

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

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Volume 139, No.33

Thursday, March 29, 2012

Thirty-third 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 4:19 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

**PRESENT** – 38: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

**ABSENT** – 0:

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

The Senate Journal of the Thirty-second Legislative Day of the 2012 proceedings is read in part.

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

### GUESTS

Upon suggestion of Senators Moura and Lanzi and by unanimous consent, the Honorable President, welcomes to the Chamber Philip Lynch, President of XRA Medical Emergency.

### APPOINTMENTS BY THE GOVERNOR

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

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

March 27, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**John F. Woodard, Sr.**  
(Representing Fire Instructors Association)

VICE  
Arthur Jacques

for a term expiring January 31, 2013.

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

Sincerely,

Lincoln D. Chafee  
Governor

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

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE

March 27, 2012

TO THE HONORABLE, THE SENATE

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**Howard F. Tighe**  
(Representing the Rhode Island Association of Firefighters)

VICE  
Gregory Hitchcock

for a term expiring January 31, 2014.

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

Sincerely,

Lincoln D. Chafee  
Governor

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

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE

March 27, 2012

TO THE HONORABLE, THE SENATE

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**Jay T. Petrillo**  
(Representing the Rhode Island Association of Firefighters)

VICE  
John Silva

for a term expiring January 31, 2014.

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

Sincerely,

Lincoln D. Chafee  
Governor

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

Also:

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

March 27, 2012

TO THE HONORABLE, THE SENATE

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**David Gorman**  
(Representing the Rhode Island Association of Firefighters)

VICE  
Bernard Patenaude

for a term expiring January 31, 2014.

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

Sincerely,

Lincoln D. Chafee  
Governor

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

Also:

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

March 27, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**Chief Timothy McLaughlin**  
(Representing Full Time Fire Chief)

VICE  
Chief Kevin M. Sullivan

for a term expiring January 31, 2015.

to this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee  
Governor

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

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE

March 27, 2012

TO THE HONORABLE, THE SENATE

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**Mark A. St. Pierre**  
(Representing Regional/Northern Firemen's League)

for a term expiring January 31, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

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

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
STATE HOUSE

March 27, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**Mark P. Vincent**  
(Representing the Rhode Island Association of Fire Marshals)

VICE  
Anthony J. DiGiulio

for a term expiring January 31, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

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

Also:

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

March 27, 2012

TO THE HONORABLE, THE SENATE

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following appointment to the Fire Education and Training Coordinating Board:

**James J. Ball**  
(Representing Department of Environmental Management)

VICE  
Paul Wright  
(retired)

for a term expiring January 31, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

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

Also:

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

March 26, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Human Resource Investment Council:

**Pheamo R. Witcher of Cranston**  
(Representative of Community Based Organization)

for a term expiring January 1, 2014.

To this reappointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Corporations.

Also:

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

March 22, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 44-34-11 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Vehicle Value Commission:

**Linda L. Cwiek**  
Tax Assessor, Town of North Kingstown

for a term expiring July 1, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Finance.

Also:

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

March 22, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 44-34-11 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Vehicle Value Commission:

**Kenneth M. Mallette, Jr.**  
Tax Assessor, City of Warwick

VICE  
Anthony Harraka

for a term expiring July 1, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Finance.

Also:

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

March 22, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 44-34-11 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Vehicle Value Commission:

**Elizabeth Fournier**  
Tax Assessor, Town of Richmond

for a term expiring July 1, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Finance.

Also:

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

March 22, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 44-34-11 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Vehicle Value Commission:

**David Robert**  
Tax Assessor, Town of Tiverton

VICE  
Alberto Ereio

for a term expiring July 1, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Finance.

Also:



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

March 22, 2012

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 44-34-11 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Vehicle Value Commission:

**David Quinn**  
Tax Assessor, City of Providence

for a term expiring July 1, 2015.

To this reappointment, I respectfully request advice and consent.

Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Finance.

**FROM THE HOUSE OF REPRESENTATIVES**

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

**House Bill No. 7485**

(Environmental Management)

**BY** Handy

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (would promote the efficient function of the DEM by removing the DEM from membership on the state board of examiners of landscape architects and repealing the chemical purchasing act regarding the administration of chemical purchasing licenses.) {LC1429/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

**House Bill No. 7697**

(DEM)

**BY** Keable, Lally, Petrarca, Walsh, Coderre

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - VETERINARY PRACTICE (would provide for an emergency waiver for veterinarians to perform veterinary services in Rhode Island under certain emergency situations) {LC1691/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

**House Bill No. 7701 as amended**

(DEM)

**BY** Ruggiero, Handy, Tanzi, Walsh, Martin

**ENTITLED**, AN ACT RELATING TO AGRICULTURE AND FORESTRY - THE RHODE ISLAND LOCAL AGRICULTURE AND SEAFOOD ACT (would direct the department of environmental management would establish the local agriculture and seafood small grants and technical assistance program) {LC1689/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

**House Bill No. 7702 as amended**

(DEM)

**BY** Handy

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- INSPECTION OF DAMS (would expand the ability of the director of the department of environmental management to regulate water dam safety) {LC1692/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

**House Bill No. 7368**

(Governor/Administration)

**BY** Bennett, Hull, Marcello, McNamara, Edwards

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ADMINISTRATION (would add four (4) members to the statewide planning council) {LC1160/1}

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

Also:

**House Bill No. 7486 as amended**

(Environmental Management)

**BY** Petrarca, O'Neill

**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - MANAGEMENT AND DISPOSAL OF PROPERTY (would provide that certain real property, buildings, and facilities owned by the state at 25 India Street in the city of Providence be leased for a term for commercial, public recreation, marina, & redevelopment purposes.) {LC1402/1}

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

Also:

**House Bill No. 7293****BY** Ehrhardt**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (would allow the registry to issue special license plates to benefit the Wildlife Rehabilitators Association of RI.) {LC708/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

Also:

**House Bill No. 7188****BY** Gallison, Messier, Azzinaro, Fellela, Martin**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- ORGANIZATION AND COMMAND OF MILITARY AND NAVAL FORCES (would allow the office of adjutant general of RI to accept and administer monetary contributions from donors to charitable organizations for and on behalf of the RING that benefit state military program/military families.) {LC629/1}

Read and ordered to the Committee on Special Legislation and Veterans Affairs.

**REPORTS OF COMMITTEES**  
**COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

Senator Sosnowski from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measures:

**Senate Resolution No. 2311****BY** Sosnowski, Walaska, McCaffrey, Sheehan, Algieri**ENTITLED**, SENATE RESOLUTION RESPECTFULLY URGING THE RHODE ISLAND CONGRESSIONAL DELEGATION TO GIVE RHODE ISLAND REPRESENTATION ON THE MID-ATLANTIC FISHERIES COUNCIL {LC1170/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2789****BY** Sosnowski, Felag, McCaffrey, Walaska, Bates**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - PERMANENT JOINT COMMITTEE ON COASTAL RESOURCES (would establish a permanent joint legislative committee to provide oversight of the coastal resources management council and the department of environmental management.) {LC2191/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON SPECIAL LEGISLATION AND VETERANS' AFFAIRS**

Senator Felag from the Committee on Special Legislation and Veterans' Affairs, reports back, with recommendation of passage of the following measures:

**House Bill No. 7543 SUB A**

**BY** Jackson, Martin, Reilly, Ruggiero

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- AUTHORIZING STATE-OPERATED CASINO GAMING AT NEWPORT GRAND SUBJECT TO STATEWIDE AND LOCAL VOTER APPROVAL (would approve casino gaming at Newport Grand subject to the approval of the qualified electors of the state and the city of Newport at the next general election.) {LC1606/A/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2695 SUB A**

**BY** Goodwin, Ciccone, Bates, Crowley

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- AUTHORIZING STATE-OPERATED CASINO GAMING AT NEWPORT GRAND SUBJECT TO STATEWIDE AND LOCAL VOTER APPROVAL (would approve casino gaming at Newport Grand subject to the approval of the qualified electors of the state and the city of Newport at the next general election.) {LC1980/A/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Resolution No. 2818**

Resolution 154

**BY** Sosnowski, Fogarty, Tassoni, Ottiano, Doyle

**ENTITLED**, SENATE RESOLUTION CELEBRATING AND CONGRATULATING MEMBERS OF THE RHODE ISLAND STATE GRANGE ON THE 125TH ANNIVERSARY OF ITS FOUNDING {LC2243/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2776****BY** Paiva Weed, Gallo, Goodwin, Perry, Sosnowski**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - REGISTRATION OF VEHICLES (would empower the division of motor vehicles to make available special design motor vehicle plates based upon the Gloria Gemma breast cancer resource foundation.) {LC1774/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Resolution No. 2382 SUB A****BY** Kettle, Picard, Algieri, Lynch, Goodwin**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE ISSUANCE OF GOLD STAR FAMILY LICENSE PLATES (would provide for the issuance of a gold star family license plate for family members of servicemen and servicewomen who died while on active duty.) {LC589/A/1}

Read and ordered to be placed on the Calendar.

**NEW BUSINESS****Senate Resolution No. 2848****BY** O'Neill**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF FRANCINE L. SCANLON {LC2298/1}

Senator O'Neill requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator O'Neill moves passage, seconded by Senators Crowley, Pinga, Pichardo and Gallo.

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

Also:

**Senate Bill No. 2849****BY** McCaffrey**ENTITLED**, AN ACT RELATING TO ENVIRONMENTAL MANAGEMENT - HEARING OFFICERS {LC2332/1}

Read and ordered to the Committee on Judiciary.

**CONSENT CALENDAR**

In order for the day is taken up as follows:

1. **2012-S 2846**  
**BY** Felag  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER LOCKHEED MARTIN LIBRASCOPE CORPORATION
2. **2012-H 7408**  
**BY** Marcello  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER JOURNEY'S END, INC.
3. **2012-H 7921**  
**BY** Petrarca  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SCARBOROUGH ALLIANCE CORPORATION

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, 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, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Hodgson, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**CALENDAR****IN ORDER FOR THURSDAY, MARCH 29, 2012:**

1. **2012-S 2046**  
**BY** Ottiano  
**ENTITLED**, AN ACT IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS SECTION 16-7-44 APPROVING THE ISSUANCE OF \$700,000 BONDS BY THE TOWN OF PORTSMOUTH TO FINANCE IMPROVEMENTS TO SCHOOL BUILDINGS INCLUDING BUT NOT LIMITED TO BONDS AND NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

Committee on Finance recommends passage.

Senator Ottiano moves passage, seconded by Senators DiPalma, Lombardo, Ruggerio, DaPonte and Bates.

The act is read and passed, by unanimous consent, 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, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Hodgson, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**2. 2012-S 2563**

**BY** Tassoni

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
DEPARTMENT OF ADMINISTRATION

Committee on Housing & Municipal Government recommends passage.

Senator Tassoni moves passage, seconded by Senators Kettle, DeVall, Lombardo and Ruggerio.

The act is read and passed, by unanimous consent, 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, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Hodgson, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**3. 2012-S 2766**

**BY** Fogarty

**ENTITLED**, AN ACT RELATING TO THE PRESERVATION OF FARM LAND AND  
OPEN SPACE IN THE TOWN OF GLOCESTER AND ESTABLISHING A LAND  
TRUST

Committee on Housing & Municipal Government recommends passage.

Senator Fogarty moves passage, seconded by Senators Tassoni, Sosnowski, Nesselbush and DeVall.

The act is read and passed, by unanimous consent, 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, Bates, Ciccone,

Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Hodgson, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### **TRANSMITTAL**

By unanimous consent, all matters on the Secretary's desk are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

### **ANNOUNCEMENTS**

Senator Miller announces that the Committee on Corporations will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator DaPonte announces that the Committee on Finance will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Pinga announces that the Committee on Government Oversight will meet on Monday, April 2, at 4:00 o'clock P.M. in the Senate Lounge of the State House.

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

### **RECESS**

Upon motion of Senator Goodwin, seconded by Senator Algieri, and upon suggestion of Senator O'Neill, the Senate stands at recess at 4:34 o'clock P.M. in memory of Francine L. Scanlon.

### **CALLED TO ORDER**

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Tuesday, April 3, 2012, at 4:20 o'clock P.M.



**COMMITTEE ON JUDICIARY**

Senator McCaffrey from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 2772**

(State Police)

**BY** Goodwin

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - SEARCH WARRANTS (would enable a member of law enforcement serving on a statewide task force to obtain a warrant based upon his complaint to a qualified law enforcement officer.) {LC1973/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2807**

**BY** Shibley, Kettle

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Reid Kingsbury Davenport to join Jessica Laura Olivier and Joseph Edward Badenhoff in marriage on or about September 16, 2012, within the Town of North Kingstown, Rhode Island.) {LC2249/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2809**

**BY** Sosnowski

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Dr. Marc Rice Meisner to join Gail Elizabeth Meisner and Ira Randy Kulman in marriage on or about June 16, 2012, within the Town of Narragansett, Rhode Island.) {LC2256/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2810**

**BY** DiPalma

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Kathleen Marie Loftus to join Meaghan E. Rodenbush and Jonathan J. Hatch in marriage within the City of Newport, Rhode Island, on or about May 26, 2012.) {LC591/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7549****BY** Ucci

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Erin Michelle Chabot to join Kelly-Lynne Lafleur and Pedro Julio Alvarez in marriage within the Town of Smithfield, Rhode Island, on or about June 2, 2012.) {LC1623/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7552****BY** Gallison, Morrison

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Matt McDonough to join Jessica Glidden and Peter Reinhardt in marriage on or about August 4, 2012, within the Town of Bristol, Rhode Island.) {LC1482/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7553****BY** Gallison, Morrison

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Kathleen J. Xarhakos to join Nicole Bourgelas and Timothy J. Martin in marriage within the Town of Bristol, Rhode Island, on or about June 23, 2012.) {LC1599/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7607****BY** Azzinaro, Guthrie, DaSilva, Edwards

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Samuel J. Azzinaro to join Mary E. Azzinaro and Christopher Banks in marriage within the Town of Westerly, Rhode Island, on or about August 31, 2012.) {LC1742/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**House Bill No. 7609****BY** Serpa

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Andrew J. Drobiak to join Jill M. Kelly and Darren W. Drobiak in marriage within the City of Warwick, Rhode Island, on or about August 25, 2012.) {LC1663/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2487**

**BY** McCaffrey, Lynch

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST {LC744/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2672**

(State Police)

**BY** Gallo, Goodwin, Lanzi

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE {LC1925/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2489 SUB A**

**BY** Doyle, Bates, Crowley, Nesselbush

**ENTITLED**, AN ACT RELATING TO ELECTIONS {LC1472/A/2}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2677**

**BY** Jabour

**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURES - CRIMINAL INJURIES COMPENSATION {LC1768/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2681**

**BY** McCaffrey, Lynch

**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - COMMISSION ON JUDICIAL TENURE AND DISCIPLINE {LC1966/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 2726****BY** McCaffrey, Lynch**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES --  
RETIREMENT SYSTEM (would correct outdated statutory references concerning retired judges.)  
{LC1960/1}

Read and ordered to be placed on the Calendar.

**COMMITTEE ON CORPORATIONS**

Senator Miller from the Committee on Corporations, reports back, with recommendation of passage of the following measures:

**Senate Resolution No. 2541****BY** Pichardo, Ruggerio, Goodwin, Metts, Miller**ENTITLED**, SENATE RESOLUTION URGING STATE AGENCIES TO CONSIDER USING  
OPEN SOURCE SOFTWARE {LC1898/1}

Read and ordered to be placed on the Consent Calendar.

Also:

**Senate Bill No. 2605****BY** Gallo, Miller, DiPalma, Goodwin**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - SMALL  
DISABILITY BUSINESS ENTERPRISES {LC1616/1}

Read and ordered 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 measure:

**House Bill No. 7477****BY** Kennedy, Walsh, Valencia**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE  
INCOME HOUSING (would extend the reporting date of the Housing Act of 2004  
Implementation Oversight Commission until March 31, 2013, and would extend its expiration date  
to March 1, 2015.) {LC1323/1}

Read and ordered to be placed on the Consent Calendar.

**COMMITTEE ON FINANCE**

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

**Senate Bill No. 2199**

**BY** Ottiano, Felag, DiPalma, Bates, Algieri

**ENTITLED**, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX - ESTABLISHMENT OF ARTS DISTRICT (would establish a new arts district within the town of Bristol for purposes of the tax exemption provided to writers, composers, and other artists.)  
{LC647/1}

Read and ordered to be placed on the Calendar.

**ADJOURNMENT**

Upon motion of Senator Goodwin seconded by Senator Algieri the Senate adjourns at 4:21 o'clock P.M.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR JAMES C. SHEEHAN**

Almighty Father, bestow special blessings on us all and properly guide us in serving the people of our State. Amen.

**Appendix****CONSENT CALENDAR****IN ORDER FOR TUESDAY, APRIL 03, 2012:**

- 1. 2012-S 2541**  
**BY** Pichardo  
**ENTITLED**, SENATE RESOLUTION URGING STATE AGENCIES TO CONSIDER USING OPEN SOURCE SOFTWARE  
  
Committee on Corporations recommends passage.
- 2. 2012-S 2311**  
**BY** Sosnowski  
**ENTITLED**, SENATE RESOLUTION RESPECTFULLY URGING THE RHODE ISLAND CONGRESSIONAL DELEGATION TO GIVE RHODE ISLAND REPRESENTATION ON THE MID-ATLANTIC FISHERIES COUNCIL  
  
Committee on Environment & Agriculture recommends passage.
- 3. 2012-S 2807**  
**BY** Shibley  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES  
  
Committee on Judiciary recommends passage.
- 4. 2012-S 2809**  
**BY** Sosnowski  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES  
  
Committee on Judiciary recommends passage.
- 5. 2012-S 2810**  
**BY** DiPalma  
**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES  
  
Committee on Judiciary recommends passage.
- 6. 2012-H 7477**  
**BY** Kennedy  
**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING

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

- 7. 2012-H 7549**  
**BY Ucci**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.
- 8. 2012-H 7552**  
**BY Gallison**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.
- 9. 2012-H 7553**  
**BY Gallison**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.
- 10. 2012-H 7607**  
**BY Azzinaro**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.
- 11. 2012-H 7609**  
**BY Serpa**  
**ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.



**Appendix****CALENDAR****IN ORDER FOR TUESDAY, APRIL 03, 2012:****1. 2012-S 2130 SUB A****BY** Tassoni**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- PUBLIC BUILDINGS

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

**2. 2012-S 2484****BY** Doyle**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - CITY HOUSING AUTHORITIES

Committee on Housing & Municipal Government recommends passage.

**3. 2012-S 2722****BY** Doyle**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - LICENSES IN THE CITY OF PAWTUCKET

Committee on Housing & Municipal Government recommends passage.

**4. 2012-S 2723****BY** Doyle**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - TAVERNS, COOKSHOPS AND OYSTER HOUSES

Committee on Housing & Municipal Government recommends passage.

**5. 2012-S 2765****BY** Crowley**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- PASSING, USE OF LANES, AND RULES OF THE ROAD

Committee on Housing & Municipal Government recommends passage.

**6. 2012-H 7014****BY** Azzinaro**ENTITLED**, AN ACT RELATING TO THE RETIREMENT OF POLICE OFFICERS IN THE TOWN OF WESTERLY

Committee on Finance recommends passage in concurrence.

**IN ORDER FOR WEDNESDAY, APRIL 04, 2012:****1. 2012-S 2605****BY Gallo****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - SMALL DISABILITY BUSINESS ENTERPRISES**

Committee on Corporations recommends passage.

**2. 2012-S 2789****BY Sosnowski****ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - PERMANENT JOINT COMMITTEE ON COASTAL RESOURCES**

Committee on Environment &amp; Agriculture recommends passage.

**3. 2012-S 2487****BY McCaffrey****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST**

Committee on Judiciary recommends passage.

**4. 2012-S 2489 SUB A****BY Doyle****ENTITLED, AN ACT RELATING TO ELECTIONS**

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

**5. 2012-S 2672****BY Gallo****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE**

Committee on Judiciary recommends passage.

**6. 2012-S 2677****BY Jabour****ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURES - CRIMINAL INJURIES COMPENSATION**

Committee on Judiciary recommends passage.

**7. 2012-S 2681****BY McCaffrey****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - COURTS - COMMISSION ON JUDICIAL TENURE AND DISCIPLINE**

Committee on Judiciary recommends passage.

8. **2012-S 2726**  
**BY** McCaffrey  
**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES --  
RETIREMENT SYSTEM

Committee on Judiciary recommends passage.

9. **2012-S 2772**  
**BY** Goodwin  
**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - SEARCH  
WARRANTS

Committee on Judiciary recommends passage.

10. **2012-S 2382 SUB A**  
**BY** Kettle  
**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE  
COMMISSION TO STUDY THE ISSUANCE OF GOLD STAR FAMILY LICENSE  
PLATES

Committee on Special Legislation and Veterans Affairs recommends indefinite  
postponement of the original bill and passage of Substitute A.

11. **2012-S 2695 SUB A**  
**BY** Goodwin  
**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --  
AUTHORIZING STATE-OPERATED CASINO GAMING AT NEWPORT GRAND  
SUBJECT TO STATEWIDE AND LOCAL VOTER APPROVAL

Committee on Special Legislation and Veterans Affairs recommends indefinite  
postponement of the original bill and passage of Substitute A.

12. **2012-S 2776**  
**BY** Paiva Weed  
**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -  
REGISTRATION OF VEHICLES

Committee on Special Legislation and Veterans Affairs recommends passage.

13. **2012-S 2812**  
**BY** Fogarty  
**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY - RENAMING OF THE  
WALLUM LAKE BUILDING LOCATED AT THE ELEANOR SLATER  
HOSPITAL/ZAMBARANO UNIT

Committee on Special Legislation and Veterans Affairs recommends passage.

**14. 2012-S 2199**

**BY** Ottiano

**ENTITLED**, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX - ESTABLISHMENT OF ARTS DISTRICT

Committee on Finance recommends passage.

**15. 2012-H 7543 SUB A**

**BY** Jackson

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- AUTHORIZING STATE-OPERATED CASINO GAMING AT NEWPORT GRAND SUBJECT TO STATEWIDE AND LOCAL VOTER APPROVAL

Committee on Special Legislation and Veterans Affairs recommends indefinite postponement of the original bill and passage of Substitute A.

**Appendix**

**BILLS TRANSMITTED TO THE GOVERNOR**

**House Bill No. 7408**

**BY** Marcello

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER JOURNEY'S END, INC.

{LC1262/1}

**House Bill No. 7921**

**BY** Petrarca

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF SCARBOROUGH ALLIANCE CORPORATION

{LC1994/1}