

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.27

Tuesday, March 21, 2017

Twenty Seventh 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 4:22 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

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

ABSENT – 1: Senator Gallo.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Twenty Sixth Legislative Day of the 2017 proceedings is read in part.

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

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 21, 2017

Secretary of the Senate
State House, Rm. 145
Providence, RI 02903

Dear Secretary:

I would like to respectfully request the withdrawal of my name to 2017 S-0289, An Act Relating to Labor and Labor Relations- Minimum Wage, at my request. This bill has been referred to the Senate Labor Committee.

Thank you for your consideration of this important matter.

Sincerely,

Ryan W. Pearson
Senator, District 19

Read and placed on file.

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

March 21, 2017

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 Tuesday, March 21st -Thursday, March 23rd, 2017 due to health issues.

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,

Hanna M. Gallo
Senator – District 27

Read and placed on file.

**STATE OF RHODE ISLAND PROVIDENCE PLANTATION
STATE HOUSE**

March 21, 2017

Secretary of the Senate
145 State House
Providence, RI 02903

Dear Secretary:

I would like to respectfully request the withdrawal of Senate bill S- 0253 an act relating to Funding of Charter Public Schools. I am the prime sponsor of this bill. S- 0253 has been assigned to Senate Finance Committee and no hearings have been schedule.

Thank you in advance for your cooperation of this very important matter.

Sincerely,

Senator James E. Doyle, II
Senator, District 8

Read and placed 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
OFFICE OF GOVERNOR GINA M. RAIMONDO**

March 17, 2017

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 17-7-3 of the Rhode Island General Laws, I have made the following appointment to the Board of Elections:

David Sholes

Vice
Martin Joyce, Jr.
(RESIGNED)

For a term expiring June 1, 2017

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

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Judiciary.

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. 257

BY Satchell, Gallo

ENTITLED, AN ACT RELATING TO TAXATION – PROPERTY SUBJECT TO TAXATION (Exempts from taxation the Artic Playhouse located at 1249 Main Street in West Warwick.)

{LC1394/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 621**

BY Nesselbush, Fogarty

ENTITLED, SENATE RESOLUTION PROCLAIMING THE WEEK OF MARCH 12TH THROUGH 18TH OF 2017 TO BE "BRAIN INJURY AWARENESS WEEK" IN THE STATE OF RHODE ISLAND

{LC2063/1}

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 Algieri, Archambault, Calkin, Ciccone, Conley, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Paolino, Picard, Quezada, Raptakis, 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 Debra L. Sharpe, Executive Director of the Brain Injury Association of Rhode Island, Michael Baker, Robyn Chapman, Richard Mato, and Mark Aubrey.

Senate Resolution No. 622**BY** Paiva Weed, McCaffrey, Calkin, Goodwin, Ruggerio**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES TO THE LYNCH FAMILY ON THE PASSING OF JOHN D. LYNCH, ESQUIRE
{LC2214/1}

Recommended for Immediate Consideration.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

Senators Lombardi, Conley and Lynch Prata speak on the resolution.

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

GUESTS

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President welcomes to the Chamber the family of John D. Lynch, Joe Lynch, Danielle Lynch, Caleb Charlie and Nolan Lynch, Carly Buckley, Karen Lynch Bernard, and Kristen Lynch.

Senate Resolution No. 623**BY** Lombardo**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF NELSON W. BOUCHER, JR.

Ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **The Appointment of Mary Brewster, AIA. VICE David R. Prengaman to the Board of Examination & Registration of Architects for a term expiring April 1, 2022.**

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

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, DaPonte, DiPalma, Doyle, Felag, Fogarty, 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 Felag announces that the Committee on Finance and Committee on Judiciary will meet today at the rise, in Room 211 of the State House.

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

Senator Ruggerio wishes Senator Gayle L. Goldin a very Happy Birthday.

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

Senator Metts announces that the Committee on Education will meet tomorrow at the rise, in Room 313 of the State House.

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 Algieri and Ruggerio, the Senate adjourns at 4:48 o'clock P.M., in memory of *John D. Lynch, Esquire*.

Appendix**INVOCATION****SENATOR WILLIAM J. CONLEY, JR.**

Dear Lord, in the days ahead there will be many choices before us as we work to make our State a greater place to live. Help us to work together to reach common ground and find positive solutions for the benefit all of our people. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 22, 2017:

- 1. 2017-S 623**
BY Lombardo
ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE
PASSING OF NELSON W. BOUCHER, JR.

Ordered on the Consent Calendar.

Appendix

CALENDAR

IN ORDER FOR THURSDAY, MARCH 23, 2017:

- 1. 2017-S 257**
BY Satchell
ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO
TAXATION

Committee on Finance recommends passage.