

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.34

Tuesday, April 05, 2016

Thirty-Fourth 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 4:36 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 4 Senator absent as follows:

PRESENT – 34: The Honorable President Paiva Weed and Senators Algiere, Archambault, Ciccone, Conley, Cote, Coyne, DiPalma, Doyle, Felag Fogarty, Gallo, Gee, Goldin Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Miller, Morgan, Nesselbush, O'Neill, Pagliarini, Pearson, Picard, Pichardo Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 4: Senators Crowley, DaPonte, Kettle, and Metts.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Thirty-Third Legislative Day of the 2016 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Pagliarini and by unanimous consent, the Honorable President, welcomes to the Chamber John Wojichowski, Portsmouth School Committee Member.

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 31, 2016

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

Dear Madam President:

Please be advised that I will be absent from the Senate sessions on Tuesday, Wednesday and Thursday, April 5-7th. I will be out of state on personal business. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

Nicholas D. Kettle
SENATE MINORITY WHIP

Read and ordered to be placed on file.

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

April 5th, 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, April 5th, 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**

April 6, 2016

The Honorable M. Teresa Paiva Weed
President of the Senate
Rhode Island State House
82 Smith Street, Room 318
Providence, RI 02903

Dear Madam President:

I will be attending a "Civil Rights" gathering and will be absent from the Senate Sessions on April 5, 6 and 7, 2016. It will be an experience that will benefit my service to the Senate and state of Rhode Island.

Thank you,

Respectfully,

Harold M. Metts
Senator District # 6

Read and ordered to be placed on file

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

April 5, 2016

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

Dear Madam President,

Please be advised that I will be absent from the Senate session on April 5, 2016, due to a professional obligation out of state.

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

Thank you for your assistance.

Sincerely,

Senator Daniel Da Ponte
District 14 – East Providence

Read and ordered to be placed on file

**REPORTS OF COMMITTEES
TRANSFER OF BILLS**

Senator Gallo, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Education to the Committee on Finance:

Senate Bill No. 2670

BY DiPalma

ENTITLED, AN ACT RELATING TO EDUCATION - UNDERUTILIZED SCHOOL HOUSING (Enables and encourages school committees to make unused and underused school buildings available to other public schools.)

{LC5296/1}

Read and referred to the Committee on Finance.

CALENDAR

1. 2016-S 2450 SUB A**BY** Conley**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
DUTIES OF UTILITIES AND CARRIERS -- UTILITY BASE RATE

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

Senator Conley moves passage, seconded by Senators Lombardi, Coyne, Archambault, DiPalma, Ciccone, Satchell, Sheehan, Lombardo, McCaffrey, Ruggerio, Goodwin, Gallo, Lynch Prata, Picard, Miller, and Nesselbush.

The bill marked Substitute A is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 33 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS – 33: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, DaPonte, Felag Fogarty, Gallo, Gee, Goldin Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Pearson, Picard, Pichardo Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS – 1: Senator Pagliarini.

2. 2016-S 2181**BY** Walaska**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
RENEWABLE ENERGY GROWTH PROGRAM

Committee on Environment & Agriculture recommends passage.

Senator Walaska moves passage, seconded by Senators Ruggerio, Gallo, Lynch Prata, Sosnowski, Fogarty, Nesselbush, Picard, Miller, McCaffrey, Conley, Lombardi, Lombardo, Satchell, Archambault.

The act is read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS – 33: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Conley, Cote, DaPonte, Felag Fogarty, Gallo, Gee, Goldin Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Pearson, Picard, Pichardo Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS – 1: Senator Pagliarini.

3. 2016-S 2185**BY** Sosnowski**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
RENEWABLE ENERGY

Committee on Environment & Agriculture recommends passage.

Senator Sosnowski moves passage, seconded by Senators DiPalma, Archambault, Coyne, Conley, Lombardi, McCaffrey, Picard, Miller, Nesselbush, Fogarty, Lynch Prata, Goodwin, Ruggerio, Satchell, and Sheehan.

The act is read and passed, upon a roll call vote with 28 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS – 28: The Honorable President Paiva Weed and Senators, Archambault, Ciccone, Conley, Cote, DaPonte, Felag Fogarty, Gallo, Goldin Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS – 6: Senators Algieri, Gee, Morgan, O'Neill, Pagliarini, Raptakis.

ANNOUNCEMENTS

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

Senator Nesselbush announces the committee on Health & Human Services will meet today at the rise of the Senate in Senate Lounge of the State House.

Senator Felag announces the committee on Finance will meet today at the rise of the Senate in Room 211 of the State House.

Senator Cote announces the committee on Commerce will meet today at the rise of the Senate in Room 212 of the State House.

Senator Conley announces the committee on Environment & Agriculture will meet tomorrow at the rise of the Senate in Room 211 of the State House.

Senator Lynch Prata announces the committee on Special Legislation and Veterans Affairs will meet tomorrow at the rise of the Senate in Room 310 of the State House.

Senator Sosnowski announces that The Honorable President Paiva Weed was presented the “Energy Champion Award” by the New England Clean Energy Council.

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 and seconded by Senator Lombardi, the Senate adjourns at 4:48 o'clock P.M.

Appendix**INVOCATION****SENATOR STEPHEN R. ARCHAMBAULT**

Dear Lord, We thank you for giving us the opportunity and privilege of being the voice of our constituents in their government. Help us to make the right and just choices in our decisions to improve the lives of all our citizens. Amen.