

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.44

Wednesday, May 4, 2016

Forty 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 4:43 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 Algieri, Archambault, Ciccone, Conley, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Miller, Metts, Morgan, Nesselbush, O'Neill, Pagliarini, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 2: Senators Crowley, and Goodwin.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty Third Legislative Day of the 2016 proceeding is read in part.

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

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**

May 4, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 17-7-3 of the Rhode Island General Laws, I have made the following appointment to the Board of Elections:

Diane C. Mederos

Vice

Frank Rego

For a term expiring June 1, 2025.

To this appointment, 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**

May 4, 2016

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section § 17-7-3 of the Rhode Island General Laws, I have made the following appointment to the Board of Elections:

Isadore S Ramos, Ph.D.

VICE

Rhoda Perry

(Resigned)

For a term expiring June 1, 2025.

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

Sincerely,

Gina M. Raimondo

Governor

Read and ordered to the committee on Judiciary.

NEW BUSINESS**Senate Resolution No. 2939****BY** Goodwin**ENTITLED**, SENATE RESOLUTION PROCLAIMING MAY 1ST - 7TH, 2016, AS "RHODE ISLAND MELANOMA AWARENESS WEEK"

{LC5869/1}

Recommended for Immediate Consideration.

Senator Miller requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Miller moves passage, seconded by Senator Algieri

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

Senate Resolution No. 2940**BY** Pichardo, Gallo, Paiva Weed, Ruggerio, Felag**ENTITLED**, SENATE RESOLUTION CELEBRATING RHODE ISLAND INDEPENDENCE DAY ON MAY 4, 2016

{LC5910/1}

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 Gallo, Ruggerio, Metts, Picard, and Gee

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

Senate Resolution No. 2941**BY** Ruggerio, O'Neill, Ciccone, Archambault, Nesselbush**ENTITLED**, SENATE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE PASSING OF THE HONORABLE RAYMOND H. DESTEFANIS

{LC5912/1}

Recommended for Immediate Consideration.

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ruggerio moves passage, seconded by Senators Ciccone, O'Neill, Nesselbush, Archambault, Sheehan, and Kettle.

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

CALENDAR

IN ORDER FOR WEDNESDAY, MAY 4, 2016:

1. 2016-S 2023 SUB A**BY** Walaska**ENTITLED**, AN ACT RELATING TO THE CITY OF WARWICK -- SEWER AUTHORITY

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Walaska moves passage of the act, seconded by Senators McCaffrey, Lynch Prata, Sosnowski, and Nesselbush.

The bill marked substitute A is read and passed and the original bill indefinitely postponed, on a roll call vote, with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows.

YEAS - 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, 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:

2. 2016-S 2094 SUB A**BY** Walaska**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- WASTEWATER TREATMENT PLANTS

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Upon suggestion of Senator Lombardo and without objection order to be placed on Tuesday's Calendar.

3. 2016-S 2095 SUB A**BY** Ruggerio**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - MERCURY REDUCTION AND EDUCATION ACT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Ruggerio moves passage of the act, seconded by Senators Lombardo, Lombardi, Coyne, Archambault, DiPalma, Ciccone, Satchell, Goldin, McCaffrey, Lynch Prata, Doyle, Sosnowski, Miller, Jabour, Fogarty, and Metts.

The bill marked substitute A is read and passed and the original bill indefinitely postponed, on a roll call vote, with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows.

YEAS - 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, 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:

4. 2016-S 2606 SUB A

BY Lombardi

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- WASTE RECYCLING

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Lombardi moves passage of the act, seconded by Senators Coyne, Archambault, DiPalma, Satchell, Sosnowski, and Metts.

Senator Sosnowski, seconded by Senators Lombardi and Archambault, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2016 -- S 2606 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- WASTE RECYCLING

Madam President:

I hereby move to amend 2016 -- S 2606 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- WASTE RECYCLING", as follows:

1. On Page 6, line 2, after the word "materials", by deleting the language "and expressly

excludes the use of discarded products for energy production".

2. On Page 7, lines 26 and 27, after the word "materials", by deleting the language "and expressly excludes the use of discarded products for energy production".

3. On Page 10, lines 13 and 14, after the word "materials", by deleting the language "and expressly excludes the use of discarded products for energy production".

4. On Page 11, lines 12 and 13, after the word "materials", by deleting the language "and expressly excludes the use of discarded products for energy production".

Respectfully submitted,

Senator Sosnowski

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, 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:

Senator Lombardi moves the act as amended, seconded by Senator Sosnowski with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows;

YEAS - 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, 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:

5. 2016-S 2676 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - GENERAL PROVISIONS

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Sosnowski moves passage of the act, seconded by Senators Ruggerio, Archambault, Lombardi and Doyle.

Senators Doyle and Felag discuss the act.

The bill marked substitute A is read and passed and the original bill indefinitely postponed, on a roll call vote, with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows.

YEAS - 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, 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:

6. 2016-S 2799

BY Coyne

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - LICENSES

Committee on Environment & Agriculture recommends passage.

Senator Coyne moves passage of the act, seconded by Senators Archambault, Satchell, Lombardo, Lombardi, Kettle and Sosnowski.

The act is read and passed upon a roll call vote with 35 Senators voting in the affirmative and 0 Senator voting in the negative as follows:

YEAS - 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, 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:

7. 2016-S 2802 SUB A

BY Conley

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Upon suggestion of Senator Lombardo and without objection order to be placed on Tuesday's Calendar.

8. 2016-S 2803**BY** Conley**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE - COMMERCIAL FISHING LICENSE REVIEW BOARD

Committee on Environment & Agriculture recommends passage.

Upon suggestion of Senator Lombardo and without objection order to be placed on Tuesday's Calendar.

9. 2016-S 2915 SUB A**BY** Conley**ENTITLED**, SENATE RESOLUTION AMENDING THE RULES OF THE SENATE FOR THE YEARS 2015-2016

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

Upon suggestion of Senator Lombardo and without objection order to be placed on Tuesday's Calendar.

10. 2016-S 2856**BY** Lynch Prata**ENTITLED**, SENATE RESOLUTION AMENDING THE RULES OF THE SENATE FOR THE YEARS 2015-2016

Committee on Rules recommends passage.

Senator Lynch Prata moves passage of the act, seconded by Senators Archambault, Lombardi, Lombardo, Pagliarini, Algiere and Doyle.

Senator Lynch Prata, seconded by Senators Lombardi, Algiere, Ruggerio and Doyle offers the following written motion to amend.

FLOOR AMENDMENT**TO**

2016 -- S 2856

SENATE RESOLUTION AMENDING THE RULES OF THE SENATE FOR THE YEARS 2015-2016

Madam President:

I hereby move to amend 2016 -- S 2856, entitled "SENATE RESOLUTION

AMENDING THE RULES OF THE SENATE FOR THE YEARS 2015-2016", as follows:

1. On page 1, line 5, by deleting all language after the language "leader" and inserting in place thereof a period ".".
2. On page 1, line 6, by deleting the language "minority member present."

Respectfully submitted,

SENATOR LYNCH PRATA

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS - 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, 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:

Senator Lynch Prata moves the act as amended, seconded by Senators Ruggerio and Algieri with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows;

YEAS - 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Ciccone, Cote, Coyne, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, 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.

(See Appendix for List)

ANNOUNCEMENTS

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

Senator Felag announces the committee on Finance will meet tomorrow at the 2:30 PM in Room 211 of the State House.

Senator Goldin announces the committee on Environment and Agriculture will meet today at the rise of the Senate in the Senate Lounge of the State House.

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

Senator Lombardi announces that tomorrow is National Day of Prayer and that there will be prayer services tomorrow at 12 PM in the Bell Room.

Senator Nesselbush congratulates Senator Miller on being awarded the “Bell of Hope” Award for Mental Health Awareness.

Senator Pichardo wishes everybody a Happy Rhode Island Independence Day.

ADJOURNMENT

Upon motion of Senator Lombardo seconded by Senator Algiere and upon suggestion of Senator Ruggerio the Senate adjourns at 5:06 o'clock P.M, in memory of The Honorable Raymond H. Destefanis.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR WILLIAM A. WALASKA**

Dear God, let us be ever mindful of those people across the globe who are striving for independence. Be with them in their struggles for freedom and justice. Afford them the courage and strength to attain their goals just as our forefathers did 240 years ago in claiming independence for Rhode Islanders. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR THURSDAY, MAY 5, 2016:

- 1. 2016-S 2932**
BY DiPalma
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Appendix

CALENDAR

IN ORDER FOR THURSDAY, MAY 5, 2016:

1. **2016-S 2751**
 BY Lombardi
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
 ITINERANT VENDORS

 Committee on Finance recommends passage.
2. **2016-S 2162**
 BY Gallo
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
 BARBERS, HAIRDRESSERS, COSMETICIANS, MANICURISTS, AND
 ESTHETICIANS

 Committee on Commerce recommends passage.
3. **2016-S 2260 SUB A**
 BY Walaska
 ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES -- PUBLIC UTILITIES
 COMMISSION

 Committee on Commerce recommends indefinite postponement of the original bill and
 passage of Substitute A.
4. **2016-S 2785 SUB A**
 BY Lynch Prata
 ENTITLED, AN ACT RELATING TO INSURANCE - CORPORATE
 GOVERNANCES

 Committee on Commerce recommends indefinite postponement of the original bill and
 passage of Substitute A.
5. **2016-S 2863 SUB A**
 BY Gallo
 ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND
 PARTNERSHIPS

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

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 10, 2016:****1. 2016-S 2094 SUB A****BY** Walaska**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
WASTEWATER TREATMENT PLANTS

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

2. 2016-S 2802 SUB A**BY** Conley**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - INDUSTRIAL
PROPERTY REMEDIATION AND REUSE ACT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

3. 2016-S 2803**BY** Conley**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE - COMMERCIAL
FISHING LICENSE REVIEW BOARD

Committee on Environment & Agriculture recommends passage.

4. 2016-S 2915 SUB A**BY** Conley**ENTITLED**, SENATE RESOLUTION AMENDING THE RULES OF THE SENATE
FOR THE YEARS 2015-2016

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

Joseph Brady
Secretary of the Senate