

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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# Journal of the Senate

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**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.

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Volume 143, No.35

Wednesday, April 06, 2016

Thirty-Fifth Legislative Day

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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 33 Senators present and 5 Senators absent as follows:

**PRESENT** – 33: The Honorable President Paiva Weed and Senators Algiere, Archambault, Conley, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Lombardi, Lombardo, Lynch Prata, McCaffrey, Miller, Morgan, Nesselbush, , Pagliarini, Pearson, Picard, Pichardo Raptakis, Ruggerio, Satchell , Sheehan, Sosnowski, Walaska.

**ABSENT** –5: Senators Ciccone, Crowley, Kettle, Metts, and O'Neill.

## INVOCATION

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

(See Appendix for Invocation)

## PLEDGE OF ALLEGIANCE TO THE FLAG

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

**APPROVAL OF RECORD**

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

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

**COMMUNICATIONS**

The Honorable President presents the following communications:

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

April 6, 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 Wednesday, April 6, 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 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  
317 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 Wednesday, April 6, 2016.

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

Thank you for your attention to this matter.

Sincerely,

Senator Edward J. O'Neill  
Senate District 17

Read and 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  
State House, Room 318  
Providence, RI 02903

Dear Madam President:

This letter is to inform you that I will be absent from session on Wednesday April 6, 2016. I need to attend a medical appointment with my father.

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

Thank you for your attention to this matter.

Sincerely,

Frank A. Ciccone, III  
Senator District ~ 7

Read and placed on file.

**APPOINTMENT BY THE GENERAL TREASURER**

The Honorable President presents the following communication from His Excellency, the General Treasurer, transmitting the following appointment and requesting the advice and consent of the Senate thereto:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
OFFICE OF GENERAL TREASURER SETH MAGIZINER**

April 6, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section§ 36-8-4 of the Rhode Island General Laws, I have made the following appointment to the R.I. Retirement Board:

**Laura Shawhughes of Providence**

Vice  
Gary R. Alger

For a term expiring July 1, 2020.

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

Sincerely,

Seth Magaziner  
General Treasurer

Read and referred to the Committee on Finance.

**APPOINTMENT BY THE GOVERNOR**

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

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

April 5, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 23-28.3-2 of the Rhode Island General Laws, I have made the following appointment to the Fire Safety Code Board of Appeal and Review:

**Dorothy S. Davison  
(Public Member)**

For a term expiring March 1, 2022.

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

Sincerely,

Gina M. Raimondo  
Governor

cc: Fire Safety Code Board of Appeal and Review  
Appointed Member

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

**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:

**Senate Bill No. 2757**

BY Sosnowski, Crowley, Goldin, Conley, Archambault

**ENTITLED**, AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS (Modifies types of healthy foods/beverages sold to students per federal law with exceptions for career/technical schools with culinary arts/food service programs based on new definitions.) {LC3228/1}

Read and ordered to the Calendar.

**FROM THE COMMITTEE ON FINANCE**

Senator DaPonte from the Committee on Finance, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 2762 SUB A**

(General Treasurer)

**BY** Paiva Weed

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - CRIMINAL INJURIES COMPENSATION (Makes residents of the state of Rhode Island who are victims of terrorist acts outside the state of Rhode Island but within the United States, eligible to receive victim's compensation payments under this chapter.) {LC4276/A/1}

Read and ordered to the Calendar.

**Senate Bill No. 2750 SUB A**

(General Treasurer)

**BY** Gallo, Lynch Prata, Coyne, Crowley

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE-CRIMINAL INJURIES COMPENSATION (Increases the emergency fund pursuant to the Criminal Injuries Compensation Act for burial expenses from \$8,000 to \$10,000 and increase the emergency relocation costs from \$2,000 to \$5,000.) {LC4279/A/1}

Read and ordered to the Calendar.

**NEW BUSINESS****Senate Resolution No. 2889****BY** Lynch Prata**ENTITLED**, SENATE RESOLUTION PROCLAIMING APRIL 6, 2016, TO BE  
"MANUFACTURING DAY" IN THE STATE OF RHODE ISLAND  
{LC5657/1}

Senator Lynch Prata request unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lynch Prata moves passage, seconded by Senators Algieri, Ruggerio, DiPalma, Archambault, Coyne, Satchell, Goldin, Goodwin, Lombardi, Felag, Walaska, Pichardo, Gallo, Doyle, Sosnowski, and Picard.

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

**GUESTS**

Upon suggestion of Senator Lynch Prata and by unanimous consent, the Honorable President, welcomes to the Chamber William McCourt, President and CEO of the Rhode Island Manufacturers Association, Chris Matteson, Rhode Island Manufacturers Association, David Chenevert, Swissline Precision Manufacturing.

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber Maria Montanaro, Director of BHDDH, Jack Sutherland, Advising Chief Executive Director, Thomas Souliotis, Advising Chief Operating Officer, Sharon Sousa, Hospital Administration at Zambarano Hospital, Jennifer McCarthy, Associate Administrator, Anne Deal, Nurse Manager, Stephen Westerman, Supervisor of Therapeutic Recreation Department, Linda Mynahan, Advising Chief Nurse Officer, Ann Garthwaite, Senior Group Worker, Kristin Raimond, Senior Group Worker, Irene Nichols, Volunteer, Shirley Pacheco, Volunteer, Mother of Resident, Adam Pacheco, Deborah Bradshaw, Patient, Robyn Joanis, Patient, Stephen Zajchowski, Patient.

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President, welcomes to the Chamber Sarah Brown from the National Conference of State Legislatures.

**NEW BUSINESS****Senate Resolution No. 2890****BY** Fogarty**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT ON THE RECOGNITION OF ZAMBARANO DAY

Ordered on the Consent Calendar.

**ANNOUNCEMENTS**

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

Senator Conley announces the committee on Environment & Agriculture will meet today 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 Felag announces the committee on Finance will meet tomorrow at 2:30 PM and the rise of the Senate in Room 211 of the State House.

Senator McCaffrey announces the committee on Judiciary will meet tomorrow at 3:15PM and at the rise of the Senate in Room 313 of the State House.

Senator DiPalma announces the week of April 16-24<sup>th</sup> is Newport Daffodils Days.

**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 Algieri, the Senate adjourns at 4:46 o'clock P.M.



**Appendix****INVOCATION****SENATOR ERIN LYNCH PRATA**

Guide us, Lord, towards a deeper understating of the needs of the people of our State; may we be instrumental in serving those needs. Let us work to improve the lives of those who have no voice in their government. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, APRIL 07, 2016:

1.     **2016-S 2890**  
      **BY** Fogarty  
      **ENTITLED**, SENATE RESOLUTION CONGRATULATING THE ELEANOR  
      SLATER HOSPITAL/ZAMBARANO UNIT ON THE RECOGNITION OF  
      ZAMBARANO DAY

Ordered on the Consent Calendar.

Appendix  
CALENDAR

**IN ORDER FOR TUESDAY, APRIL 12, 2016:**

**1. 2016-S 2750 SUB A**

**BY** Gallo

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE-CRIMINAL INJURIES COMPENSATION

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

**2. 2016-S 2762 SUB A**

**BY** Paiva Weed

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - CRIMINAL INJURIES COMPENSATION

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

**3. 2016-S 2757**

**BY** Sosnowski

**ENTITLED**, AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

Committee on Health & Human Services recommends passage.

**Joseph Brady**  
Secretary of the Senate