

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.35

Thursday, April 6, 2017

Thirty Fifth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:25 o'clock P.M.

The roll is called and a quorum is declared present with 31 Senators present and 6 Senators absent as follows:

PRESENT – 31: The Honorable President Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Seveney, and Sosnowski.

ABSENT –6: Senators, Conley, DaPonte, Gallo, Metts, Satchell, and Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Thirty Fourth Legislative Day of the 2017 proceedings is read in part.

Upon suggestion of Senator Cote 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 THE RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

April 6, 2017

The Honorable Dominick J. Ruggerio
President of the Senate
State House, Room 316
Providence, RI 02903

Dear President Ruggerio:

Please be advised and let the record reflect that I will be absent from the Chamber Thursday, April 6, 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.

Sincerely yours,

Harold M. Metts
Senator District 6

Read and placed on file.

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

April 6, 2017

The Honorable Dominick J. Ruggerio
President of the Senate
State House, Room 318
Providence, RI 02903

Dear Mr. President,

Please be advised that I will be unable to attend the Senate Session today, Thursday, April 6, 2017 due to sickness.

Warmest personal regards, I remain,

Sincerely,
James C. Sheehan
Senator – District 36

Read and placed and file.

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

April 6, 2017

The Honorable Dominick J. Ruggerio
President of the Senate
318 State House
Providence, RI 02903

Dear President Ruggerio:

Please be advised and let the record reflect that due to personal reasons, I will be absent from the chamber on Thursday, April 6, 2017.

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

Thank you for your attention to this matter.

Sincerely,

Senator Adam J. Satchell
Senate District 09

Read and placed on file.

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

Chairwoman Lynch Prata, from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

Senate Bill No. 662

BY DiPalma

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Joshua Jaye DelVecchio to join Ashley Suzanne Boulais and Christopher Grayson in marriage on or about June 2, 2017, within the City of Newport, Rhode Island.)
{LC2162/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5299

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Kevin Harmon to join Diane L. Harmon and Javier Setien in marriage on or about June 17, 2017, within the Town of Jamestown, Rhode Island.)
{LC1146/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5420**BY** Regunberg

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Thomas Welch to join Caroline Cohn and Peter Suchcicki in marriage on or about July 15, 2017, within the City of Providence, Rhode Island.)
{LC1325/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5739**BY** Craven

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Peter Freeburg to join Mary Barlas and Christopher Benn in marriage on or about July 1, 2017, within the Town of North Kingstown, Rhode Island.)
{LC1958/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5827**BY** Ackerman

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Derek Wesolowski to join Brittany Ann Jarry and MacGyver Dean Duarte in marriage on or about August 17, 2018, within the Town of Lincoln, Rhode Island.)
{LC1649/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5828**BY** Tanzi

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Carole Tardif to join Nichole Morneau and Dennis Stebbins, II, in marriage on or about June 24, 2017, within the Town of South Kingstown, Rhode Island.)
{LC1608/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5853**BY** Hearn

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Charles Joseph Cook to join Tenley Forrest Burlingame and Griffin Thomas Menzies in marriage on or about August 19, 2017, within the Town of Bristol, Rhode Island.)
{LC1999/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5863**BY** Edwards, Canario

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allow Arthur W. Cheeks to join Elizabeth Mills Hoch and Alastair Campbell Butler in marriage on or about June 24, 2017, within the Town of Tiverton, Rhode Island.)
{LC2032/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5885**BY** Canario, Edwards

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Christopher Joseph Fiorentino, Esq., to join Denise Marie Fiorentino and Andrew Stephen Myrick in marriage on or about May 6, 2017, within the City of Newport, Rhode Island.)
{LC2092/1}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 718****BY** Nesselbush

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF PAULINE M. CARDIN
{LC2377/1}

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 Fogarty, Lombardi, Quezada, Crowley, Doyle, Lynch Prata, Goodwin, Archambault, Kettle, and Lombardo.

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

GUESTS

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President welcomes to the Chamber Tone Marie LaRose, Granddaughter Caitlyn LaRose, Great Great Daughter and Jeffery LaRose Great Grandson.

NEW BUSINESS

Senate Bill No. 719

(Secretary of State)

BY Gallo

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS (Requires the tax administrator to file a public list with the secretary of state of corporations and limited liability companies that have failed to pay required fees and taxes.)
{LC2225/1}

Referred to the Committee on Commerce.

Senate Bill No. 720**BY** Sosnowski, Conley, Coyne, Calkin, Miller

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- AGRICULTURAL FUNCTIONS (Requires the director of department of environmental management to enforce the Federal Good Agriculture Practices Act and the Food Safety Modernization Act as it pertains to commercial growers of fruits and vegetables.)
{LC2392/1}

Referred to the Committee on Environment and Agriculture.

Senate Bill No. 721**BY** DiPalma

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SIZE, WEIGHT AND LOAD LIMITS--MIDDLETOWN (Imposes size and weight restrictions on through traffic on Forest Avenue, Middletown.)
{LC2414/1}

Referred to the Committee on Housing and Municipal Government.

Senate Bill No. 722**BY** Coyne

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows James R. Lee to join Ryann Scully and Nathan Humes in marriage on or about July 7, 2018, within the Town of Bristol, Rhode Island.)
{LC2400/1}

Referred to the Committee on Judiciary.

Senate Bill No. 723**BY** Kettle, Morgan

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Mark Tourgee to join Morgan Sprague and Bradley Head in marriage on or about September 9, 2017, within the City of Newport, Rhode Island.)
{LC2371/1}

Referred to the Committee on Judiciary.

Senate Bill No. 724**BY** Lynch Prata, McCaffrey, Lombardi, Archambault, Jabour**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - JOINT COMMITTEE ON NAMING NEW BUILDINGS (Names the traffic tribunal "The Albert E. DeRobbio Traffic Tribunal.")
{LC2437/1}

Referred to the Committee on Special Legislation and Veterans Affairs.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2017-H 5178**BY** Diaz**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE IMPOWERMENT GROUP

Ordered to be placed on the Consent Calendar for passage in concurrence.

2. 2017-H 5321**BY** Price**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SHANNON SYSTEMS, LLC

Ordered to be placed on the Consent Calendar for passage in concurrence.

3. 2017-H 5322**BY** Shekarchi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ITW FOOD EQUIPMENT GROUP LLC

Ordered to be placed on the Consent Calendar for passage in concurrence.

4. 2017-H 5612**BY** Quattrocchi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SCITUATE-FOSTER LITTLE LEAGUE

Ordered to be placed on the Consent Calendar for passage in concurrence.

5. 2017-H 5613**BY** Nunes**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF FORTNEY & WEYGANDT, INC.

Ordered to be placed on the Consent Calendar for 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, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Miller, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Sosnowski.

NAYS - 0:

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet today at the rise, in the 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 Archambault announces that the Committee on Judiciary will meet today at the rise, in Room 313 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.

Senator McCaffrey congratulates Senator Archambault on receiving the Excellency of Advocacy Award from the National Council on Behavioral Health.

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 McCaffrey and upon suggestion by Senator Nesselbush the Senate adjourns at 4:36 o'clock P.M in memory of *Pauline M. Cardin*.

Appendix

INVOCATION

SENATOR MARC. A COTE

Almighty God, we ask that you aid us in putting forth our best efforts as leaders of our State, as we strive to make Rhode Island a better place for people to live. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, APRIL 11, 2017:**

1. **2017-S 662**
 BY DiPalma
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage.
2. **2017-H 5299**
 BY Ruggiero
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
3. **2017-H 5420**
 BY Regunberg
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
4. **2017-H 5739**
 BY Craven
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
5. **2017-H 5827**
 BY Ackerman
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
6. **2017-H 5828**
 BY Tanzi
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.
7. **2017-H 5853**
 BY Hearn
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

 Committee on Judiciary recommends passage in concurrence.

8. **2017-H 5863**
 BY Edwards
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

9. **2017-H 5885**
 BY Canario
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Appendix

CALENDAR

IN ORDER FOR TUESDAY, APRIL 11, 2017:

1. **2017-S 175**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOBILE
 TELEPHONE USE

Committee on Judiciary recommends passage.

2. **2017-S 517**
 BY McCaffrey
 ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
 LITIGATION LENDING AGREEMENTS

Committee on Judiciary recommends passage.

Appendix

TRANSMITTED TO THE GOVERNOR

House Bill No. 5178

BY Diaz

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE IMPOWERMENT GROUP
{LC853/1}

House Bill No. 5321

BY Price

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SHANNON SYSTEMS, LLC
{LC1060/1}

House Bill No. 5322

BY Shekarchi

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ITW FOOD EQUIPMENT GROUP LLC
{LC1148/1}

House Bill No. 5612

BY Quattrocchi

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SCITUATE-FOSTER LITTLE LEAGUE
{LC1754/1}

House Bill No. 5613

BY Nunes

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF FORTNEY & WEYGANDT, INC.
{LC1910/1}