

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

Volume 140, No.35

Wednesday, April 3, 2013

Thirty-fifth 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 4:14 o'clock P.M.

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

PRESENT – 38: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 0:

INVOCATION

The Honorable President, by unanimous consent, presents Senator Raptakis 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.

APPROVAL OF RECORD

The Senate Journal of the Thirty-fourth Legislative Day of the 2013 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Crowley and by unanimous consent, the Honorable President, welcomes to the Chamber Jared Boisclair along with his mother Lynn Boisclair and aunt Lisa Lavore.

COMMUNICATION

The Honorable President presents the following communication:

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

March 28, 2013

Mr. Joseph Brady
Secretary of the Senate
Room 145
State House
Providence, RI 02903

Dear Mr. Brady:

I would like to withdraw at my request 2013-S-0395, An Act Relating to Libraries.

Thank you for your consideration in this important matter.

Sincerely,

Donna M. Nesselbush
Senate District 15

Read and ordered to be placed on file.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5867**BY** Walsh

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Leona McNeill to join Eileen Anne Claire Ravenda and Kurt Alan Berglund in marriage on or about May 18, 2013, within the Town of New Shoreham, Rhode Island)

{LC1998/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5852**BY** Abney, Casey**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Paul Eldridge to join Lauren Nicoise Burke and Bartosz Thomas Grobelny in marriage within the City of Newport, Rhode Island, on or about June 22, 2013)

{LC1949/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5821**BY** Morgan**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Howard Wayne Nesbitt to join Melissa Nesbitt Reeves and Frederick Robert Pierce, Jr., in marriage within the Town of West Warwick, Rhode Island, on or about June 1, 2013)

{LC1911/1}

Read and ordered to the Committee on Judiciary.

COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

Senator Pichardo from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measure:

House Bill No. 5238**BY** Baldelli-Hunt, Casey, Phillips**ENTITLED**, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE CITY OF WOONSOCKET

{LC18/1}

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Miller from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

Appointment of Deanne Gagne (Representing Disabled) to the Habilitation Procurement Board for a term expiring June 1, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Steven H. Kitchin (Representing Business) to the Habilitation Procurement Board for a term expiring June 1, 2016.

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON JUDICIARY

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

Senate Bill No. 772

BY Goldin, Miller

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
{LC2062/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5142

BY Keable

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Jesse Maynard to join Ashley Maynard and Gregory McVeigh in marriage on or about July 13, 2013, within the Village of Pascoag, Rhode Island)
{LC614/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5143

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable M. Aida Ciro to join Sherri Span and William Hanningan in marriage within the Town of Jamestown, Rhode Island, on or about July 6, 2013)
{LC530/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5144

BY Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Ross Bluestein to join Jessica Cerullo and David Merrill in marriage within the Town of Jamestown, Rhode Island, on or about September 7, 2013)
{LC602/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5181

BY Blazejewski, Ajello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow the Honorable Thomas A. Bishop to join William W. Hewson and Huawen Zheng in marriage on or about August 17, 2013, within the City of Providence, Rhode Island)

{LC642/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5209

BY Newberry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Jacob Robert Atteridge to join Kayla Marie Davis and Erik Thomas Rambacher in marriage on or about September 21, 2013, within the Village of Pascoag, Rhode Island)

{LC766/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5233

BY Azzinaro

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Michael Steven Thomas Algieri to join Ashley Larae Algieri and Kyle Daniel Myers in marriage within the Town of Westerly, Rhode Island, on or about October 12, 2013)

{LC850/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5288

BY Johnston

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow William Tuttle to join Steven Peter Osborne and Carol A. Fletcher in marriage on or about July 28, 2013, within the Town of North Kingstown, Rhode Island)

{LC911/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5323**BY** Shekarchi**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Helen L. Dauphinais to join Christina M. LaPierre and Jeffery J. Roberts in marriage within the town of North Kingstown, Rhode Island, on or about December 21, 2013)

{LC1061/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5324**BY** Gallison**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Brenden Eric Duprey to join Allison Claire Wroe and Chase Whitney Fuller in marriage within the Town of Bristol, Rhode Island, on or about July 5, 2013)

{LC1036/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5381**BY** Shekarchi**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Penny M. Bellrose to join Deborah A. Smiley and Scott A. Driskell in marriage within the City of Warwick, Rhode Island, on or about April 20, 2013)

{LC1124/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5430**BY** Tomasso**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Robert Julian to join Lauren Gesualdi and Dustin Varnell in marriage within the Town of West Greenwich, Rhode Island, on or about September 1, 2013.)

{LC1340/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5690

BY Giarrusso

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Marisa Leigh Ratigan to join Amy Patricia Ratigan and Ryan Adam Gilbert in marriage on or about June 7, 2013, within the Town of North Kingstown, Rhode Island.)

{LC1849/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5767

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Robert Michael Curran to join Maria Vadimovna Parshina and Huw Kenton Thomas in marriage within the City of Newport, Rhode Island, on or about May 4, 2013.)

{LC1859/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5822

BY Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Rachel B. Rapoza to join Stephanie Marie Ferreira and John Darrell Enloe, Jr. in marriage within the City of Newport, Rhode Island, on or about April 27, 2013)

{LC1787/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 626

(Secretary of State)

BY Sheehan, Nesselbush, Metts, Sosnowski, Crowley

ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS

{LC1172/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 627

(Secretary of State)

BY Jabour, Pearson, Metts**ENTITLED**, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS

{LC1171/1}

Read and ordered to be placed on the Calendar.

Also:

Reappointment of Clay J. Choquette of Glocester to the State Crime Laboratory Commission for a term expiring January 1, 2015.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Chief Joseph H. Tavares (Representing the Rhode Island Police Chiefs Association) VICE Chief John Whiting to the State Crime Laboratory Commission for a term expiring January 1, 2015.

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Nancy R. Haley of West Kingston to the State Crime Laboratory Commission for a term expiring January 1, 2015.

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Resolution No. 806****BY** Ottiano, Paiva Weed, DiPalma**ENTITLED**, SENATE RESOLUTION CONGRATULATING GEORGE H. TRIPLETT ON HIS SELECTION AS CITIZEN OF THE YEAR FOR 2013 BY THE NEWPORT ELKS LODGE #104

{LC2187/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 807**BY** Paiva Weed**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF JOYCE WILLIAMS

{LC2284/1}

Senator DiPalma requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DiPalma moves passage, seconded by Senators Algieri and Metts.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **Appointment of Mary Sullivan, Ph.D. (Representing College of Nursing at the University of Rhode Island) to the Health Professional Loan Repayment Program for a term expiring March 31, 2016.**
2. **Appointment of Jane Hayward (Representing Rhode Island Health Center Association) to the Health Professional Loan Repayment Program for a term expiring March 31, 2016.**
3. **Appointment of Ruth E. Ricciarelli (Representing Hospital Association of Rhode Island) to the Health Professional Loan Repayment Program for a term expiring March 31, 2016.**
4. **Appointment of Donna Policastro, APRN-BC (Representing Rhode Island State Nurses' Association) to the Health Professional Loan Repayment Program for a term expiring March 31, 2016.**
5. **Appointment of Linda A. Gillette (Representing Brown University Medical School) to the Health Professional Loan Repayment Program for a term expiring March 31, 2016.**
6. **Appointment of Steven R. DeToy (Representing Rhode Island Medical Society) to the Health Professional Loan Repayment Program for a term expiring March 31, 2016.**
7. **Appointment of Linda K. Makhlof (Representing Rhode Island Higher Education Assistance Authority) to the Health Professional Loan Repayment Program for a term expiring March 31, 2016.**
8. **Appointment of Steven A. Brown, DMD (Representing Rhode Island Dental Association) to the Health Professional Loan Repayment Program for a term expiring March 31, 2016.**

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, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, 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 Metts announces that the Committee on Education will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Walaska 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 Felag announces that the Committee on Finance will meet tomorrow, at 3:00 o'clock P.M., 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 Lynch 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.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Ruggerio and upon suggestion of Senator DiPalma the Senate adjourns at 4:23 o'clock P.M. in memory of Joyce Williams.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR LEONIDAS P. RAPTAKIS

Heavenly Father, we thank you for your blessings of health and strength. We seek your encouragement in using these qualities to their fullest potential. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, APRIL 04, 2013:**

- 1. Appointment of Deanne Gagne (Representing Disabled) to the Habilitation Procurement Board for a term expiring June 1, 2016.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

- 2. Appointment of Steven H. Kitchin (Representing Business) to the Habilitation Procurement Board for a term expiring June 1, 2016.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

- 3. Reappointment of Clay J. Choquette of Glocester to the State Crime Laboratory Commission for a term expiring January 1, 2015.**

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

- 4. Appointment of Chief Joseph H. Tavares (Representing the Rhode Island Police Chiefs Association) VICE Chief John Whiting to the State Crime Laboratory Commission for a term expiring January 1, 2015.**

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

- 5. Reappointment of Nancy R. Haley of West Kingston to the State Crime Laboratory Commission for a term expiring January 1, 2015.**

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

- 6. 2013-S 772
BY Goldin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

7. **2013-S 806**
BY Ottiano
ENTITLED, SENATE RESOLUTION CONGRATULATING GEORGE H. TRIPLET
ON HIS SELECTION AS CITIZEN OF THE YEAR FOR 2013 BY THE NEWPORT
ELKS LODGE #104

Ordered on the Consent Calendar

8. **2013-H 5142**
BY Keable
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

9. **2013-H 5143**
BY Ruggiero
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

10. **2013-H 5144**
BY Ruggiero
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

11. **2013-H 5181**
BY Blazejewski
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

12. **2013-H 5209**
BY Newberry
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

13. **2013-H 5233**
BY Azzinaro
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

14. **2013-H 5238**
BY Baldelli-Hunt
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE CITY OF WOONSOCKET

Committee on Housing and Municipal Government recommends passage in concurrence.

15. **2013-H 5288**
BY Johnston
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

16. **2013-H 5323**
BY Shekarchi
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

17. **2013-H 5324**
BY Gallison
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

18. **2013-H 5381**
BY Shekarchi
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

19. **2013-H 5430**
BY Tomasso
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

20. **2013-H 5690**
BY Giarrusso
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

21. **2013-H 5767**
BY Martin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

22. **2013-H 5822**
BY Abney
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR THURSDAY, APRIL 04, 2013:**

1. **2013-S 12 SUB A as amended**
BY Gallo
ENTITLED, AN ACT RELATING TO EDUCATION - OFFENSES PERTAINING TO SCHOOLS

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

2. **2013-S 313**
BY Gallo
ENTITLED, JOINT RESOLUTION SUPPORTING "THE WHOLE CHILD INITIATIVE"

Committee on Education recommends passage.

3. **2013-S 511 SUB A**
BY Pichardo
ENTITLED, AN ACT RELATING TO EDUCATION - REVERSE TRANSFER CREDITS

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

4. **2013-S 639 SUB A as amended**
BY McCaffrey
ENTITLED, AN ACT RELATING TO EDUCATION

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

5. **2013-S 724**
BY Gallo
ENTITLED, AN ACT RELATING TO LIBRARIES - STATE PUBLICATIONS CLEARINGHOUSE

Committee on Education recommends passage.

6. **2013-S 403**
BY Sheehan
ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - THE RHODE ISLAND JOBS MATCH ENHANCEMENT PROGRAM

Committee on Labor recommends passage.

7. **2013-S 779**
BY Goodwin
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES

Committee on Special Legislation and Veterans Affairs recommends passage.

8. **2013-H 5081**
BY Chippendale
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF FOSTER

Committee on Housing & Municipal Government recommends passage in concurrence.

9. **2013-H 5082**
BY Ruggiero
ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF MIDDLETOWN

Committee on Housing & Municipal Government recommends passage in concurrence.

10. **2013-H 5139**
BY Ucci
ENTITLED, AN ACT VALIDATING AND RATIFYING AN AMENDMENT TO THE HOME RULE CHARTER OF THE TOWN OF JOHNSTON

Committee on Housing & Municipal Government recommends passage in concurrence.

IN ORDER FOR TUESDAY, APRIL 09, 2013:

1. **2013-S 626**
BY Sheehan
ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS

Committee on Judiciary recommends passage.

2. **2013-S 627**
BY Jabour
ENTITLED, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS

Committee on Judiciary recommends passage.