BY DaPonte
 ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
 PROPERTY ASSESSED CLEAN ENERGY PROGRAM

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

IN ORDER FOR TUESDAY, MARCH 14, 2017:

1. **2017-S 520**
 BY Morgan
 ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF MARCH TO
 BE "MAPLE SYRUP MONTH" IN THE STATE OF RHODE ISLAND

Ordered on the Calendar.