

# 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 first day of January in the year of Our Lord two thousand and thirteen.

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Volume 140, No.32

Tuesday, March 26, 2013

Thirty-second 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 4:22 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, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

**ABSENT** – 2: Senators DiPalma and Picard.

## INVOCATION

The Honorable President, by unanimous consent, presents Father Andrew George of the Annunciation Greek Orthodox Church in Cranston, to deliver the invocation.

(See Appendix for Invocation)

## PLEDGE OF ALLEGIANCE TO THE FLAG

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

## GUESTS

Upon suggestion of Senator Raptakis and by unanimous consent, the Honorable President, welcomes to the Chamber The Reverend Dr. George Economou from the St. Spyridon Greek Orthodox Church in Newport, Ronald Purcell, Chris Xendophondos, Demetrios Matheos, Mike Gianoulis, Dr. and Mrs. John Grossomanides, Mr. Phileo Ralmoukos and Mr. Nicholas Cambros.

## COMMUNICATIONS

The Honorable President presents the following communications:

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

March 26, 2013

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

Dear Madam President,

Please be advised that I will be absent from the Senate session March 26<sup>th</sup> and March 27<sup>th</sup> due to a professional obligation.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

Louis P. DiPalma  
Senator – District 12

Read and ordered to be placed on file.

Also:

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

March 26, 2013

Mr. Joseph R. Brady  
Secretary of the Senate

Dear Mr. Brady,

In pursuant to Rule 4.1 I am requesting that the following Bills be withdrawn at the request of the Board of Elections. The bills to be withdrawn are Senate Bill No. 444, Senate Bill No. 452 and Senate Bill No. 453.

Thank you for your attention to this matter.

Sincerely,

Senator Michael J. McCaffrey  
District-29

Read and ordered to be placed on file

**NEW BUSINESS****Senate Resolution No. 790****BY** Raptakis, Gallo, Nesselbush, Algieri, Paiva Weed**ENTITLED**, SENATE RESOLUTION CELEBRATING MARCH 25, 2013, AS THE 192ND ANNIVERSARY OF GREEK INDEPENDENCE DAY

{LC2168/1}

Senator Raptakis requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Raptakis moves passage, seconded by Senators Lombardi, Pichardo, Jabour, Cote, Cool Rumsey, Satchell, Felag and Gallo.

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

**SPECIAL GUEST**

Madam President Paiva Weed introduces The Honorable Ilias Fotopoulos, Consul General of Greece.

The Honorable Ilias Fotopoulos addresses the chamber.

**CONSENT CALENDAR**

In order for the day is taken up as follows:

- 1. Appointment of Lori Ann Pezzullo VICE Douglas Jeffrey to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2013.**
- 2. Reappointment of The Honorable Charles Lombardi to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2015.**

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 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller,

Nesselbush, O'Neill, Ottiano, Pearson, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

### CALENDAR

#### IN ORDER FOR TUESDAY, MARCH 26, 2013:

**1. 2013-S 518**

**BY** Sosnowski

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
WASTEWATER TREATMENT PLANTS

Committee on Environment & Agriculture recommends passage.

Senator Sosnowski moves passage, seconded by Senators Walaska, Kettle Pearson, and Cool Rumsey.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, 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 His Excellency, the Governor, the Honorable Secretary of State or to the Honorable House of Representatives forthwith.

(See Appendix for List)

### ANNOUNCEMENTS

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

Senator Felag announces that the Committee on Finance will meet tomorrow, at 2:00 o'clock P.M. in Room 211 of the State House.

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

Senator Crowley announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in Room 313 of the State House.

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

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

Senator Ruggerio wishes the Governor of Rhode Island, Lincoln D. Chafee a Happy Birthday.

### PERSONAL PRIVILEGE

Senator Satchell rises on a point of personal privilege.

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

Madam President, Honored Members of the Senate:

Many of you may have seen the media coverage of a student-sponsored event which drew attention to standardized testing as a state graduation requirement. It was an eye opening experience for us and one that I am grateful to have first hand knowledge of. The participation of public officials in this student-sponsored educational event was labeled as "deeply irresponsible" by Deborah Gist, the Rhode Island Commissioner of Education. There were many caring adults who wanted to get a better understanding of how students in our schools are expected to perform. It was also a good opportunity for us to connect with them and listen to the concerns of students. I want to let the members of the Chamber know that my involvement in that event was aimed exclusively at improving education in our state.

Adam J. Satchell  
Senator—District 9

### ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Algieri and upon suggestion of Senator Raptakis the Senate adjourns at 4:42 o'clock P.M. in memory of Andrew Athens.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix****INVOCATION****FATHER ANDREW GEORGE**

O Lord Almighty, we raise our heart, mind & soul to you in prayer as we commemorate the Annunciation of the Virgin Mary along with the Observance of the War of Independence for the nation of Greece in the modern era, 1821, inaugurated on March 25, which has become in our current days a celebration of Greek and American Democracy. We adore you as our Creator on this day as you entered the womb of your blessed mother, setting in motion the beginning of our salvation and our freedom from enslavement to sin. We offer thanksgiving prayers as well for the regeneration and liberation of the nation of Greece from its political enslavement which re-established democratic principles in the mother-land-of Democracy. Show us all to be worthy of this freedom, strengthen us in safe-guarding it and preserve us in peace and harmony. Furthermore we pray today for the elected officials of the State of RI and Providence Plantations and the members of this chamber. Protect, guide and guard each of them and their families; bless them with good health and sound minds, that they may lead us in the right direction as they serve and minister to its citizens. For you are the source of life, our protector and savior and we ascribe glory to you.

**Appendix****CALENDAR****IN ORDER FOR WEDNESDAY, MARCH 27, 2013:**

- 1. Appointment of Shannon E. Brawley VICE Dr. Tim Babineau to the Rhode Island Economic Development Corporation for a term expiring February 1, 2016.**

Committee on Commerce recommends that the Senate give its Advice and Consent to this nomination.

- 2. Appointment of Nancy E. Carriuolo VICE David Dooley to the Rhode Island Economic Development Corporation for a term expiring February 1, 2017.**

Committee on Commerce recommends that the Senate give its Advice and Consent to this nomination.

- 3. Appointment of Roland Fiore VICE Lynn Singleton to the Rhode Island Economic Development Corporation for a term expiring February 1, 2017.**

Committee on Commerce recommends that the Senate give its Advice and Consent to this nomination.

- 4. Reappointment of George Nee (Representing Organized Labor) to the Rhode Island Economic Development Corporation for a term expiring February 1, 2016.**

Committee on Commerce recommends that the Senate give its Advice and Consent to this nomination.

- 5. 2013-S 285**

**BY** Jabour

**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - CLAIMS AGAINST DECEDENTS' ESTATES

Committee on Judiciary recommends passage.

- 6. 2013-S 286**

**BY** Jabour

**ENTITLED**, AN ACT RELATING TO FIDUCIARIES

Committee on Judiciary recommends passage.

- 7. 2013-S 489**

**BY** McCaffrey

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES

Committee on Judiciary recommends passage.

- 8. 2013-S 507**  
**BY** McCaffrey  
**ENTITLED**, AN ACT RELATING TO PROPERTY - COMMERCIAL REAL ESTATE  
BROKER LIEN ACT

Committee on Judiciary recommends passage.

- 9. 2013-S 592**  
**BY** Goodwin  
**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOTOR  
VEHICLE OFFENSES

Committee on Judiciary recommends passage.

- 10. 2013-S 658**  
**BY** McCaffrey  
**ENTITLED**, AN ACT RELATING TO CRIMINALS - CORRECTIONAL  
INSTITUTIONS - PAROLE

Committee on Judiciary recommends passage.

- 11. 2013-S 78**  
**BY** Sheehan  
**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE  
HOME RULE CHARTER OF THE TOWN OF NORTH KINGSTOWN

Committee on Housing & Municipal Government recommends passage.

- 12. 2013-S 758**  
**BY** Sosnowski  
**ENTITLED**, AN ACT RELATING TO AUTHORIZING THE TOWN OF NEW  
SHOREHAM TO PLAN, CONSTRUCT, OPERATE, AND MAINTAIN A SEWAGE  
DISPOSAL SYSTEM AND AUTHORIZING THE FINANCING THEREOF  
INCLUDING THE ISSUE OF NOT MORE THAN \$1,750,000 BONDS THEREFOR

Committee on Housing & Municipal Government recommends passage.

- 13. 2013-S 759**  
**BY** Cool Rumsey  
**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE  
HOME RULE CHARTER OF THE TOWN OF RICHMOND

Committee on Housing & Municipal Government recommends passage.