

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.24

Thursday, March 9, 2017

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 4:28 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 4 Senators absent as follows:

PRESENT -34: The Honorable President Paiva Weed and Senators Algiere, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Picard, Pearson, Quezada, , Satchell, Seveney, Sheehan, Sosnowski.

ABSENT – 4: Senators DaPonte, Doyle, Crowley, Raptakis.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

GUESTS

Upon suggestion of Senator Cote and by unanimous consent, the Honorable President welcomes to the Chamber Senator Sheehan's son, Liam.

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 9, 2017

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 today, Thursday, March 9, 2017.

I would appreciate your recording my letter in the appropriate Senate Journal.

Sincerely,

Leonidas P. Raptakis
Senator – District 33

Read and placed on file.

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

March 9, 2017

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 a medical procedure, I will be absent from the chamber on Thursday, March 9, 2017.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

Senator Elizabeth A. Crowley
Senate District 16

Read and placed on file.

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

March 9, 2017

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 I will be absent from the chamber on Thursday, March 9, 2017, as I will be traveling to Chicago for the NCSL Fiscal Leaders Meeting. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

Senator Daniel Da Ponte
Senator, District 14
East Providence

Read and placed on file.

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

March 9, 2017

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 9, 2017, I am out of state on business.

Sincerely,

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

Read and placed on file.

**REPORTS OF COMMITTEES
TRANSFER OF BILLS**

Senator Ciccone, for the Committee on Housing and Municipal Government, reports back the following measure, with recommendation of transfer to the Committee on Finance:

Senate Bill No. 219

BY Felag, Coyne

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - GENERAL POWERS - LANDING FEE FOR TOWN OF BRISTOL (Permits Bristol to charge \$.35 landing fee on passengers over 12 years old arriving in its port excluding commercial fishing vessels.)

{LC1158/1}

Transferred to the Committee on Finance.

COMMITTEE ON ENVIRONMENT & AGRICULTURE

Senator Sosnowski, from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measure:

Senate Resolution No. 111

BY Miller

ENTITLED, SENATE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES FOR THE SPECIAL LEGISLATIVE COMMISSION TO STUDY WATERFOWL HUNTING LAWS AND REGULATIONS (Extends the reporting and expiration dates for the special legislative commission to study waterfowl hunting laws and regulations from January 3, 2017, to November 1, 2017, and said commission would expire on December 31, 2017.)

Read and ordered to be places on the Consent Calendar.

COMMITTEE ON HOUSING & MUNICIPAL GOVERNMENT

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

Senate Bill No. 162

BY Raptakis

ENTITLED, AN ACT RELATING TO THE COVENTRY FIRE DISTRICT (Changes the date of the annual meeting of the Coventry Fire District from the second Tuesday of December to the second Wednesday of November.)

{LC594/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 478**BY** Pearson, Picard

ENTITLED, AN ACT RELATING TO THE CUMBERLAND FIRE DISTRICT (Establishes that membership on the Cumberland Fire District Fire Committee constitutes holding a public office and that the elections of the Fire Committee are governed by state election laws.)
{LC645/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 482**BY** Paiva Weed

ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF JAMESTOWN (Validates and ratifies amendments to the Home Rule Charter of the town of Jamestown, which amendments were adopted and approved by the electors of the town of Jamestown on November 8, 2016.)
{LC1959/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON LABOR

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

The Reappointment of Marcia Reback

Labor Representative to the Labor Relations Board for a term expiring August 1, 2020.

Read and ordered to be placed on the Consent Calendar.

The Reappointment of Scott Duhamel

Labor Representative to the Labor Relations Board for a term expiring August 1, 2020

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON SPECIAL LEGISLATION & VETERAN AFFAIRS

Senator Felag, from the Committee on Special Legislation & Veteran Affairs, reports back, with recommendation of passage of the following measure:

Senate Bill No. 195**BY** Jabour, Ciccone, Quezada

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (Permits the Providence licensing board to issue a Class C liquor license for premises at 215 Dean Street.)
{LC796/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 536****BY** Lombardo**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF LIVIA DELPONTE
{LC2019/1}

Recommended for Immediate Consideration.

Senator Lombardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lombardo moves passage, seconded by Senators Archambault and Ciccone

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

Senate Resolution No. 537**BY** Nesselbush, Paiva Weed, Goodwin, Gallo, Goldin**ENTITLED**, SENATE RESOLUTION PROCLAIMING THE WEEK OF MARCH 5TH THROUGH 11TH, 2017, TO BE "MS AWARENESS WEEK" IN THE STATE OF RHODE ISLAND
{LC2033/1}

Recommended for Immediate Consideration.

Senator Nesselbush requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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 Meredith Sheehan, Lauren Bardsley, Claire Downing, Ann Marie Clancy, Tina Sharp-Robinson, and Carlo Piacente.

Senate Bill No. 538**BY** DiPalma, Goodwin, Seveney, Pearson, Lombardo**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (Adds the class of combination vehicles to the list of vehicles eligible for New England Patriots Charitable Foundation registration plates.)
{LC1830/1}

Introduced, referred to the committee on Special Legislation and Veterans Affairs.

Senate Bill No. 539**BY** Goodwin, McCaffrey, Ruggerio**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOTOR VEHICLE OFFENSES (Makes driving under the influence with any child under thirteen (13) years of age in the vehicle a felony punishable by up to five (5) years imprisonment, a five thousand dollar (\$5,000) fine, and a loss of license of up to two (2) years.)
{LC1996/1}

Introduced, referred to the Committee on Judiciary.

CONSENT CALENDAR

In order for the day is taken up as follows:

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.

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 - 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Ruggerio, Satchell, Seveney, Sheehan, Sosnowski.**NAYS – 0**

CALENDAR

In order for the day is taken up as follows:

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.

Senator DiPalma moves passage of the act, seconded by Senators Felag, Coyne, and Pearson.

Read and passed, on a roll call vote, 34 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Ruggerio, Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0

ANNOUNCEMENTS

Senator Lynch Prata announces that the Committee on Rules will meet today at 5:15 PM in Room 310 of the State House

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

Senator Miller 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 Ruggerio congratulates Senator Ana Quezada on being awarded the "Extraordinary Women Award" last night and also celebrating her 20th Wedding Anniversary.

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 Ruggerio, and upon suggestion of Senator Lombardo the Senate adjourns at 4:41 o'clock P.M, in memory of *Livia DelPonte*.

Appendix**INVOCATION****SENATOR PAUL JABOUR**

Almighty God, whose servants we are, may our work today and throughout the remainder of this legislative session be guided to truly serve the people we represent, and be ever mindful of the effect our actions and decisions have on those we serve. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, MARCH 14, 2017:**

- 1. The Reappointment of Marcia Reback Labor Representative to the Labor Relations Board for a term expiring August 1, 2020.**

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

- 2. The Reappointment of Scott Duhamel Labor Representative to the Labor Relations Board for a term expiring August 1, 2020.**

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

- 3. 2017-S 111
BY Miller**

ENTITLED, SENATE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES FOR THE SPECIAL LEGISLATIVE COMMISSION TO STUDY WATERFOWL HUNTING LAWS AND REGULATIONS

Committee on Environment & Agriculture recommends passage.

Appendix
CALENDAR

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.

2. **2017-S 243**
 BY Crowley
 ENTITLED, SENATE RESOLUTION REAFFIRMING THE FRIENDSHIP BETWEEN RHODE ISLAND AND TAIWAN, ENHANCING BILATERAL RELATIONS, AND SUPPORTING TAIWAN IN THE INTERNATIONAL COMMUNITY

Committee on Commerce recommends passage.

IN ORDER FOR WEDNESDAY, MARCH 15, 2017:

1. **2017-S 162**
 BY Raptakis
 ENTITLED, AN ACT RELATING TO THE COVENTRY FIRE DISTRICT

 Committee on Housing & Municipal Government recommends passage.
2. **2017-S 478**
 BY Pearson
 ENTITLED, AN ACT RELATING TO THE CUMBERLAND FIRE DISTRICT

 Committee on Housing & Municipal Government recommends passage.
3. **2017-S 482**
 BY Paiva Weed
 ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF JAMESTOWN

 Committee on Housing & Municipal Government recommends passage.
4. **2017-S 195**
 BY Jabour
 ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

 Committee on Special Legislation and Veterans Affairs recommends passage.