

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 third day of January in the year of Our Lord two thousand and seventeen.

Volume 144, No.34

Wednesday, April 5, 2017

Thirty Fourth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Dominick J. Ruggerio, President of the Senate, at 4:23 o'clock P.M.

The roll is called and a quorum is declared present with 33 Senators present and 4 Senators absent as follows:

PRESENT – 33: The Honorable President Ruggerio and Senators Algieri, Calkin, Ciccone, Conley, Cote, Coyne, Crowley, DiPalma, Doyle, Felag, Fogarty, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Paolino, Pearson, Picard, Quezada, Raptakis, Satchell, Seveney, Sosnowski.

ABSENT –4: Senators Archambault, DaPonte, Gallo, and Sheehan.

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 Thirty Third Legislative Day of the 2017 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Kettle and by unanimous consent, the Honorable President welcomes to the Chamber Robert Boyden, Foster Town Moderator.

Upon suggestion of Senator Crowley and by unanimous consent, the Honorable President welcomes to the Chamber Kathleen Palmer from the 16th Senatorial District Committee.

COMMUNICATIONS

The Honorable President presents the following communications:

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

April 5, 2017

The Honorable Dominick J. Ruggiero
President of the Senate
Room 318, State House
Providence, RI 02903

Dear President Ruggiero:

Please be advised and let the record reflect that I will be absent from the Chamber on Wednesday, April 5, 2017, due to a work commitment.

I would appreciate your recording my letter in the appropriate Senate Journal. Thank you for your attention to this matter.

Sincerely,

Daniel DaPonte
Senator, District 14

Read and ordered to be placed on file.

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

April 5, 2017

The Honorable Dominick J. Ruggerio
President of the Senate
State House, Room 318
Providence, RI 02903

Dear Mr. President,

Please be advised that I will be unable to attend the Senate Session today, Wednesday, April 5, 2017 due to sickness.

Warmest personal regards, I remain,

Sincerely,

James C. Sheehan
Senator – District 36

Read and place on file.

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

April 5, 2017

The Honorable Dominick J. Ruggerio
President of the Senate
State House, Room 318
Providence, RI 02903

Dear President Ruggerio:

Please be advised that I will be unable to attend Senate session on Wednesday April 5, 2017, I am out of town on business.

Sincerely,

Stephen R. Archambault
Senator, District 22

Read and placed on file.

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

April 5, 2017

Secretary of the Senate
State House Room 145
Providence, RI 02903

Dear Mr. Secretary:

I respectfully request the my name be disassociated from Senate Bill 2017-S-515, entitled, AN ACT REALTING TO THE GENERAL ASSEMBLY- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BULIDING, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS (Names the roundabout at the intersection of Division Road and New England Tech Boulevard in East Greenwich the "Michal B Isaacs Roundabout").

Thank you for your attention to this matter.

Sincerely,

Elaine J. Morgan
Deputy Minority Whip

Read and placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON JUDICIARY**

Chairwoman Lynch Prata, from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

Senate Bill No. 175

BY Sosnowski, Lombardo, Coyne, Conley, Lombardi
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOBILE TELEPHONE USE (Prohibits the use of a non-hands-free personal wireless communication device while operating a motor vehicle, except for public safety personnel or in an emergency situation, and would provide for monetary fines for violations.)
{LC691/1}

Read and order to be placed on the Calendar.

Senate Bill No. 517

BY McCaffrey, Lombardi, Conley, Nesselbush, Archambault
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- LITIGATION LENDING AGREEMENTS (Makes litigation loan agreements subject to state usury statutes.)
{LC872/1}

Read and order to be placed on the Calendar.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5178**BY** Diaz**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE IMPOWERMENT GROUP

{LC853/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5321**BY** Price**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SHANNON SYSTEMS, LLC

{LC1060/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5322**BY** Shekarchi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ITW FOOD EQUIPMENT GROUP LLC

{LC1148/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5612**BY** Quattrocchi**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SCITUATE-FOSTER LITTLE LEAGUE

{LC1754/1}

Read and ordered to be placed on the Consent Calendar.

House Bill No. 5613**BY** Nunes**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF FORTNEY & WEYGANDT, INC.

{LC1910/1}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 717****BY** Fogarty**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE ELEANOR SLATER HOSPITAL/ZAMBARANO UNIT ON THE RECOGNITION OF ZAMBARANO DAY ON APRIL 5, 2017 {LC2088/1}

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 Lombardi, Nesselbush, Metts, Quezada, Sosnowski, Crowley, Metts, Lynch Prata, McCaffrey, Algieri, Satchell, Gee, Morgan, Paolino, DiPalma, Goldin, Conley.

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 Cynthia Huether, CEO, Sharon Sousa, Administrator, Jennifer McCarthy, Associate Administrator, Mary Ellen Benedict, Professional Services Coordinator, Anne Deal, Nurse manager, Kathleen Hagan, Acting Supervisor Therapeutic Recreations, Kristen Raymond, Senior Group Worker, James Walters, Senior Group Worker, Leonard Desjarlais, Senior Group Worker, Ann Garthwaite, Senior Group Worker, Irene Nichols, Secretary of PTA for Progress, Volunteer, and Shirley Pacheco, Mother of Adam Pacheco Longtime resident of Zambrano. Also joining us are patients, Deborah Bradshaw, Vice President of patients for progress, Stephen Zajchowski, Jr., Robert Shovelton, Ronald Brittain, Rene Plante, Sharon Morin.

COMMUNICATION

The Honorable President presents the following communication upon request of Senator Fogarty:

To the Governor and Senate:

My name is Ronald D. Brittain. I apologize for asking for somethings, we need 3 new large handicap vans, and 3 small handicap vans. I would like to see raises for my health care staff.

To the Governor, the patients need more money in the accounts, patient care is not up to par due to many staff members being out on medical leave and not being replaced. Leaving floors unsafe to staff. Better quality food at the hospital.

I've seen you a long time ago at Zambrano.

Thank you for your consideration!

Ronald D. Brittain

AT EASE

The Honorable Dominick J. Ruggiero, President of the Senate asks the Senate stands at ease at 4:35 o'clock P.M.

CALL TO ORDER

The Senate is called to order by the Honorable Dominick J. Ruggiero, President of the Senate, at 4:37 o'clock P.M.

ANNOUNCEMENTS

Senator Metts announces that the Committee on Education will meet today at the rise, in Room 313 of the State House.

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

Senator Crowley announces that the Committee on Housing and Municipal Government will meet today at the rise, in the Senate Lounge of the State House.

Senator Raptakis announces that the Committee on Special Legislation and Veterans Affairs' will meet today at the rise, in Room 310 of the State House.

Senator Lombardo announces that the Committee on Labor will meet today at the rise, in Room 212 of the State House.

Senator Felag announces that the Committee on Finance will meet tomorrow at the rise, in the Room 211 of the State House.

Senator Cote announces that the Committee on Commerce will meet tomorrow at the rise, in Room 212 of the State House.

Senator Lynch Prata announces that the Committee on Judiciary will meet tomorrow at the rise, in Room 313 of the State House.

Senator Goldin announces that the Committee on Health and Human Services will meet tomorrow at the rise, in the Senate Lounge of the State House.

INTRODUCTIONS

Upon suggestion of Senator Doyle and by unanimous consent, the Honorable President welcomes to the Chamber James E. Doyle, III.

Upon suggestion of Senator Goldin and by unanimous consent, the Honorable President welcomes to the Chamber Joaquin Meza and Heather Fowler from Providence.

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

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 Senator McCaffrey the Senate adjourns at 4:40 o'clock P.M

Appendix

INVOCATION

SENATOR PAUL W. FOGARTY

Heavenly Father, we ask you to teach us to give and not count the cost, and to labor and not ask for rewards. Above all, teach us that it is only what we give in love and service to others which endures forever. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, APRIL 6, 2017:**

- 1. 2017-H 5178**
BY Diaz
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE IMPOWERMENT GROUP

Ordered to be placed on the Consent Calendar for passage in concurrence.
- 2. 2017-H 5321**
BY Price
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SHANNON SYSTEMS, LLC

Ordered to be placed on the Consent Calendar for passage in concurrence.
- 3. 2017-H 5322**
BY Shekarchi
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ITW FOOD EQUIPMENT GROUP LLC

Ordered to be placed on the Consent Calendar for passage in concurrence.
- 4. 2017-H 5612**
BY Quattrocchi
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SCITUATE-FOSTER LITTLE LEAGUE

Ordered to be placed on the Consent Calendar for passage in concurrence.
- 5. 2017-H 5613**
BY Nunes
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF FORTNEY & WEYGANDT, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.

Appendix

CALENDAR

IN ORDER FOR TUESDAY, APRIL 11, 2017:

- 1. 2017-S 175**
BY Sosnowski
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOBILE TELEPHONE USE

Committee on Judiciary recommends passage.

- 2. 2017-S 517**
BY McCaffrey
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- LITIGATION LENDING AGREEMENTS

Committee on Judiciary recommends passage.