

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.41

Wednesday, April 27, 2016

Forty First 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 4:40 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 Algieri, Archambault, Ciccone, Conley, Cote, Coyne, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, O'Neill, Pagliarini, Pearson, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 3 Senators Crowley, DaPonte, and Picard.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Fortieth Legislative Day of the 2016 proceedings are read in part.

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

GUESTS

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President, welcomes to the Chamber Dymond Bush, Miss Black RI USA 2016, Mrs. Deborah Nelson-Bush, Mother, Mr. Donald Bush, Father, Mr. Thomas Whitten, Former Director of the John Hope Settlement House.

Upon suggestion of Senator Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber Mr. Thomas Whitten, Former Director of the John Hope Settlement House.

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

GINA M. RAIMONDO, GOVERNOR

April 27, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 36-3-6 of the Rhode Island General Laws, I have made the following reappointment to the Personnel Appeal Board:

Kenneth F. McGunagle Jr.

For a term expiring April 1, 2022.

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

Sincerely,

Gina M. Raimondo
Governor

Read and ordered to the Committee on Judiciary.



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

GINA M. RAIMONDO, GOVERNOR

April 27, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 36-3-6 of the Rhode Island General Laws, I have made the following reappointment to the Personnel Appeal Board:

Jacquelyn Baginski

For a term expiring April 1, 2022.

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

Sincerely,

Gina M. Raimondo
Governor

Read and ordered to the Committee on Judiciary.

APPOINTMENT BY THE GENERAL TREASURER

The Honorable President presents the following communication from, 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 THE GENERAL TREASURER

Seth Magaziner, General Treasurer

April 27, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 35-10-1 of the Rhode Island General Laws, I have made the following appointment to the RI State Investment Commission:

Sylvia Maxwell of Jamestown

For a term expiring July 1, 2019.

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

Sincerely,

Seth Magaziner
General Treasurer

Read and ordered to the Committee on Finance.

NEW BUSINESS**Senate Resolution No. 2917****BY** Fogarty, Kettle**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE PONAGANSET HIGH SCHOOL BOYS' HOCKEY TEAM ON WINNING THE RHODE ISLAND BOYS' STATE DIVISION III CHAMPIONSHIP

{LC5619/1}

Recommended for Immediate Consideration.

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by Senators Kettle, Gallo, Lynch Prata, Felag, Archambault, and Metts.

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

GUESTS

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber Greg Jason, Braedyn Demarco, Brett Marceau, Matthew Carlson, Quint Bonin, Matthew Mienertz, Ryan Watts, Nathan Watts, Elijah Wiggill, Nikolaus Goff, Jake Pickersgill, Jacob Lincourt, , Joshua Dalessio, Thomas Caine, Dan Richardson, , Nicholas Ferrucci, , Mr. Daniel Morin, Head Coach, Mr. David Plante, Assistant Coach, Mr. Roger Briggs, Volunteer, Mr. William Lincourt, Volunteer, Mr. Steve Winson, Volunteer, Dr. Michael Barnes, Superintendent, Dr. Renee Palazzo, Principal, Mr. Thomas Marecello M.Ed., Athletic Director.

Upon suggestion of Senator Kettle and by unanimous consent, the Honorable President, welcomes to the Chamber, Drew Briggs, Joshua Soares, Ethan Sederback, Nathan Morin, Tate Schaefer, and Curtis Briggs.

Senate Resolution No. 2918**BY** Satchell**ENTITLED**, SENATE RESOLUTION COMMENDING THE PINK HEALS TOUR ORGANIZATION FOR BRINGING HOPE AND LOVE TO WOMEN BATTLING CANCER

{LC5717/1}

Recommended for Immediate Consideration.

Senator Satchell requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Satchell moves passage, seconded by Senators Gallo, DiPalma, Coyne, Pichardo, Morgan, Gee, Felag, Jabour, Lynch Prata, Goodwin, Sheehan, and Goldin

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

GUESTS

Upon suggestion of Senator Satchell and by unanimous consent, the Honorable President, welcomes to the Chamber Chris Seelenbrandt, President, Emile Lavoie, Vice President, Matt Medeiros, Treasurer, Pat Abbruzzese, Survivor, Dee Chevalier, Survivor, Jill Bergeron, Paul Foisy, Kim Wineman, Paul McAllister.

Senate Resolution No. 2919

BY Pichardo

ENTITLED, SENATE RESOLUTION PROCLAIMING APRIL, 2016, TO BE "HEALTH DISPARITY MONTH" IN THE STATE OF RHODE ISLAND

{LC5811/1}

Recommended for Immediate Consideration.

Senator Pichardo requests unanimous consent for immediate consideration

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senators Metts, Archambault, DiPalma and Goldin.

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

Senate Resolution No. 2920

BY Paiva Weed, Ruggerio, Goodwin, Felag, DiPalma

ENTITLED, SENATE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF THE HONORABLE GEORGE R. LEVESQUE

{LC5785/1}

Recommended for Immediate Consideration.

Senator DiPalma requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 8108**BY** Casey

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Kenneth P. Biron to join Jessica Carriere and Peter Biron in marriage on or about April 30, 2016, within the City of Providence, Rhode Island.)

{LC5809/1}

Recommended for Immediate Consideration.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senators Lynch Prata and Lombardi.

The act is read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators in the negative as follows:

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

NAYS - 0:

Senate Resolution No. 2921**BY** Lombardi, Jabour, Metts, Goldin, Goodwin

ENTITLED, SENATE RESOLUTION CONGRATULATING CLASSICAL HIGH SCHOOL ON BEING NAMED THE TOP HIGH SCHOOL IN THE STATE OF RHODE ISLAND

{LC5803/1}

Read and Ordered to the Senate Consent Calendar.

ANNOUNCEMENTS

Senator Metts announces that the Committee on Education will meet today, at the rise of the Senate in Room 310 of the State House.

Senator Conley announces that the Committee on Environment and Agriculture will meet today, at the rise of the Senate in Room 211 of the State House.

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

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 Felag announces that that the Committee on Finance will meet, tomorrow at 2:00PM and at the rise in the Senate Lounge of the State House.

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 seconded by Senators Ruggerio and Algieri and upon suggestion of Senator DiPalma, the Senate adjourns at 5:09 o'clock P.M. in memory of *The Honorable George R. Levesque*

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR PAUL W. FOGARTY**

Dear Lord, We pray that you bless this Senate. Help us to work with a real commitment to resolving the problems that face our State. Remind us to always treat each other with dignity and respect. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, APRIL 28, 2016:

1. **2016-S 2921**
 BY Lombardi
 ENTITLED, SENATE RESOLUTION CONGRATULATING CLASSICAL HIGH
 SCHOOL ON BEING NAMED THE TOP HIGH SCHOOL IN THE STATE OF
 RHODE ISLAND

Ordered on the Consent Calendar.

Appendix

CALENDAR

IN ORDER FOR THURSDAY, APRIL 28, 2016:

1. **2016-S 2045****BY** DiPalma

ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE THE DESIGN, CONSTRUCTION, REPAIR, REHABILITATION AND IMPROVEMENT OF STREETS AND SIDEWALKS IN THE TOWN, INCLUDING, BUT NOT LIMITED TO, PAVING, DRAINAGE, TRAFFIC CONTROL DEVICES, SAFETY IMPROVEMENTS AND LANDSCAPING BY THE ISSUANCE OF NOT MORE THAN \$5,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Finance recommends passage.

2. **2016-S 2680****BY** Pagliarini

ENTITLED, AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR THE DESIGN, CONSTRUCTION, EQUIPPING AND FURNISHING OF A NEW POLICE STATION IN THE TOWN

Committee on Finance recommends passage.

3. **2016-S 2740****BY** Metts

ENTITLED, AN ACT RELATING TO TAXATION - TAX SALES

Committee on Finance recommends passage.

4. **2016-S 2751****BY** Lombardi

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ITINERANT VENDORS

Committee on Finance recommends passage.

5. **2016-S 2817****BY** DiPalma

ENTITLED, AN ACT AUTHORIZING THE TOWN OF MIDDLETOWN TO FINANCE HEALTH, SAFETY AND FIRE-CODE RELATED REPAIRS, ALTERATIONS, RENOVATIONS, IMPROVEMENTS AND EQUIPPING OF SCHOOL FACILITIES IN THE TOWN AND ALL ATTENDANT EXPENSES AND BY THE ISSUANCE OF NOT MORE THAN \$10,000,000 GENERAL OBLIGATION BONDS AND NOTES OR OTHER EVIDENCES OF INDEBTEDNESS THEREFOR

Committee on Finance recommends passage.

6. **2016-S 2870**
 BY Felag
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
 OPEN MEETINGS

Committee on Finance recommends passage.

7. **2016-S 2538**
 BY McCaffrey
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
 APPOINTMENTS COMMISSIONS

Committee on Judiciary recommends passage.

IN ORDER FOR TUESDAY, MAY 3, 2016:

1. **2016-S 2423 SUB A**
 BY Lynch Prata
 ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
 PROCEDURE GENERALLY - CAUSES OF ACTION

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

2. **2016-S 2022**
 BY Picard
 ENTITLED, AN ACT RELATING TO EDUCATION - COMPULSORY
 ATTENDANCE

Committee on Education recommends passage.

3. **2016-S 2021**
 BY Picard
 ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - BUDGET
 COMMISSIONS

Committee on Education recommends passage.

4. **2016-S 2674**
 BY Sosnowski
 ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -
 LIVESTOCK DEALERS

Committee on Environment & Agriculture recommends passage.

Appendix

TRANSMITTED TO THE GOVERNOR

House Bill No. 8108

BY Casey

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Allows Kenneth P. Biron to join Jessica Carriere and Peter Biron in marriage on or about April 30, 2016, within the City of Providence, Rhode Island.)
{LC5809/1}

Joseph Brady
Secretary of the Senate