

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.21

Wednesday, March 02, 2016

Twenty-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 4:36 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, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Pagliarini, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 3: Senators Ciccone, O'Neill, Raptakis.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journals of the Nineteenth and Twentieth Legislative Days of the 2016 proceedings are read in part.

Upon suggestion of Senator Gallo and by unanimous consent, further readings of the Journals are dispensed with and the Journals approved as recorded.

COMMUNICATION

The Honorable President presents the following communication:

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

March 2, 2016

The Honorable M. Teresa Paiva Weed
President of the Senate
318 State House
Providence, RI 02903

Dear Madam President:

This letter is to inform you that I will not be in session on Wednesday, March 2, 2016, due to a personal issue.

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 ordered to be placed on file.

COMMITTEE ON COMMERCE

Senator Picard from the Committee on Commerce, reports back, with recommendation of passage of the following measure:

Senate Bill No. 2261

BY Ciccone, Walaska, McCaffrey, Lynch Prata, Nesselbush
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (Authorizes municipalities to require parking lots to have a person on site during operational hours to accept cash payments. The proceeds from the fine for failure to comply would be split between the municipality and the state.)
{LC3860/1}

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 measure:

Senate Bill No. 2081 SUB A**BY Goodwin, Felag, Pearson, Pagliarini****ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS --
AUTHORIZING STATE-OPERATED GAMING AT A FACILITY IN TIVERTON
{LC3782/A/1}**

Read and ordered to be placed on the Calendar for Thursday, March 03rd.

NEW BUSINESS**Senate Resolution No. 2662****BY Gallo, Miller, Lombardi****ENTITLED, SENATE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE
PASSING OF RICHARD D. SANTAMARIA, SR.
{LC5297/1}**

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senators Lombardi, Lynch Prata, Doyle, Ruggerio, Goodwin, Walaska, Lombardo, Gee.

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

GUESTS

Upon suggestion of Senators Gallo and Lombardi and by unanimous consent, the Honorable President, welcomes to the Chamber Cranston Council Vice President Richard Santamaria and his wife Rita Santamaria.

CALENDAR

In order for the day is taken up as follows:

1. 2016-S 2056**BY Crowley****ENTITLED, AN ACT RELATING TO FOOD AND DRUGS-REGULATION OF
POWDERED CAFFEINE**

Committee on Judiciary recommends passage.

Senator Crowley moves passage, seconded by Senators Sosnowski, McCaffrey, Goodwin, Metts and DiPalma.

Senator Crowley, seconded by Senators Sosnowski and McCaffrey, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2016 -- S 2056

AN ACT RELATING TO FOOD AND DRUGS-REGULATION OF POWDERED CAFFEINE

Madam President:

I hereby move to amend 2016 -- S 2056, entitled "AN ACT RELATING TO FOOD AND DRUGS-REGULATION OF POWDERED CAFFEINE", as follows:

1. On page 2, line 4, by deleting the language "powered", and by inserting in place thereof the language "powdered".
2. On page 2, line 13, by deleting the language "powered", and by inserting in place thereof the language "powdered".
3. On page 2, line 14, by deleting the language "powered", and by inserting in place thereof the language "powdered".

Respectfully submitted,

Senator Crowley

The motion to amend prevails upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Pagliarini, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Senator Crowley moves passage of the act as amended seconded by Senators Goodwin, McCaffrey and Ruggerio.

The act is read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Archambault, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Nesselbush, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 2: Senators Pagliarini and Morgan.

2. 2016-S 2109

BY Archambault

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY --
CRUELTY TO ANIMALS

Committee on Judiciary recommends passage.

Senator Archambault moves passage, seconded by Senators McCaffrey, Ruggerio, Pagliarini, Archambault, Lombardo, and Lynch Prata.

The act is read and passed, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Archambault, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 1: Senator Pagliarini.

3. 2016-S 2233

BY DiPalma

ENTITLED, AN ACT RELATING TO PROPERTY -- CONSERVATION AND
PRESERVATION RESTRICTIONS ON REAL PROPERTY

Committee on Judiciary recommends passage.

Senator DiPalma moves passage, seconded by Senators Lombardi, Sosnowski and Archambault.

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, Archambault, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Pagliarini, Pearson, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

4. 2016-S 2224

BY Lynch Prata

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY - JOINT COMMITTEE OF THE REPEALER

Committee on Judiciary recommends passage.

Senator Lynch Prata moves passage, seconded by Senators Gallo, Sosnowski, Ruggerio, Doyle, Nesselbush, Gee, Conley, Lombardi, Lombardo, DiPalma.

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, Archambault, Conley, Cote, Coyne, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Gee, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch Prata, McCaffrey, Metts, Miller, Morgan, Nesselbush, Pagliarini, Pearson, Picard, Pichardo, 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.

ANNOUNCEMENTS

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

Senator Metts congratulates Senator Juan M. Pichardo on receiving the Silver Bowl Award.

Senator Crowley announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate in the Senate Lounge 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 Lombardo announces that the Committee on Labor will meet today, at the rise of the Senate in Room 212 of the State House.

Senator Nesselbush announces that the Committee on Health and Human Services will meet tomorrow at 3:00pm in the Senate Lounge of the State House.

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

Senator Felag announces that the Committee on Finance will meet tomorrow at 2:00pm in Room 211 of the State House.

Senator Ruggerio wishes Senator William J. Conley, Jr. a Happy Birthday.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senators Lombardi, Algieri and Ruggerio and upon suggestion of Senator Gallo the Senate adjourns at 5:00 o'clock P.M. in memory of Richard D. Santamaria, Sr.

Appendix**INVOCATION****SENATOR HANNA M. GALLO**

Almighty God, we thank you for this day. We thank you for awakening us with a renewed spirit and the vigor to live each day to the fullest. We thank you for the love, comfort and impenetrable bond we share with our families and with your divine spirit. Amen.

Appendix

CALENDAR

IN ORDER FOR THURSDAY, MARCH 3, 2016:

1. **2016-S 2176****BY** Pearson

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND COMMERCE CORPORATION TO WORK JOINTLY WITH THE RHODE ISLAND DEPARTMENTS OF ENVIRONMENTAL MANAGEMENT AND LABOR AND TRAINING TO ESTABLISH JOB DEVELOPMENT INCENTIVES THAT ENCOURAGE COMPANIES THAT PRODUCE, PROCESS, DISTRIBUTE, AND ADD VALUE TO RHODE ISLAND AGRICULTURAL AND SEAFOOD PRODUCTS TO EITHER EXPAND OR LOCATE IN THE STATE

Committee on Commerce recommends passage.

2. **2016-S 2169 SUB A****BY** Gallo

ENTITLED, SENATE RESOLUTION SUPPORTING AND ENCOURAGING STEM/STEAM DEGREES AND PROGRAMS IN RHODE ISLAND ELEMENTARY, SECONDARY, AND INSTITUTIONS OF HIGHER EDUCATION

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

3. **2016-S 2326****BY** Fogarty

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF LABOR AND TRAINING TO INCLUDE GREEN INDUSTRIES IN THE REAL JOBS RI PROGRAM

Committee on Labor recommends passage.

4. **2016-S 2081 SUB A****BY** Goodwin

ENTITLED, AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS -- AUTHORIZING STATE-OPERATED GAMING AT A FACILITY IN TIVERTON

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

IN ORDER FOR TUESDAY, MARCH 8, 2016:

1. **2016-S 2261**
BY Ciccone
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Commerce recommends passage.

Joseph Brady
Secretary of the Senate