

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 first day of January in the year of Our Lord two thousand and thirteen.

Volume 140, No.57

Thursday, May 30, 2013

Fifty-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 4:18 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT – 35: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 3: Senators Cote, Metts, 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 Fifty-sixth Legislative Day of the 2013 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 approved as recorded.

GUESTS

Upon suggestion of Senator Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable George Healey, Chief Judge of Workers' Compensation Court, the Honorable William Carnes, Associate Justice of Superior Court and the Honorable Hugo Ricci, Associate Justice of Workers' Compensation Court.

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Judge Haiganush R. Bedrosian, Chief Justice of the Rhode Island Family Court, the Honorable Stephen J. Capineri, Rhode Island Family Court, Honorable Judge James W. McCann and the Honorable Magistrate Charles Levesque.

Upon suggestion of Senator Conley and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Judge Paul Suttell, Chief Justice of the Rhode Island Supreme Court.

Upon suggestion of Senator Archambault and by unanimous consent, the Honorable President, welcomes to the Chamber Mary McCaffrey, District Court.

Upon suggestion of Senator Lombardi and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Colleen M. Hastings, Magistrate of the Rhode Island Family Court, the Honorable Michael B. Forte, Associate Justice Family Court and the Honorable Debra E. DiSegna, Associate Justice Family Court.

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable John F. McBurney III, Superior Court Magistrate and David Cruise, Magistrate of the Rhode Island Traffic Tribunal.

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable R. David Cruise, Magistrate Traffic Tribunal, Former President of the Senate William Irons, Former Senate Majority Leader Daniel Connors, John Sabatini, Joseph Polisena, Mayor of Johnston, Stephen Alves, Edward Morrone, Harold Miller and John Tassoni, Jr.

Upon suggestion of Senator Lombardo and by unanimous consent, the Honorable President, welcomes to the Chamber Chris Forte and Cameron Forte.

COMMUNICATION

The Honorable President presents the following communication:

<p style="text-align: center;">STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS STATE HOUSE</p> <p>May 31, 2013</p> <p>The Honorable M. Teresa Paiva Weed President of the Senate 318 State House</p>

Providence, RI 02903

Dear Madam President:

Please be advised that I will be out of State Thursday, May 30, 2013, on family business and will be unable to attend the session.

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

Thank you for your understanding.

Respectfully,

Harold M. Metts
Senator District 6

Read and ordered to be placed on file.

FROM THE HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage, of the following measures:

Senate Bill No. 627 SUB A

(Secretary of State)

BY Jabour, Pearson, Metts

ENTITLED, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS {LC1171/A/1}

Read and ordered to the Senate Calendar.

Also:

Senate Bill No. 659 SUB A

(Transportation)

BY McCaffrey, Felag, Walaska

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC CONTROL DEVICES {LC1473/A/1}

Read and ordered to the Senate Calendar.

Also:

House Bill No. 5453 SUB A

BY Kennedy, San Bento, Valencia, Naughton, O'Grady

ENTITLED, AN ACT RELATING TO INSURANCE (would create the limited lines travel insurance act to establish requirements for travel insurance producers and travel agents who facilitate the purchase of travel insurance) {LC1161/A/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5534 SUB A

BY Carnevale, Ucci, Fellela, Costantino

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - PUBLIC DRINKING WATER SUPPLY SYSTEM PROTECTION (would repeal the provision of the general laws requiring water suppliers to formulate a program for the installation of radio frequency reading systems) {LC1400/A/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

House Bill No. 5768

(Judiciary)

BY Craven, Mattiello, O'Neill, Lombardi

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - OPTIONAL RETIREMENT FOR MEMBERS OF POLICE FORCE AND FIREFIGHTERS (would require party who is aggrieved by a determination of the retirement board, that he or she must file a notice of appeal with the retirement board and the workers' compensation court within 20 days of the entry of the retirement board decision.) {LC1632/1}

Read and ordered to the Committee on Finance.

Also:

House Bill No. 5457 SUB A

BY Shekarchi, Ackerman, Bennett, Costantino, Lombardi

ENTITLED, AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE RHODE ISLAND SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS," PASSED AT THE MAY SESSION, 1870, AS AMENDED {LC1488/A/1}

Read and ordered to the Committee on Finance.

Also:

House Bill No. 5515

BY Carnevale

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - OPTOMETRISTS (would prohibit insurers from requiring optometrists to provide discounted material benefits and/or to participate in a subsidiary and/or third-party vision care plan as a condition for participation in the insurer's participating provider panel) {LC1214/1}

Read and ordered to the Committee on Health and Human Services.

Also:

House Bill No. 5376**BY** McNamara, Shekarchi, Naughton, MacBeth, Abney**ENTITLED**, AN ACT RELATING TO EDUCATION -- CURRICULUM--CPR TRAINING (would provide minimum guidelines for CPR training and would require an overview of automated external defibrillator (AED) use) {LC811/1}

Also:

Read and ordered to the Committee on Health and Human Services.

House Bill No. 6095**BY** McNamara, Malik, Lima, Shekarchi**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- ADEQUACY OF THE BLOOD SUPPLY IN RHODE ISLAND {LC2512/1}

Read and ordered to the Committee on Health and Human Services.

Also:

House Bill No. 5393 SUB A**BY** Shekarchi, Lima, Ucci, Phillips**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- SUBDIVISION OF LAND (would require municipalities to establish and maintain a public notice registry allowing any person or entity to register for electronic notice of any changes to local regulations.) {LC1102/A/1}

Read and ordered to the Committee on Housing and Municipal Government.

Also:

House Bill No. 5897 as amended**BY** Coderre, O'Neill, Messier, San Bento, Johnston**ENTITLED**, AN ACT RELATING TO PROPERTY -- ABANDONED PROPERTY (would clarify the types of proceeding in which injunctive or other relief may be granted in matters involving minimum building or housing standards) {LC2097/1}

Read and ordered to the Committee on Housing and Municipal Government.

Also:

House Bill No. 5257**BY** Lally**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - PRACTICE IN PROBATE COURTS (would remove the requirement of notifying the executive office of health and human services when a decedent was fifty-five (55) years or older, when petitioning for the probate of a will or administration of an estate) {LC817/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6129

BY Newberry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Michael H. Crepeau of North Smithfield, Rhode Island, to join Jennifer L. Jillson and Michael Engels in marriage on or about July 5, 2013, within the City of Newport, Rhode Island) {LC2613/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6144

BY Blazejewski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Lori Backall to join Kristin Howley and Laurie Backall in marriage on or about October 12, 2013, within the City of Providence, Rhode Island.) {LC2635/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6145

BY Lally

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Richard M. Galvin of Salem, New Hampshire, to join Kimberly Marie Garcia and Daniel William Shea in marriage within the Town of Narragansett, Rhode Island, on or about August 17, 2013.) {LC2622/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6128

BY Lima

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Shirly O. Bacon of Cranston, Rhode Island, to join Sandra E. R. Yazidjian and Scott J. Gibeault in marriage within the Town of Burrillville, Rhode Island, on or about October 13, 2013) {LC2620/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6124

BY DeSimone

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow

William North to join Sarah Lynn North and Michael Steven James Scudieri in marriage within the City of Providence, Rhode Island, on or about August 4, 2013) {LC2305/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5830 as amended

BY Handy, Naughton, Jacquard, Williams, Ajello

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS

(would require a sign language or Communication Access Realtime Translation (CART) provider for all court proceedings) {LC1556/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5436

BY Lally

ENTITLED, AN ACT RELATING TO PROPERTY (would clarify and reduce the time after which a recorded mortgage would be unenforceable against real estate securing the mortgage.) {LC1091/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6044

BY Canario, Edwards, Gallison, Finn

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS - THE TOWN OF

PORTSMOUTH MUNICIPAL COURT (would authorize the town of Portsmouth to create a municipal court.) {LC2449/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5969

(General Treasurer)

BY Williams, Hearn, Fox, Naughton, Ajello

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - CRIME INJURIES

COMPENSATION (would make changes to the crime injuries compensation fund, allowing for the recovery of crime scene clean ups and relocation) {LC2260/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5161 SUB A**BY** Slater, McLaughlin, DeSimone, Lally, Tanzi**ENTITLED**, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN - PROCEEDINGS IN FAMILY COURT (would require that if a juvenile commits a crime or otherwise violates the terms of his or her probation that such juvenile be charged as a violator and brought promptly before the family court) {LC510/A/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5667**BY** Mattiello, Silva, Guthrie, Tomasso, Casey**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - DIVISION OF FIRE SAFETY {LC1824/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5772

(Revenue)

BY Kazarian, Keable, Johnston, O'Brien, Cimini**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - DIVISION OF MOTOR VEHICLES - LICENSES AND REGISTRATIONS (would eliminate the requirement that motorists surrender suspended licenses and registration plates to the division of motor vehicles unless licensee is determined to be operating after suspicion.) {LC1661/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5689 SUB A

(Governor)

BY Jacquard, Nunes, Mattiello**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - EMPLOYMENT SECURITY - FRAUD AND ABUSE (would assess a penalty equal to fifteen percent of the amount of any erroneous payment made to an individual that was due to fraud committed by the individual.) {LC1693/A/2}

Read and ordered to the Committee on Labor.

Also:

House Resolution No. 6142**BY** Fox, Ruggiero, McNamara, Ferri, Ajello**ENTITLED**, JOINT RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR TO ESTABLISH THE RHODE ISLAND "STATE OF THE ARTS" PLANNING TASK FORCE {LC2632/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

REPORTS OF COMMITTEES

TRANSFER OF BILLS

Senator Miller, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Health and Human Services to the Committee on Finance:

Senate Bill No. 798

BY Felag

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- TAXATION RELIEF FROM PREMIUM-BASED TAXATION OF HEALTHCARE SERVICES (would replace the current immunization/children healthcare services assessments and premium taxes imposed on health insurance companies with a healthcare services surcharge calculated to generate the same amount of revenue as assessments and taxes)

{LC2202/1}

Read and referred to the Committee on Finance.

COMMITTEE JUDICIARY

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

House Bill No. 5775 as amended

(Transportation)

BY Ajello

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC CONTROL DEVICES (would update outdated and inapplicable provisions of the RI general laws to correspond with the standards for the meaning of traffic signals as included in the Manual on Uniform Traffic Control Devices (MUTCD)

{LC1472/1}

Read and ordered to be placed on Senate Calendar.

Also:

House Bill No. 5781 SUB A

(Secretary of State)

BY Blazejewski, Johnston, Keable, Nunes, Silva

ENTITLED, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS (would require that mail ballots be returned to the state board of elections by the closing time of the polls established by law on election day.) {LC1840/A/1}

Read and ordered to be placed on Senate Calendar.

Senator Picard from the Committee on Commerce, reports back, with recommendation of passage of the following measure:

House Bill No. 5462

BY Keable, Valencia, Kazarian, Finn

ENTITLED, AN ACT RELATING TO UNIFORM COMMERCIAL CODE -- FUNDS TRANSFERS (would amend the Rhode Island Uniform Commercial Code in order to provide that it be applied to remittance transfers that are not deemed electronic funds transfers under the Federal Electronic Funds Transfer Act) {LC1355/1}

Read and ordered to be placed on Senate Calendar.

NEW BUSINESS

Senate Bill No. 968

BY Gallo, McCaffrey, Goodwin, Ruggerio, Jabour

ENTITLED, AN ACT RELATING TO EDUCATION - THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE {LC2670/1}

Read and ordered to the Committee on Education.

Senate Bill No. 969

BY Archambault

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - PUBLIC DRINKING WATER SUPPLY SYSTEM PROTECTION {LC2667/1}

Read and ordered to the Committee on Environment and Agriculture.

Senate Bill No. 970

BY Gallo, Miller, Lombardi

ENTITLED, AN ACT RELATING TO EDUCATION - COOPERATIVE SERVICE ALONG SCHOOL DISTRICTS {LC2609/1}

Read and ordered to the Committee on Finance.

Senate Resolution No. 971

BY Gallo, Miller, Lombardi

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$258,866 FOR CRANSTON AND \$158,290.12 FOR CHARIHO IN THE FISCAL YEAR 2013-2014 STATE BUDGET {LC2686/1}

Read and ordered to the Committee on Finance.

Senate Bill No. 972

BY McCaffrey

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS - SOLEMNIZATION OF MARRIAGES {LC2708/1}

Read and ordered to the Committee on Judiciary.

Senate Bill No. 973**BY** Fogarty, Nesselbush, Lynch, Goodwin, Gallo**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES – CHILDREN {LC2616/1}

Read and ordered to the Committee on Judiciary.

Senate Resolution No. 974**BY** Sosnowski**ENTITLED**, SENATE RESOLUTION THANKING MARY DONNELLY FOR HER 54 YEARS OF DEVOTED SERVICE IN THE NURSING PROFESSION AND HER COMMITMENT TO A HEALTHY BLOCK ISLAND COMMUNITY {LC2701/1}

Read and ordered to be placed on the Consent Calendar.

Senate Bill No. 975**BY** Pichardo, Fogarty, Cool Rumsey, Kettle, Ciccone**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING {LC2498/1}

Read and ordered to be placed on the Consent Calendar.

**REPORTS OF COMMITTEES
COMMITTEE ON EDUCATION**

Senator Gallo from the Committee on Education, reports back, with recommendation of passage of the following measures:

Appointment of Daniel P. Egan of Bristol VICE Solomon A. Solomon to the Rhode Island Higher Education Assistance Authority for a term expiring July 1, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Dennis J. Duffy, Esquire of Cranston VICE Anthony Santoro, Esq. to the Rhode Island Higher Education Assistance Authority for a term expiring July 1, 2017.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Robert J. Delaney of Cumberland VICE Robert J. McKenna to the Rhode Island Higher Education Assistance Authority for a term expiring July 1, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Christine Barnes Jenkins of Rumford to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Daniel P. Egan of Bristol to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Dennis J. Duffy, Esquire of Cranston to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Robert J. Delaney of Cumberland to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Robert R. Theroux of Harrisville to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

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

Appointment of Veronica M. Berounsky (Member with Conservation Organization Experience) VICE Jane Sherman to the Rhode Island Rivers Council for a term expiring January 1, 2014.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Daniel P. O'Rourke (Public Member) VICE John Schock to the Water Resources Board for a term expiring March 1, 2015.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Eugenia Marks (Conservation Organization Representative) VICE Harold Ward to the Water Resources Board for a term expiring March 1, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of James M. Pagliarini (Agricultural Business Representative) VICE William Stamp to the Water Resources Board for a term expiring March 1, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Sheila M. McGauvran, P.E. (Geologist/Hydrologist Representative) VICE Thomas Boving, Ph.D. to the Water Resources Board for a term expiring March 1, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Susan E. Licardi (Ground Water Representative) to the Water Resources Board for a term expiring March 1, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Pamela M. Marchand, PE (Large Public Water System Representative) to the Water Resources Board for a term expiring March 1, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 672 SUB A

BY Lynch, Paiva Weed, Ruggerio, Nesselbush, Crowley

ENTITLED, AN ACT RELATING TO REGULATORY REFORM - CITIES AND TOWNS -
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT - COASTAL RESOURCES
MANAGEMENT COUNCIL - WETLANDS AND SEPTIC SYSTEM STANDARDS

{LC1976/A/2}

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:

Senate Bill No. 950 SUB A

BY Goodwin, Ruggerio, Archambault, Lombardi, Fogarty

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS (would remove the prohibition on school committees from issuing work permits to children for employment in factories or mechanical or manufacturing establishments.)

{LC2545/A/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 951 SUB A

BY Fogarty, Ruggerio, Goodwin, McCaffrey, Ciccone

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION (would amend various procedural provisions in the general laws regarding workers' compensation cases, including the notice requirements, would increase the amount paid for burial expenses in cases or work-related injuries resulting in death)

{LC2602/A/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON SPECIAL LEGISLATION AND VETERANS' AFFAIRS

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

Senate Bill No. 954

BY Gallo, Goodwin, Lombardi

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES (would authorize the Cranston board of licenses to issue a retail Class B liquor license for a business to be located on Plat 11, lot 3558 of the Cranston tax assessment map.)

{LC2610/1}

Read and ordered to be placed on the Calendar.

Also:

House Bill No. 5929

BY Corvese

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

{LC2175/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

Appointment of The Honorable Patricia K. Asquith VICE Associate Justice Haiganush R. Bedrosian as Associate Justice of the Rhode Island Family Court.

Read and ordered to be placed on the bottom of today's calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **Appointment of Christopher V. Bilotti, CPA/ABV, MBA to the Rhode Island Industrial Recreational Building Authority for a term expiring February 1, 2017.**
2. **Appointment of The Honorable Laurence W. Ehrhardt VICE Dr. William Sweeney (deceased) to the Rhode Island Industrial Recreational Building Authority for a term expiring February 1, 2016.**
3. **Appointment of Steven J. Murphy (Representing video technicians) VICE William McGowan to the Board of Examination and Licensing of Telecommunication Systems Contractors, Technicians, and Installers for a term expiring August 1, 2017.**
4. **Appointment of David L. DeQuattro, AIA of North Smithfield to the Board of Examination and Registration of Architects for a term expiring April 1, 2018.**
5. **2013-H 5710**
BY MacBeth
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE
6. **2013-H 5936**
BY Valencia
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF RICHMOND

Upon motion of Senator Ruggerio, seconded by Senator Algiere, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algiere, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

CALENDAR

IN ORDER FOR THURSDAY, MAY 30, 2013:

1. **Appointment of The Honorable Joseph A. Montalbano VICE Associate Justice Francis J. Darigan, Jr., as Associate Justice of the Rhode Island Superior Court.**

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

Senator McCaffrey seconded by Senators Ruggerio, Algieri, Bates, Goldin, DaPonte, Gallo, Lynch, Crowley, Jabour, Nesselbush, Miller, Felag, Conley, Lombardi, Cool Rumsey, Ciccone and Satchell moves that advice and consent of the Senate be given this appointment.

Senators McCaffrey and Ruggerio discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, Ottiano, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senators Ruggerio and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Associate Justice of the Rhode Island Superior Court The Honorable Joseph A. Montalbano along with family members, his wife, Linda Montalbano, Anthony Montalbano, Karhryn McCaughey, John Montalbano, Mark Montalbano, Joan DiOrio, Elizabeth Sarkisian, Christopher Montalbano, Joanne Souza, Ellen Costa, Joseph Parys and the Honorable Secretary of State A. Ralph Mollis.

SPECIAL REMARKS

The Honorable Joseph A. Montalbano delivers remarks to the members of the Senate Chamber.

CALENDAR

2. **Appointment of The Honorable Patricia K. Asquith VICE Associate Justice Haiganush R. Bedrosian as Associate Justice of the Rhode Island Family Court.**

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

Senator McCaffrey seconded by Senators DaPonte, Algieri, Ruggerio, Bates, Gallo, Jabour, Nesselbush, Walaska, Felag, Goldin, Cool Rumsey, Crowley, Hodgson and Lombardo moves that advice and consent of the Senate be given this appointment.

Senators McCaffrey and DaPonte discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, Ottiano, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator DaPonte and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed Associate Justice of the Rhode Island Family Court, The Honorable Patricia K. Asquith along with her daughters Lillian Asquith, Michaela Asquith, Grace Asquith and Kaylee Asquith.

TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

(See Appendix for List)

GUESTS

Upon suggestion of Senator Lombardo and by unanimous consent, the Honorable President, welcomes to the Chamber Linda Forcorelli.

Upon suggestion of Senator Doyle and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable William Carnes, Associate Justice Superior Court, and the wife of Senator Doyle, Jacqueline Doyle

ANNOUNCEMENTS

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

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

Senator Jabour announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 313 of the State House.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Bates the Senate adjourns at 4:55 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR PAUL V. JABOUR**

Father in heaven, enlighten our minds and touch our hearts so that we may carry on the best traditions of our Senate's history. Remembering always that it is the people's government, made by the people and accountable to the people. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, JUNE 04, 2013:

1. **Appointment of Veronica M. Berounsky (Member with Conservation Organization Experience) VICE Jane Sherman to the Rhode Island Rivers Council for a term expiring January 1, 2014.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

2. **Appointment of Daniel P. O'Rourke (Public Member) VICE John Schock to the Water Resources Board for a term expiring March 1, 2015.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

3. **Appointment of Eugenia Marks (Conservation Organization Representative) VICE Harold Ward to the Water Resources Board for a term expiring March 1, 2016.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

4. **Appointment of James M. Pagliarini (Agricultural Business Representative) VICE William Stamp to the Water Resources Board for a term expiring March 1, 2016.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

5. **Appointment of Sheila M. McGauvran, P.E. (Geologist/Hydrologist Representative) VICE Thomas Boving, Ph.D. to the Water Resources Board for a term expiring March 1, 2016.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

6. **Reappointment of Susan E. Licardi (Ground Water Representative) to the Water Resources Board for a term expiring March 1, 2016.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

7. **Reappointment of Pamela M. Marchand, PE (Large Public Water System Representative) to the Water Resources Board for a term expiring March 1, 2016.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

8. **Appointment of Daniel P. Egan of Bristol VICE Solomon A. Solomon to the Rhode Island Higher Education Assistance Authority for a term expiring July 1, 2016.**

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

9. **Appointment of Dennis J. Duffy, Esquire of Cranston VICE Anthony Santoro, Esq. to the Rhode Island Higher Education Assistance Authority for a term expiring July 1, 2017.**

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

10. **Appointment of Robert J. Delaney of Cumberland VICE Robert J. McKenna to the Rhode Island Higher Education Assistance Authority for a term expiring July 1, 2016.**

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

11. **Appointment of Christine Barnes Jenkins of Rumford to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.**

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

12. **Appointment of Daniel P. Egan of Bristol to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.**

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

13. **Appointment of Dennis J. Duffy, Esquire of Cranston to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.**

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

14. **Appointment of Robert J. Delaney of Cumberland to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.**

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

15. **Appointment of Robert R. Theroux of Harrisville to the Rhode Island Student Loan Authority for a term expiring January 31, 2018.**

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

16. 2013-S 967**BY** Gallo**ENTITLED**, SENATE RESOLUTION CONGRATULATING STEPHANIE DICHIRO ON BEING NAMED THE 2013 "CRANSTON PUBLIC SCHOOLS' TEACHER OF THE YEAR"

Ordered on the Consent Calendar.

17. 2013-S 974**BY** Sosnowski**ENTITLED**, SENATE RESOLUTION THANKING MARY DONNELLY FOR HER 54 YEARS OF DEVOTED SERVICE IN THE NURSING PROFESSION AND HER COMMITMENT TO A HEALTHY BLOCK ISLAND COMMUNITY {LC2701/1}

Ordered on the Consent Calendar.

18. 2013-S 975**BY** Pichardo**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING {LC2498/1}

Ordered on the Consent Calendar.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, JUNE 04, 2013:**

1. **Appointment of Maeve E. Donohue VICE Jonathan Templin (resigned) to the Rhode Island Economic Development Corporation for a term expiring February 1, 2015.**

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

2. **2013-S 725**
BY Sosnowski
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
ENERGY RESOURCES

Committee on Environment & Agriculture recommends passage.

3. **2013-S 814 SUB A**
BY Cool Rumsey
ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - INTERSTATE
WILDLIFE VIOLATOR COMPACT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

4. **2013-S 507 SUB A**
BY McCaffrey
ENTITLED, AN ACT RELATING TO PROPERTY - COMMERCIAL REAL ESTATE
BROKER LIEN ACT

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

5. **2013-S 497**
BY Sheehan
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - COMPREHENSIVE
CHILDREN'S JEWELRY SAFETY ACT

Committee on Health & Human Services recommends passage.

6. **2013-S 540 SUB A as amended**
BY Miller
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE
ISLAND HEALTH CARE REFORM ACT OF 2013

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A as amended.

7. 2013-S 809 SUB A**BY** Goodwin**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
MADE IN RHODE ISLAND MANUFACTURING COLLABORATIVE OF 2013

Committee on Commerce recommends indefinite postponement of the original bill and passage of Substitute A.

8. 2013-S 210**BY** Fogarty**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOBILE
AND MANUFACTURED HOMES

Committee on Housing & Municipal Government recommends passage.

9. 2013-S 323 SUB A**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

10. 2013-S 836 SUB A**BY** Sheehan**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
MUNICIPAL STREETLIGHT INVESTMENT ACT

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

11. 2013-S 946**BY** Satchell**ENTITLED**, AN ACT RELATING TO THE TOWN OF WEST WARWICK

Committee on Housing & Municipal Government recommends passage.

12. 2013-S 907 SUB A**BY** Pearson**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF ADMINISTRATION

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

13. **2013-S 909**
 BY Nesselbush
 ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - CRIME INJURIES
 COMPENSATION

Committee on Judiciary recommends passage.

14. **2013-S 920**
 BY DiPalma
 ENTITLED, AN ACT RELATING TO ELECTIONS - NOMINATION OF PARTY
 AND INDEPENDENT CANDIDATES

Committee on Judiciary recommends passage.

15. **2013-H 5726 SUB A**
 BY Marcello
 ENTITLED, AN ACT RELATING TO PROPERTY - COMMERCIAL REAL ESTATE
 BROKER LIEN ACT

Committee on Judiciary recommends indefinite postponement of the original bill and
passage of Substitute A in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 05, 2013:

1. **2013-S 672 SUB A**
 BY Lynch
 ENTITLED, AN ACT RELATING TO REGULATORY REFORM - CITIES AND
 TOWNS - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT - COASTAL
 RESOURCES MANAGEMENT COUNCIL - WETLANDS AND SEPTIC SYSTEM
 STANDARDS

Committee on Environment & Agriculture recommends indefinite postponement of the
original bill and passage of Substitute A.

2. **2013-S 950 SUB A**
 BY Goodwin
 ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

Committee on Labor recommends indefinite postponement of the original bill and passage
of Substitute A.

3. **2013-S 951 SUB A**
 BY Fogarty
 ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
 WORKERS' COMPENSATION

Committee on Labor recommends indefinite postponement of the original bill and passage
of Substitute A.

4. **2013-S 954**
 BY Gallo
 ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL
 LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

5. **2013-S 627 SUB A**
 BY Jabour
 ENTITLED, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS

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

6. **2013-S 659 SUB A**
 BY McCaffrey
 ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC
 CONTROL DEVICES

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

7. **2013-H 5929**
 BY Corvese
 ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL
 LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage in
concurrence.

8. **2013-H 5775 as amended**
 BY Ajello
 ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC
 CONTROL DEVICES

Committee on Judiciary recommends passage as amended in concurrence.

9. **2013-H 5781 SUB A**
 BY Blazejewski
 ENTITLED, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS

Committee on Judiciary recommends indefinite postponement of the original bill
and passage of Substitute A in concurrence.

10. **2013-H 5462**
 BY Keable
 ENTITLED, AN ACT RELATING TO UNIFORM COMMERCIAL CODE -- FUNDS
 TRANSFERS

Committee on Commerce recommends passage in concurrence.

Appendix

BILLS TRANSMITTED TO THE GOVERNOR

House Bill No. 5710

(National Guard)

BY MacBeth, Gallison, McLaughlin, Slater, Almeida

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE (would create two (2) additional adjutant general positions for providing assistance to the adjutant general.)
{LC1665/1}

House Bill No. 5936

BY Valencia

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF RICHMOND (would validate and ratify amendments to the Home Rule Charter of the town of Richmond, which amendments were adopted and approved by the electors of the town of Richmond on November 6, 2012.)
{LC2186/1}