

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.29

Thursday, March 23, 2017

Twenty Ninth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Harold M. Metts, President Pro Tempore of the Senate, at 4:04 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: Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Crowley, DaPonte, Doyle, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paiva Weed, Paolino, Pearson, Picard, Quezada, Raptakis, Ruggerio, Satchell, Seveney, Sheehan, Sosnowski.

ABSENT – 4: Senators Coyne, DiPalma, Felag, and Gallo.

INVOCATION

The Honorable President Pro Tempore, by unanimous consent, presents Senator Algieri, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

COMMUNICATIONS

The Honorable President Pro Tempore presents the following communications:

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

March 23, 2017
The Honorable Harold M. Metts
President Pro Tempore
State House
Providence, RI 02903

Dear Senator Metts:

I hereby resign the Office of the President of the Senate effective 3:00pm as of today's date.

Sincerely,

M. Teresa Paiva Weed
President of the Senate

Read and placed on file.

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

March 23, 2017
The Honorable Senate
Senate Chamber
State House
Providence, RI 02903

To the Honorable, the Senate:

This is to inform you that the Democratic Senators met in the Senate Lounge at the State House on March 23, 2017 to elect the Honorable Michael J. McCaffrey of the Twenty Ninth Senatorial District as the Senate Majority Leader for the 2017-2018 term.

Sincerely,

Maryellen Goodwin
Senator-District 1
Democratic Caucus Secretary

Read and placed on file.

REPORTS OF COMMITTEES**COMMITTEE ON JUDICIARY**

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

Senate Bill No. 280

BY Pearson, Picard, Archambault

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Leonette Marie Tanquay to join Lynne Elizabeth Daigneault and Gregg Noury in marriage on or about June 16, 2017, within the Town of Smithfield, Rhode Island.)
{LC703/1}

Read and ordered to be placed on the Consent Calendar.

Senate Bill No. 387

BY Jabour, Felag

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows William J. Gately, Jr., Esq., to join Caroline Stuart Barr and James W. Gately in marriage on or about August 26, 2017, within the Town of Bristol, Rhode Island.)
{LC1889/1}

Read and ordered to be placed on the Consent Calendar.

ELECTION OF THE PRESIDENT OF THE SENATE

Senator Archambault, seconded by Senator Conley, moves that the floor be open to nominations.

The motion to open nominations prevails on a voice vote.

The Honorable President Pro Tempore Metts declares that nominations for the office of President of the Senate are now in order.

Senator Lynch Prata nominates Senator Dominick J. Ruggerio. The nomination is seconded by Senator Algieri.

Senator Sosnowski, seconded by Senator Quezada, moves that nominations be closed.

The motion to close nominations prevails on a voice vote.

The Honorable President Pro Tempore Metts directs the Reading Clerk, to call the roll of the body.

The motion to elect Senator Dominick J. Ruggerio as President of the Senate for the years 2017/2018 prevails, upon a roll call vote with 37 Senators voting for Senator Ruggerio and 0 Senators voting in the negative and 1 Senator not voting as follows:

RUGGERIO: 37 Senators Algiere, Archambault, Ciccone, Conley, Cote, Coyne (by proxy), Crowley, DaPonte, DiPalma (by proxy), Doyle, Felag (by proxy), Fogarty, Gallo (by proxy), Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paiva Weed, Paolino, Pearson (by proxy), Picard, Quezada, Raptakis, Ruggerio, Satchell, Seveney, Sheehan, Sosnowski.

OTHER: 0

NOT VOTING: 1 Senator Calkin.

The Honorable President Pro Tempore Metts announces that Senator Dominick J. Ruggerio has been elected President of the Rhode Island Senate for the years 2017/2018.

OATH OF OFFICE

The Honorable Senator introduces the Honorable Joseph A. Montalbano, Associate Judge of the Rhode Island Superior Court, to administer the oath of Office to the Senate President.

NOW PRESIDING

At 4:20 o'clock P.M. the Honorable Senate President Pro Tempore Metts yields the rostrum to the Honorable President Dominick J. Ruggerio.

PRESIDENTIAL REMARKS

The Honorable President Ruggerio, addresses the members of the Senate and their special guests.

(See Appendix for Presidential Remarks)

GUESTS

Upon suggestion of Senator Cote and by unanimous consent, the Honorable President welcomes to the Chamber Douglas T. Brown, from Woonsocket.

Upon suggestion of Senator Paiva Weed and by unanimous consent, the Honorable President welcomes to the Chamber former Senate President the Honorable Joseph A. Montalbano and former Chief of Staff Thomas R. Coderre.

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President welcomes to the Chamber President Ruggerio's Family, Amanda Fallon, daughter and her husband PJ and their daughter Natalie Fallon. His son Charles, his wife Jillian and their daughter Ava and Mia. Also, his Sister Lisa Aceto and her husband Jim Aceto.

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President welcomes to the Chamber for Former State Senators Thomas R. Coderre and David Cruise.

NEW BUSINESS**Senate Resolution No. 625****BY** Coyne, Algieri**ENTITLED**, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES TO THE HALEY AND WILLIAMS FAMILIES ON THE PASSING OF JEAN HALEY AND MARTHA WILLIAMS

{LC2142/1}

Ordered to be placed on the Consent Calendar.

Senate Resolution No. 626**BY** Paiva Weed, Ruggerio, Algieri, Coyne, Felag**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE DAVID E. BATES

{LC2159/1}

Recommended for Immediate Consideration.

Senator Paiva Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2017-S 423**BY** Pearson**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

2. 2017-H 5509**BY** Carson**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

3. 2017-H 5737**BY Carson****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

Upon motion of Senator McCaffrey, 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 - 29: The Honorable President Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Crowley, DaPonte, Doyle, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardo, Lynch Prata, McCaffrey, Miller, Nesselbush, Paiva Weed Paolino, Picard, Quezada, Raptakis, , Satchell, Seveney, Sheehan, Sosnowski.

NAYS - 0:

CALENDAR

In order for the day is taken up as follows:

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

Committee on Finance recommends passage.

Senator Satchell moves passage of the act, seconded by Senators McCaffrey, Lombardi, Archambault, Kettle, Gee, and Sheehan.

The act is read and passed, on a roll call vote, with 34 members voting in the affirmative and 0 members voting in the negative as follows.

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

NAYS - 0:

ANNOUNCEMENTS

Senator DaPonte announces that the Committee on Finance 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 Goldin announces that the Committee on Health and Human Services will meet today at the rise, in the Senate Lounge 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 upon suggestion of Senator Paiva Weed the Senate adjourns at 4:38 o'clock P.M, in memory of *The Honorable David E. Bates*.

Appendix**INVOCATION****SENATOR DENNIS ALGIERE**

Almighty God, may we pursue our tasks with a sense of your presence. Give us the wisdom not to squander energy on things that do not matter nor put off until tomorrow that which can be done today. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, MARCH 28, 2017:**

1. **2017-S 625**
 BY Coyne
 ENTITLED, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES TO
 THE HALEY AND WILLIAMS FAMILIES ON THE PASSING OF JEAN HALEY
 AND MARTHA WILLIAMS

Ordered on the Consent Calendar.

2. **2017-S 280**
 BY Pearson
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

3. **2017-S 387**
 BY Jabour
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

Appendix
CALENDAR

IN ORDER FOR TUESDAY, MARCH 28, 2017:

- 1. 2017-S 20**
BY Cote
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
BARBERS, HAIRDRESSERS, COSMETICIANS, MANICURISTS AND
ESTHETICIANS

Committee on Commerce recommends passage.
- 2. 2017-S 70**
BY Doyle
ENTITLED, AN ACT RELATING TO CRIMINALS - CORRECTIONAL
INSTITUTIONS - PAROLE BOARD

Committee on Judiciary recommends passage.
- 3. 2017-S 278**
BY Doyle
ENTITLED, AN ACT RELATING TO CRIMINAL LAW - PAROLE BOARD

Committee on Judiciary recommends passage.
- 4. 2017-S 281**
BY Lynch Prata
ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - JOINT COMMITTEE
OF THE REPEALER

Committee on Judiciary recommends passage.
- 5. 2017-S 373**
BY Nesselbush
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
LICENSES

Committee on Judiciary recommends passage.

Appendix**TRANSMITTED TO THE GOVERNOR****House Bill No. 5509****BY** Carson

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable Julia L. Aurigemma to join Kathryn Abbott DeNapoli and James Michael Mathews in marriage on or about May 20, 2017, within the City of Newport, Rhode Island.)
{LC1469/1}

House Bill No. 5737**BY** Carson

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows the Honorable William J. McGovern III to join Lauren Elaine Provini and Nathaniel David Robinson in marriage on or about April 29, 2017, within the City of Newport, Rhode Island.)
{LC1895/1}

Appendix
President's Remarks

Address to Chamber
March 23, 2017



Dominick J. Ruggerio

Thank you, Erin and Dennis, for your very kind words, and thank you to the members of the chamber for your support.

I am deeply humbled by the honor you have bestowed upon me today, and I will work to the best of my ability to fulfill the responsibilities it entails.

I tell you this: if my apprenticeship under Teresa Paiva Weed hasn't prepared me for this moment, nothing could.

Teresa never shied away from a challenge. She has always been a fierce advocate for her Senate colleagues, and for the causes that impact Rhode Islanders. She led with both thoughtfulness and compassion.

The legacy of Teresa Paiva Weed will benefit Rhode Islanders for decades to come.

Teresa, I know of no other person more perfectly suited to improve Rhode Island's hospitals and health care systems than you. It was truly an honor to serve alongside you, and to learn from you.

Justice Montalbano, thank you for the honor of administering the oath. I also had the honor of serving under your leadership as President of this chamber, and I learned valuable lessons that will serve the Senate well.

I want to extend my congratulations to our new Majority Leader, Michael McCaffrey.

Michael has worked collaboratively with all of his colleagues as Chairman of the Judiciary Committee, bringing differing parties together to work on legislation and build consensus, often on very difficult issues.

He has provided steady leadership on many initiatives, including the prison and probation reform package.

I also want to say what an honor it has been to work across the aisle from Dennis Algiere. Dennis is a true statesman who fulfills his role with dignity and distinction.

He is a strong voice for the minority caucus, and I have thoroughly enjoyed working together with him over the years.

I have always been fortunate in the Senate to work alongside such a tremendously talented and dedicated group of public servants.

We come from many different background and all regions of the state, and we each bring our own perspectives, but our goal is fundamentally the same: we want to make Rhode Island an even greater place to live and work.

Of course, we are focused first and foremost on supporting job creation and economic development. We want Rhode Islanders to be prepared for the workforce, and we want an economy that is creating jobs for them.

We want safe roads and bridges, quality education, and access to health care, whether it's a physical or mental ailment.

These are not liberal or conservative issues. They are issues that impact every Rhode Islander, and they are challenges which our constituents are looking to us to address.

Working together, with the many talented senators in this room – and with our colleagues in the House of Representatives and the Governor's office – we will continue to address the serious challenges facing our state.

I am grateful to lead a chamber of such dedicated senators. It is very humbling to be named as your President.

I know that we are going to continue making tremendous progress on behalf of those we serve because I know how hard each of you works to make that progress a reality.

Thank you for placing your trust in me, and I look forward to working collaboratively with everyone in the chamber to improve our great state.