

**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.37

Tuesday, April 9, 2013

Thirty-seventh 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 4:17 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, 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 Lynch to deliver the invocation.

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**NATIONAL ANTHEM**

The National Anthem performed by the Trade Secret Barbershop Quartet.

**NEW BUSINESS****Senate Resolution No. 851****BY** Goodwin**ENTITLED**, SENATE RESOLUTION PROCLAIMING APRIL 7TH THROUGH APRIL 13TH OF 2013 TO BE "BARBERSHOP HARMONY WEEK" IN THE STATE OF RHODE ISLAND  
{LC2309/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators Lynch and Pichardo.

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

**GUESTS**

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President, welcomes to the Chamber the Trade Secret Barbershop Quartet who performed the National Anthem, Bill Wright, Rick Wright, Mike Maino and Bob O'Connell.

**APPROVAL OF RECORD**

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

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

**GUESTS**

Upon suggestion of Senator Miller and by unanimous consent, the Honorable President, welcomes to the Chamber students in the Nurse Practitioner Doctorate Program at the University of Rhode Island, Mary Lavin, Rebecca Carley, Betty Sadaniantz, Elaine Traub, Robert Desrosiers, Meredith Logan, Christina Boulet, Kellie Armstrong, Donna Rojotte, Anne Neuville, and Professor Lynne Dunphy.

Upon suggestion of Senator Pearson and by unanimous consent, the Honorable President, welcomes to the Chamber Lisa Beaulieu, Linda Teel and Phil Thorton.

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President, welcomes to the Chamber YMCA volunteers.

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President, welcomes to the Chamber Barney Heath, Pawtucket Economic Development.

**REPORTS OF COMMITTEES  
COMMITTEE ON COMMERCE**

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

**Appointment of Yudis A. Mendez of West Warwick VICE Bernard V. Buonanno to the Convention Center Authority for a term expiring June 30, 2016.**

Read and ordered to be placed on the Consent Calendar.

Also:

**Appointment of Jason E. Kelly VICE Dan Sullivan to the Rhode Island Economic Development Corporation for a term expiring February 1, 2016.**

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 686**

**BY** Sheehan

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATION {LC1979/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Bill No. 712 as amended**

**BY** Ruggerio, Paiva Weed, DiPalma, Pearson, Walaska

**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - LONG-TERM ECONOMIC DEVELOPMENT VISION AND POLICY (would establish a 19 member economic development planning council to develop a written long-term economic development vision and policy and strategic implementation plan.) {LC2051/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Resolution No. 713**

**BY** Felag, Satchell, Cool Rumsey, Walaska, Lynch

**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING GOVERNOR CHAFEE TO CREATE A GOVERNOR'S COMMERCE AND WORKFORCE COORDINATING CABINET {LC2063/1}

Read and ordered to be placed on the Calendar.

Also:

**Senate Resolution No. 714**

**BY** Cote, Archambault, Satchell, Raptakis, Conley

**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE OFFICE OF DIGITAL EXCELLENCE AND THE ECONOMIC DEVELOPMENT CORPORATION TO UPGRADE AND IMPROVE EDC'S WEBSITE

{LC983/1}

Read and ordered to be placed on the Calendar.

**COMMUNICATIONS**

The Honorable President presents the following communications:

<p style="text-align:center"><b>STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS</b> <b>STATE HOUSE</b></p> <p>April 4, 2013</p> <p>Joseph R. Brady Secretary of the Senate 145 State House Providence, RI 02903</p> <p>Dear Mr. Secretary:</p> <p>In accordance with Senate Rule 6.5, Hearing and Consideration of Bills, I hereby respectfully request that Senate Bill 2013-S 473, entitled "An Act Relating to Courts and Civil Procedure—Courts" be scheduled for a hearing before the Senate Judiciary Committee.</p> <p>Thank you for your assistance in this matter.</p> <p>Sincerely,</p> <p>Dawson T. Hodgson Senator District 35</p>
---

Read and ordered to be placed on file.

Also:

<p style="text-align:center"><b>STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS</b> <b>STATE HOUSE</b></p> <p>April 4, 2013</p> <p>Joseph R. Brady Secretary of the Senate 145 State House Providence, RI 02903</p> <p>Dear Mr. Secretary:</p>
---

In accordance with Senate Rule 6.5, Hearing and Consideration of Bills, I hereby respectfully request that Senate Bill 2013-S 154, entitled "An Act Relating to the General Assembly—Organization of General Assembly" be scheduled for a hearing before the Senate Committee on Special Legislation and Veterans' Affairs.

Thank you for your assistance in this matter.

Sincerely,

Dawson T. Hodgson  
Senator District 35

Read and ordered to be placed on file.

Also:

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

April 4, 2013

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

Dear Mr. Secretary:

In accordance with Senate Rule 6.5, Hearing and Consideration of Bills, I hereby respectfully request that Senate Bill 2013-S 394, entitled "An Act Relating to State Affairs and Government—Select Commission to Investigate the Failure of Public Loan Guarantee Programs" be scheduled for a hearing before the Senate Finance Committee.

Thank you for your assistance in this matter.

Sincerely,

Dawson T. Hodgson  
Senator District 35

Read and ordered to be placed on file.

Also:

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

April 9, 2013

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

Dear Mr. Secretary:

I wish to withdraw two of my Senate Bills:

**Senate Resolution No. 109**

**BY** Cote, Crowley, Walaska

**ENTITLED**, SENATE RESOLUTION REAFFIRMING THE FRIENDSHIP BETWEEN THE STATE OF RHODE ISLAND AND THE REPUBLIC OF CHINA (TAIWAN), STRENGTHENING BILATERAL TRADE RELATIONS, AND SUPPORTING TAIWAN'S PARTICIPATION IN INTERNATIONAL ORGANIZATIONS  
{LC589/1}

**Senate Bill No. 392**

**BY** Cote, Sheehan, O'Neill, Satchell, Archambault

**ENTITLED**, AN ACT RELATING TO TAXATION (would provide a tax incentive to newly created Rhode Island businesses that hire two or more employees.)  
{LC1631/1}

Should you have any question, please feel free to contact me.

Sincerely,

Marc A. Cote  
Senator, District 24

Read and ordered to be placed on file.

### 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**

April 3, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-27.3-100.1.4 of the Rhode Island General Laws, I have made the following appointment to the State Building Codes Standards Committee:

**Paul R. Alvarez**  
(Representing Building Trades Council)

VICE  
David F. Palmisciano

for a term expiring May 1, 2014.

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**

April 3, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 29-3.1-2.2 of the Rhode Island General Laws, I have made the following appointment to the Library Board of Rhode Island:

**Louise Herrington-Bright of Cumberland**  
(Public Member)

VICE  
Mark McKenney

for a term expiring December 31, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Education.

Also:

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

April 3, 2013

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 29-3.1-2.2 of the Rhode Island General Laws, I have made the following appointment to the Library Board of Rhode Island:

**Monica Nazareth-Dzialo, M.Ed., C.R.C. of Pawtucket**  
(Representing Users of the Talking Books Plus)

VICE  
Regina Connor

for a term expiring December 31, 2015.

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

Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Education.

### NEW BUSINESS

#### **Senate Resolution No. 852**

**BY** Goldin, Paiva Weed, Goodwin, Gallo, Lynch

**ENTITLED**, SENATE RESOLUTION PROCLAIMING APRIL 9, 2013, AS "EQUAL PAY DAY" IN THE STATE OF RHODE ISLAND

{LC2344/1}

Senator Goldin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goldin moves passage, seconded by Senators Goodwin Ruggerio Gallo Lynch, Nesselbush, Fogarty, Pichardo, Felag, McCaffrey, Jabour, Pearson, Metts and Picard.

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

### CONSENT CALENDAR

In order for the day is taken up as follows:

1. **Reappointment of Alan D. Nathan of Barrington to the Narragansett Bay Commission for a term expiring April 1, 2014.**
2. **Reappointment of Richard D. Worrell of Providence to the Narragansett Bay Commission for a term expiring April 1, 2014.**
3. **Reappointment of Joseph H. Kimball, Jr. of East Greenwich to the Narragansett Bay Commission for a term expiring April 1, 2014.**
4. **Reappointment of Leo Thompson of Hope to the Narragansett Bay Commission for a term expiring April 1, 2015.**
5. **Reappointment of Jonathan K. Farnum of Coventry to the Narragansett Bay Commission for a term expiring April 1, 2015.**
6. **Reappointment of Dr. Richard H. Burroughs of South Kingstown to the Narragansett Bay Commission for a term expiring April 1, 2016.**
7. **Reappointment of Bruce D. Campbell of Foster to the Narragansett Bay Commission for a term expiring April 1, 2016.**
8. **Reappointment of Michael A. Salvadore of Johnston to the Narragansett Bay Commission for a term expiring April 1, 2016.**
9. **Appointment of Seth H. Handy of Providence VICE Leslie M. Gray III to the Narragansett Bay Commission for a term expiring April 1, 2015.**



- 10. 2013-S 628**  
**BY Raptakis**  
**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING TO STUDY OFFERING EXPEDITED STATE CERTIFICATIONS OR PROFESSIONAL LICENSURE IN CONJUNCTION WITH THE DEPARTMENTS OF BUSINESS REGULATION AND HEALTH FOR RHODE ISLAND VETERANS
- 11. 2013-S 632**  
**BY Crowley**  
**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT GOVERNOR CHAFEE, AS CHAIRMAN OF THE COALITION OF NORTHEASTERN GOVERNORS, EXPLORE THE ESTABLISHMENT OF A NEW ENGLAND REGIONAL ECONOMIC AND CULTURAL OFFICE IN TAIPEI, TAIWAN
- 12. 2013-S 729**  
**BY Sosnowski**  
**ENTITLED**, SENATE RESOLUTION RESPECTFULLY URGING THE RHODE ISLAND CONGRESSIONAL DELEGATION TO GIVE RHODE ISLAND REPRESENTATION ON THE MID-ATLANTIC FISHERIES COUNCIL
- 13. 2013-S 845**  
**BY Cote**  
**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE MOUNT ST. CHARLES BOYS HOCKEY TEAM ON WINNING THE RHODE ISLAND 2013 DIVISION I HOCKEY STATE CHAMPIONSHIP
- 14. 2013-S 846**  
**BY Sosnowski**  
**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE LOCAL FARMS THAT CONSTITUTE THE RHODE ISLAND DAIRY FARMS COOPERATIVE ON BEING NAMED THE RICHMOND GRANGE 2013 "AGRICULTURISTS OF THE YEAR"
- 15. 2013-S 847**  
**BY Sosnowski**  
**ENTITLED**, SENATE RESOLUTION CONGRATULATING LINDSAY TANNER ON BEING NAMED THE 2013 "COMMUNITY SERVICE CITIZEN OF THE YEAR" BY THE RICHMOND GRANGE
- 16. 2013-S 848**  
**BY Sosnowski**  
**ENTITLED**, SENATE RESOLUTION CONGRATULATING CAROL AND BILLY RATHBUN ON BEING NAMED THE 2013 "GRANGERS OF THE YEAR" BY THE RICHMOND GRANGE

17. **2013-S 849**  
**BY** Ruggerio  
**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE NORTH PROVIDENCE HIGH SCHOOL LADY COUGARS CHEERLEADING SQUAD ON WINNING THE 2013 INTERSCHOLASTIC LEAGUE TEAM CHEERLEADING STATE CHAMPIONSHIP
18. **2013-S 850**  
**BY** Pichardo  
**ENTITLED**, JOINT RESOLUTION REINSTATING AND EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY RHODE ISLAND'S MINIMUM PRICING STATUTES
19. **2013-H 5796**  
**BY** Kennedy  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER EWI 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 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, 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.

NAYS- 0:

## CALENDAR

### 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.

Senator Sheehan moves passage, seconded by Senators McCaffrey, Lombardo, Lombardi, Archambault, Metts, Crowley, Goodwin, Ruggerio and Jabour.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:



The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, 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.

NAYS- 0:

Senator Jabour moves passage of the act, as amended, seconded by Senators Algieri and Ruggerio.

The act is read and passed, by unanimous consent, as amended, 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, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, 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 Ottiano 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 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 310 of the State House.

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

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

Senator Felag announces that the Committee on Finance will meet on Thursday, April 11, at 3:00 o'clock P.M., in Room 211 of the State House.

Senator Ruggerio congratulates Senate President Paiva Weed and Senator Majority Whip Maryellen Goodwin on receiving the annual "Making a Difference Award".

Senator Goodwin announces the 2013-2014 Rhode Island Government Owner's Manuals are available in the Secretary of State's Office.

#### **ADJOURNMENT**

Upon motion of Senator Goodwin seconded by Senator Bates the Senate adjourns at 4:37 o'clock P.M.

**JOSEPH R. BRADY**  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR ERIN P. LYNCH**

Dear God, we thank you for the gift of this new day with its opportunities for growth in nobility of character and in service to others. Amen.

**Appendix**

**CONSENT CALENDAR**

**IN ORDER FOR WEDNESDAY, APRIL 10, 2013:**

- 1. Appointment of Yudis A. Mendez of West Warwick VICE Bernard V. Buonanno to the Convention Center Authority for a term expiring June 30, 2016.**

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

**Appendix****CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 10, 2013:**

- 1. 2013-S 14 SUB A**  
**BY DiPalma**  
**ENTITLED, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY**

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

**IN ORDER FOR THURSDAY, APRIL 11, 2013:**

- 1. Appointment of Jason E. Kelly VICE Dan Sullivan 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. 2013-S 686**  
**BY Sheehan**  
**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATION**

Committee on Commerce recommends passage.

- 3. 2013-S 712 as amended**  
**BY Ruggiero**  
**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - LONG-TERM ECONOMIC DEVELOPMENT VISION AND POLICY**

Committee on Commerce recommends passage as amended.

- 4. 2013-S 713**  
**BY Felag**  
**ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING GOVERNOR CHAFEE TO CREATE A GOVERNOR'S COMMERCE AND WORKFORCE COORDINATING CABINET**

Committee on Commerce recommends passage.

- 5. 2013-S 714**  
**BY Cote**  
**ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE OFFICE OF DIGITAL EXCELLENCE AND THE ECONOMIC DEVELOPMENT CORPORATION TO UPGRADE AND IMPROVE EDC'S WEBSITE**

Committee on Commerce recommends passage.



**Appendix**

**BILLS TRANSMITTED TO THE GOVERNOR**

**House Bill No. 5796**

**BY Kennedy**

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

{LC1883/1}