

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.36

Tuesday, April 11, 2017

Thirty Sixth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggiero, President of the Senate, at 4:16 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 3 Senators absent as follows:

PRESENT – 34: The Honorable President Ruggiero and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gee, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

ABSENT –3: Senators Gallo, Goldin, and Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

Upon suggestion of Senator Goodwin 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**

April 11, 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 Tuesday, April 11, 2017, celebration of Passover.

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,
Gayle L. Goldin
Senator – District 03

Read and placed on file.

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

April 11, 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 Tuesday & Wednesday, April 11th & 12th, 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.

REPORTS OF COMMITTEES**COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT**

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

Senate Bill No. 655

BY Conley, Coyne, DaPonte

ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE CITY OF EAST PROVIDENCE (Validates and ratifies amendments to the Home Rule Charter of the city of East Providence, which amendments were adopted and approved by the electors of the city of East Providence on November 8, 2016.)
{LC2061/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON SPECIAL LEGISLATION AND VETERANS' AFFIARS

Chairman Felag, from the Committee on Special Legislation and Veterans' Affairs, reports back, with recommendation of passage of the following measures:

Senate Bill No. 85

BY Cote, Felag, Lynch Prata, Seveney

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS (Creates a veteran's preference in the issuance of state contracts.)
{LC365/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 585

BY Goldin

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES - PROVIDENCE (Enables the city of Providence's board of licenses to approve the liquor license applications for a business at 100-102 Hope Street (Assessor's plat 16, lot 263), located within two hundred feet (200') of a church.)
{LC2065/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 725****BY** Lombardo**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF ALFRED A. RUSSO, SR.
{LC2420/1}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 726****BY** McCaffrey, Lynch Prata, Ruggerio, Goodwin, Algieri**ENTITLED**, SENATE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF THE HONORABLE WILLIAM A. WALASKA
{LC2417/1}

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 Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gee, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, and Sosnowski.

Senators McCaffrey, Lynch Prata, Algieri and Nesselbush discuss the resolution.

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

FROM THE COMMITTEE ON JUDICIARY

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

The Advice and Consent to the Appointment of David Sholes to the Board of Elections.

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 Senator Lynch Prata.

Advice and Consent is granted, upon a roll call vote with 34 members voting in the affirmative and 0 in the negative as follow:

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

NAYS - 0:

NEW BUSINESS

Senate Resolution No. 727

BY Archambault

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF MARGARET M. SILVA
{LC2477/1}

Ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

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.

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

NAYS - 0:

CALENDAR

In order for the day is taken up as follows:

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

Committee on Judiciary recommends passage.

Senator Sosnowski moves passage of the act, seconded by Senators Lynch Prata, Lombardi, Metts, Nesselbush, Crowley, Conley, Goodwin, McCaffrey, Archambault, Lombardo, Gee, Coyne, Seveney, and DiPalma.

The act is read and passed, on a roll call vote, with 33 members voting in the affirmative and 0 members voting in the negative as follows.

YEAS - 33: The Honorable President Ruggerio and Senators Algieri, Archambault, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gee, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Raptakis, Satchell, Seveney, Sosnowski.

NAYS - 0:

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

Committee on Judiciary recommends passage.

Senator Goodwin moves to place this item on Wednesday, April 26th Calendar.

GUESTS

Upon suggestion of Senator Conley and by unanimous consent, the Honorable President welcomes to the Chamber Nicholas Oliver, Executive Director of RI Partnership for Home Care.

Upon suggestion of Senator DaPonte and by unanimous consent, the Honorable President welcomes to the Chamber Ashley Sadlier, Bayada Home Health Care's State Director.

Upon suggestion of Senator Kettle and by unanimous consent, the Honorable President welcomes to the Chamber Laurie Ellison, RN Board President of RI Partnership for Home Care.

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet today at the rise, in the Senate Lounge 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 Miller announces that the Committee on Health and Human Services will meet today at the rise, in Room 211 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.

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

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

Senator Crowley announces that the Committee on Housing and Municipal Government will meet tomorrow at the rise, in Room 212 of the State House.

Senator Goodwin announces that there will be no senate session on Thursday, April 13th.

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 by Senate Majority Leader McCaffrey the Senate adjourns at 4:40 o'clock P.M in memory of *The Honorable William A. Walaska*.

Appendix**INVOCATION****SENATOR MARYELLEN GOODWIN**

As we celebrate Passover, we gather in this chamber to recognize the religious significance of Passover. We pray for freedom to learn, freedom to love, freedom to hope, and freedom to rejoice. Soon in our days. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 12, 2017:

1. **2017-S 725**
 BY Lombardo
 ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE
 PASSING OF ALFRED A. RUSSO, SR.

Ordered on the Consent Calendar.

2. **2017-S 727**
 BY Archambault
 ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE
 PASSING OF MARGARET M. SILVA

Ordered on the Consent Calendar.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, APRIL 25, 2017:**

1. **2017-S 655**
 BY Conley
 ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE
 HOME RULE CHARTER OF THE CITY OF EAST PROVIDENCE

Committee on Housing & Municipal Government recommends passage.

2. **2017-S 85 SUB A**
 BY Cote
 ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS

Committee on Special Legislation and Veterans Affairs recommends indefinite
postponement of the original bill and passage of Substitute A.

3. **2017-S 585**
 BY Goldin
 ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL
 LICENSES - PROVIDENCE

Committee on Special Legislation and Veterans Affairs recommends passage.

IN ORDER FOR WEDNESDAY, APRIL 26, 2017:

1. **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. 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}

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}

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}

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}

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}

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}

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.)