

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.26

Tuesday, March 15, 2016

Twenty-Sixth 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 4:29 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 2 Senators absent as follows:

PRESENT – 36: The Honorable President Paiva Weed and Senators Algiere, Archambault, Ciccone, Conley, Cote, Coyne, 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, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 2: Senators Crowley and Pichardo.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Twenty-Fifth Legislative Day of the 2016 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Kettle and Raptakis and by unanimous consent, the Honorable President, welcomes to the Chamber Robert DiPalma, Sr., former Coventry Town Councilman.

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 15, 2016

The Honorable M. Teresa Paiva Weed
President of the Senate
318 State House
Providence, RI 02903

Dear President Paiva Weed:

Please be advised and let the record reflect that due to illness, I will be absent from the chamber on Tuesday, March 15, 2016.

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

Thank you for your attention to this matter.

Sincerely,

Senator Elizabeth A. Crowley
Senate District 16

Read and ordered to be placed on file.

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

March 15, 2016

Dear Secretary Brady:

Pursuant to rule 4.1 I would like to respectfully request that my name be removed from the following bills S-2588 AN ACT RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION BENEFITS - DISFIGUREMENT (Restricts the awarding of disfigurement workers' compensation benefits to scarring of the neck, face, and hands and prohibits them from being awarded less than one year from the date of the disfiguring event.), S-2603 AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION--BENEFITS (Allows an employer or workers' compensation insurer to recover any overpayments of benefits made to the injured employee by set-off against future payments due to an employee for loss of use or of disfigurement.), S-2617, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION -- BENEFITS (Broadens the definition of "suitable alternative employment". It also expands the circumstances under which an earning capacity can be set by the workers' compensation court.), and S-2649 AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION--BENEFITS (Relieves any party who files a workers' compensation petition alleging an employee's recurrence of decrease of capacity to work of their former obligation to document a comparative change of their medical condition.)

If you have any questions concerning this request, please feel free to contact me on my cell at 401-447-9441.

Respectfully,

Frank S. Lombardi
Senator
District-26

Read and ordered to be placed on file.

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from Her Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF GOVERNOR GINA M. RAIMONDO**

February 25, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-99-4 of the Rhode Island General Laws, I have made the following appointment to the Convention Center Authority:

David Martirano

VICE
Letitia Carter
(Resigned)

For a term expiring June 30, 2018.

To this appointment, I respectfully request your advice and consent.

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Finance.



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF GOVERNOR GINA M. RAIMONDO**

March 2, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 37-6-1 of the Rhode Island General Laws, I have made the following appointment to the State Properties Committee:

Constance R. Pemmerl

VICE
Robert L. Brunelle

For a term expiring March 1, 2019.

To this appointment, I respectfully request your advice and consent.

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Finance.



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF GOVERNOR GINA M. RAIMONDO**

March 3, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 42-10.1-1 of the Rhode Island General Laws, I have made the following appointment to the Public Finance Management Board:

Karl D. Landgraf
(Public Member)

VICE
W. Lincoln Mossop Jr.
(Deceased)

For a term expiring March 31, 2019.

To this appointment, I respectfully request your advice and consent.

Sincerely,

Gina M. Raimondo
Governor

Read and referred to the Committee on Finance.

**REPORTS OF COMMITTEES
FROM THE COMMITTEE ON HEALTH AND HUMAN SERVICES**

Senator Miller from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measure:

The Appointment of Jean Marie Rocha, MPH, RN (Hospital Association of Rhode Island) VICE Ruth E. Ricciarelli to the Health Professional Loan Repayment Board for a term expiring March 31, 2019.

Read and ordered to be placed on the Consent Calendar.

FROM THE 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 measure:

Senate Bill No. 2480

BY Jabour, Sosnowski, Pichardo, Metts

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -

REGISTRATION OF VEHICLES (Authorizes the division of motor vehicles to create a special registration plate for state public colleges and universities.)

{LC3213/1}

Read and ordered to be placed on the Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2016-S 2773

BY Jabour

ENTITLED, SENATE RESOLUTION CONGRATULATING THE CLASSICAL HIGH SCHOOL BOYS' BASKETBALL TEAM ON WINNING THE 2016 RHODE ISLAND BOYS' BASKETBALL DIVISION I TOURNAMENT

Ordered on the Consent Calendar.

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 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algiere, Archambault, Ciccone, Conley, Cote, Coyne, 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, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

CALENDAR**1. 2016-S 2402****BY Gallo****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES**

Committee on Judiciary recommends passage.

Senator Gallo moves passage, seconded by Senators Nesselbush, McCaffrey, Sheehan, DiPalma, Archambault, Ruggerio, Lynch Prata, Sosnowski.

The act is read and passed upon a roll call vote with 35 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 1: Senator Pagliarini.

2. 2016-S 2506**BY McCaffrey****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ELECTRICIANS**

Committee on Labor recommends passage.

Upon suggestion of Senator Goodwin, seconded by Senator Algieri, and without objection, ordered to be placed on the Calendar for Tuesday, March 22nd.

3. 2016-S 2296**BY Nesselbush****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - RIGHTS OF
PATIENTS - MEDICAL RECORD FEES FOR VETERANS**

Committee on Health & Human Services recommends passage.

Senator Nesselbush moves passage, seconded by Senators Lombardi, Coyne, Lynch Prata, McCaffrey, Ruggerio, Goodwin, Sheehan, Conley, Lombardo, Algieri, Gallo, Fogarty, Walaska and Archambault.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, 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, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

4. 2016-S 2513

BY Goldin

ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Committee on Judiciary recommends passage.

Senator Goldin moves passage, seconded by Senators DiPalma, Ruggerio, Sosnowski, Miller, Lombardi.

Senator Goldin, seconded by Senators Ruggerio and McCaffrey, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2016 -- S 2513

AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Madam President:

I hereby move to amend 2016 -- S 2513, entitled "AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS", as follows:

1. On page 2, line 7, by inserting a comma (",") after the language "establish".
2. On page 2, line 8, by deleting the language "and maintain", and by inserting in place thereof the language "maintain and administer".

Respectfully submitted,

SENATOR GOLDIN

=====
LC003757/2
=====

The motion to amend prevails upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, Coyne, 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, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Senator Goldin moves passage of the act, as amended, seconded by Senators McCaffrey and Ruggerio.

The act is read and passed, as amended, upon a roll call vote with 30 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Paiva Weed and Senators Archambault, Ciccone, Conley, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Pearson, Picard, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 6: Senators Algieri, Gee, Kettle, Morgan, O'Neill, and Pagliarini.

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.

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 Jabour announces that the Committee on Judiciary will meet today at the rise of the Senate in Room 310 of the State House.

Senator Felag announces that the Committee on Finance will meet today at the rise of the Senate in Room 313 of the State House.

Senator Felag announces that the Committee on Finance will meet tomorrow at 3:00pm in Room 211 of the State House.

Senator Goodwin announces that the Saint Patrick's and Saint Joseph's Day Heritage Celebration will be tomorrow at 4:00pm in the Senate Chamber.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Kettle the Senate adjourns at 4:42 o'clock P.M.

Appendix

INVOCATION

SENATOR NICHOLAS D. KETTLE

Almighty God, help us to live, work, and legislate so that all the citizens of our state may be equally free and aspire to have a high purpose in life. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 16, 2016:

- 1.** Appointment of Jean Marie Rocha, MPH, RN (Hospital Association of Rhode Island) VICE Ruth E. Ricciarelli to the Health Professional Loan Repayment Board for a term expiring March 31, 2019.

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

Joseph Brady
Secretary of the Senate

Appendix

CALENDAR

IN ORDER FOR THURSDAY, MARCH 17, 2016:

1. **2016-S 2480**
BY Jabour
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
REGISTRATION OF VEHICLES

Committee on Special Legislation and Veterans Affairs recommends passage.

IN ORDER FOR TUESDAY, MARCH 22, 2016:

1. **2016-S 2506**
BY McCaffrey
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ELECTRICIANS

Committee on Labor recommends passage.

Joseph R. Brady
Secretary of the Senate