

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 fifth day of January in the year of Our Lord two thousand and sixteen.

Volume 143, No.18 Wednesday, February 24, 2016

Eighteenth 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 4:15 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT – 38: The Honorable President Paiva Weed and Senators Algiere, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Pagliarini, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Seventeenth Legislative Day of the 2016 proceedings is read in part.

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

COMMITTEE ON JUDICIARY

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

Senate Bill No. 2102

BY Lombardi, Archambault, DiPalma, Conley, Lombardo

ENTITLED, AN ACT RELATING TO PROPERTY - ESTATES IN REAL PROPERTY

(Allows conveyances to and from nominee trusts pursuant to certain requirements regarding the preparation and recording of a memorandum of trust.)

{LC3983/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2103

BY Ciccone, Archambault, Lombardi, McCaffrey, Jabour

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- TRESPASS AND

VANDALISM (Requires a property owner to maintain trees or shrubs that create a nuisance to an abutting property owner.)

{LC3861/1}

Read and ordered to be placed on the Calendar.

Senate Bill No. 2105

BY Ciccone, Archambault, Lombardi, McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND

TENANT ACT (Sets forth a process for tenants to retrieve their abandoned personal property from former dwelling units and the placement in storage of a tenant's personal property.)

{LC3865/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 2487**

BY Lombardo, Algieri, Lombardi, Felag, Conley

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES TO THE FURIA

FAMILY ON THE PASSING OF JOHN A. FURIA, JR.

{LC4818/1}

Senator Lombardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lombardo moves passage, seconded by Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lynch Prata, McCaffrey, Metts, Miller, Morgan,

Nesselbush, O'Neill, Pagliarini, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

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

Senate Resolution No. 2488

BY Metts, Paiva Weed, Algieri, Lombardi, Felag

ENTITLED, SENATE RESOLUTION PROCLAIMING THE MONTH OF FEBRUARY AS "BLACK HISTORY MONTH" IN THE STATE OF RHODE ISLAND
{LC5139/1}

Senator Metts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Metts moves passage, seconded by Senators Pichardo, Algieri, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Miller, Morgan, Nesselbush, O'Neill, Pagliarini, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2016-H 7018

BY Ucci

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

2. 2016-H 7019

BY Gallison

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

3. 2016-H 7020

BY Azzinaro

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

4. 2016-H 7095

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

5. **2016-H 7096**
 BY McEntee
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

6. **2016-H 7133**
 BY Winfield
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

7. **2016-H 7134**
 BY McEntee
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

8. **2016-H 7136**
 BY Abney
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

9. **2016-H 7137**
 BY Diaz
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

10. **2016-H 7138**
 BY Blazejewski
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

11. **2016-H 7139**
 BY Blazejewski
 ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Ordered on the Consent Calendar.

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algiere, Archambault, Ciccone, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Pagliarini, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

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.

GUESTS

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President, welcomes to the Chamber Carol Ann Costa and Tejal Tarro from the Women's Commission.

ANNOUNCEMENT

Senator Algiere wishes Senator Pagliarini a Belated Happy Birthday.

GUEST

Upon suggestion of Senator Crowley and by unanimous consent, the Honorable President, welcomes to the Chamber Kathleen Palmer, Senatorial District Committee Member.

ANNOUNCEMENTS

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

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

Senator Metts announces that the Joint Legislative Black History Month Celebration will take place, at the rise of the Senate in the House Chamber.

Senator Conley announces that the Committee on Environment and Agriculture will meet today, at the rise of the Senate in the Senate Lounge of the State House.

Senator Nesselbush announces that the Committee on Health and Human Services will meet tomorrow, at 3:00pm in the Senate Lounge of the State House.

Senator Felag announces that the Committee on Finance will meet tomorrow, at 2:00pm in Room 211 of the State House.

Senator Lynch Prata announces that the Committee on Special Legislation will meet today, at the rise of the Senate in Room 310 of the State House.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senators Algieri and Ruggerio and upon suggestion of Senator Lombardo the Senate adjourns at 4:43 o'clock P.M. in memory of John A. Furia, Jr.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR HAROLD M. METTS**

Lord, As we celebrate and commemorate Black History Month here in Rhode Island and across the nation, help us to recognize the many contributions of African Americans in spite of great affliction and oppression. Help us to do what we can here to level the playing field towards true equality. Help us to think about Psalm 133:1 that reads: "Behold HOW good and how pleasant it is for brethren to dwell together in unity." And in unity not only help us to celebrate and appreciate each other, but help us to love our neighbor as we love ourselves, In Jesus precious name I pray. Amen.

Appendix
CALENDAR

IN ORDER FOR THURSDAY, FEBRUARY 25, 2016:

1. **2016-S 2056**
 BY Crowley
 ENTITLED, AN ACT RELATING TO FOOD AND DRUGS-REGULATION OF
 POWDERED CAFFEINE

Committee on Judiciary recommends passage.

2. **2016-S 2061**
 BY Crowley
 ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Judiciary recommends passage.

3. **2016-S 2062**
 BY Crowley
 ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE--
 PROCEDURE GENERALLY -- FEES

Committee on Judiciary recommends passage.

IN ORDER FOR TUESDAY, MARCH 1, 2016:

1. **2016-S 2102**
 BY Lombardi
 ENTITLED, AN ACT RELATING TO PROPERTY - ESTATES IN REAL
 PROPERTY

Committee on Judiciary recommends passage.

2. **2016-S 2103**
 BY Ciccone
 ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- TRESPASS AND
 VANDALISM

Committee on Judiciary recommends passage.

3. **2016-S 2105**
 BY Ciccone
 ENTITLED, AN ACT RELATING TO PROPERTY -- RESIDENTIAL LANDLORD
 AND TENANT ACT

Committee on Judiciary recommends passage.

Joseph Brady
Secretary of the Senate

Appendix**TRANSMITTED TO THE GOVERNOR****House Bill No. 7018****BY** Ucci**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Hanna Strowman to join Wendy Shaffer and Howard Rappoport in marriage on or about April 2, 2016, within the City of Warwick, Rhode Island.)

{LC3407/1}

House Bill No. 7019**BY** Gallison, Marshall**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Laurie Kirby to join Amanda Colwell and Andrew Olson in marriage on or about June 4, 2016, within the Town of Portsmouth, Rhode Island.)

{LC3026/1}

House Bill No. 7020**BY** Azzinaro, Corvese**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Robert Elmer to join Lauren Eisenberg and Serge Gagarin in marriage on or about June 18, 2016, within the Town of Westerly, Rhode Island.)

{LC3379/1}

House Bill No. 7095**BY** Ruggiero**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Mark S. Hayward to join Amy Michele Famiglietti and Daniel Charles Sirois, Jr. in marriage on or about July 6, 2016, within the city of Newport, Rhode Island.)

{LC3605/1}

House Bill No. 7096**BY** McEntee**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Ellen L. Connery to join Dana L. Sarubbi and Joshua H. Trotta in marriage on or about August 12, 2016, within the town of Narragansett, Rhode Island.)

{LC3263/1}

House Bill No. 7133**BY** Winfield, Costantino

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Colleen Marie Menard to join Bianca M.P. Hunt and Andrew Ivens Augusto in marriage on or about June 4, 2016, within the City of Warwick, Rhode Island.)
{LC3590/1}

House Bill No. 7134**BY** McEntee

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows John Mooney to join Kyla Normand and Wesley Ridders in marriage on or about July 24, 2016, within the City of Newport, Rhode Island.)
{LC3756/1}

House Bill No. 7136**BY** Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Anne Carney Blain, Esq., to join Ali Bell-Irving and Jared Givens in marriage on or about June 17, 2016, within the City of Newport, Rhode Island.)
{LC3766/1}

House Bill No. 7137**BY** Diaz, Slater, Hull

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Fredrick Owen to join Brandon Healy and Mia Waldron in marriage on or about June 18, 2016, within the City of Providence, Rhode Island.)
{LC3025/1}

House Bill No. 7138**BY** Blazejewski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Laurie A. Backall to join Nathan R. Limbach and Gretchen E. Bell in marriage on or about October 8, 2016, within the Town of Little Compton, Rhode Island.)
{LC3749/1}

House Bill No. 7139**BY** Blazejewski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Neil Fortin to join Jennifer Norton and David Socha in marriage on or about December 31, 2016, within the City of Providence, Rhode Island.)
{LC3748/1}