

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.42

Thursday, April 25, 2013

Forty-second 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 4:21 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 Sosnowski to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty-first Legislative Day of the 2013 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Cool Rumsey and by unanimous consent, the Honorable President, welcomes to the Chamber students from the Exeter Job Corps Academy, Emily Rondeau, Deontrae Taylor, and Jessica Russell along with teachers Mark Bennison, Chief Instructor and Mark Riolo, Director.

Upon suggestion of Senator O'Neill and by unanimous consent, the Honorable President, welcomes to the Chamber students from the William M. Davies Jr. Career & Technical High School, Jazmine McCauley, Laura Chacon, Kevin Vieira and Denise Almeida along with teachers Pete Fanguillo, Chef Instructor, Santos Nieves, Chef Instructor, Bernie Blumenthal, Director of Business and Partnerships and from the Rhode Island Hospitality Association, Dale J. Venturini, President/CEO.

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President, welcomes to the Chamber Danielle Mongeau, Senate Page.

Upon suggestion of Senators Sosnowski and by unanimous consent, the Honorable President, welcomes to the Chamber Ken Ayars, Chief Democratic Division of Agriculture.

COMMUNICATION

The Honorable President presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ADMINISTRATION**

April 19, 2013

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

Re: Changes to the Unclassified Service Classification and Pay Plan – Agenda # 024
Pay Grade and Base Rate Increases for Unclassified Service Cabinet Directors of State Executive Department

Dear President Paiva Weed:

On Friday, March 29, 2013, an Unclassified Public Hearing was held by the Department of Administration consistent with the intent of the provisions of Section 36-4-16, 36-4-16.2, 36-4-16.4, and 36-6-3 of the General Laws of 1956, as amended, to consider changes to the Unclassified Service Classification and Pay Plan.

The sole purpose of this communication is specific to general salary increases for eligible unclassified service cabinet directors of state executive departments as follows:

Agenda Item #1: 3.0% general salary increase effective Sunday, June 2, 2013 and 3% general salary increase effective Sunday, December 29, 2013 for eligible unclassified service cabinet directors of state executive departments consistent with general salary increases for other union and

non-union state employees occurring on Sunday, January 2, 2011 and Sunday, June 19, 2011.

The following attachments are included for your review and consideration:

- Unclassified Service Public Hearing Agenda # 024 defining Agenda Item # 1 on page 1
- Minutes of the unclassified public hearing proceeding
- Spreadsheet displaying the current total salary rate and the total salary rate for each proposed salary increase for the eligible cabinet directors

Unclassified Service Public Hearing Agenda # 024
Agenda Item #1 of 1
Pay Grade and Base Rate Increases for Unclassified Service Cabinet Directors
April 19, 2013
Page 2 of 2

Agenda Item # 1 has been forwarded to you pursuant to the intent of RIGL 36-4-16.4 which provides the general assembly a thirty (30) day review period. Therefore, unless rejected by formal action of the House and Senate acting concurrently on or before May 19, 2013, the proposed salary increases will be implemented as proposed.

Respectfully submitted,

Kenneth C. Kirsch
Deputy Director
Department of Administration

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. 5596 SUB A

(Business Regulation)

BY Messier, Kennedy, San Bento, Palumbo, Keable

ENTITLED, AN ACT RELATING TO INSURANCE -- THE STANDARD NONFORFEITURE LAW FOR LIFE INSURANCE (would bring the Standard Valuation and Standard Nonforfeiture for Life Insurance laws into compliance with the current version of the National Association of Insurance Commissioners Model Act) {LC1413/A/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5528

(Business Regulation)

BY Keable, Johnston, Kazarian

ENTITLED, AN ACT RELATING TO INSURANCE -- LONG-TERM CARE INSURANCE (would amend the registration filing date for insurance companies governed by the applicable provisions of the general laws) {LC1417/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5718 SUB A

(Business Regulation)

BY Phillips

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - AGENCY RELATIONSHIPS IN RESIDENTIAL REAL ESTATE TRANSACTIONS (would provide that a real estate broker or salesperson who provides assistance in a real estate transaction shall no longer be deemed a neutral transaction facilitator) {LC1792/A/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5721

(Business Regulation)

BY Keable, Kennedy, Marcello

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- POWERS AND OPERATIONS (would amend the financial institutions lending limits language of the general laws to ensure that such limits are also applied to derivative transactions entered into by financial institutions.) {LC1671/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5609 SUB A

(Business Regulation)

BY Kennedy, Palumbo, Keable

ENTITLED, AN ACT RELATING TO INSURANCE (would make changes to insurance statutes) {LC1669/A/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5532

(Business Regulation)

BY Marshall, O'Brien

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE APPRAISER CERTIFICATION ACT (would add two (2) new classes of state licensed real estate appraisers) {LC1263/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5608 SUB A

(Business Regulation)

BY Palumbo, Kennedy, San Bento, Keable**ENTITLED**, AN ACT RELATING TO INSURANCE (would update the Credit for Reinsurance Act to the current version of the National Association of Insurance Commissioners model) {LC1422/A/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5839 SUB A

(Business Regulation)

BY Finn**ENTITLED**, AN ACT RELATING TO INSURANCE - UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE IN PROPERTY AND CASUALTY INSURANCE (would prohibit discrimination against victims of domestic abuse in property and casualty insurance) {LC1260/A/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5601

(Business Regulation)

BY Marshall, Gallison, Edwards**ENTITLED**, AN ACT RELATING TO INSURANCE (would enact the National Association of Insurance Commissioners Risk Management and Own Risk and Solvency Assessment Model Act) {LC1261/1}

Read and ordered to the Committee on Commerce.

Also:

House Bill No. 5229**BY** McNamara, MacBeth, Shekarchi, Bennett, Hull**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS (would require that individuals who are current/prospective volunteers of a school department and who may have direct and unmonitored contact with children and/or students on school premises would be required to undergo a state criminal background check) {LC686/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5335 SUB A as amended

(Attorney General)

BY Gallison, Marshall, O'Brien, Edwards, Silva**ENTITLED**, AN ACT RELATING TO PROPERTY -- MORTGAGE AND FORECLOSURE SALE (would require a mortgagee to participate in good faith in a conciliation conference prior to initiating foreclosure proceedings) {LC956/A/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5440**BY** Jacquard**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - LEVY AND SALE ON EXECUTION (would increase the exemption from attachment for working tools of a debtor and would also increase the exemption for a debtor in bankruptcy in any assets from five thousand dollars (\$5,000) to six thousand five hundred dollars (\$6,500)) {LC560/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5504

(Elections)

BY San Bento**ENTITLED**, AN ACT RELATING TO ELECTIONS - MAIL BALLOTS (repeal the section of general laws that makes it mandatory for voters who received a mail ballot, but did not cast their vote, to return the unvoted ballot and uncertified enclosing envelope to the state board or local board before 9:00 pm on election day) {LC1185/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5655

(Transportation)

BY McNamara, Azzinaro, Bennett**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES (would require distracted driving issues, including cell phone use, to be tested as part of the state driver's license exam.) {LC1470/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5663

(Judiciary)

BY Mattiello, Craven, Shekarchi, Gallison, Jacquard**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION COURT (would provide for the recall of a workers' compensation court judge by the chief justice of the supreme court consistent with the recall provisions of all other state courts.) {LC1635/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5665

(Judiciary)

BY Shekarchi, Serpa, Craven, Lombardi, Jacquard**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - GENERAL POWERS OF SUPREME AND SUPERIOR COURTS (would require the approval of the supreme court of any rules regulating the practice, procedure and business of the workers' compensation court consistent with the procedures in effect for all other courts) {LC1633/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5675 SUB A

(Attorney General)

BY Serpa**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MISCELLANEOUS RULES (would increase the penalty for second or subsequent violations of the offense of texting while driving to include the suspension of an operator's driving license in the discretion of the RI traffic tribunal in addition to a monetary fine) {LC1315/A/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5898**BY** Tomasso**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Michael Richard Smith to join Sara Drew Koppelman and Eric Michael Desirey in marriage within the City of Warwick, Rhode Island, on or about September 7, 2013) {LC2092/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5905**BY** McNamara

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Michael J. Crocker to join Catherine A. Young and Michael C. McCormick in marriage within the Town of West Greenwich, Rhode Island, on or about May 25, 2013) {LC2163/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5942**BY** Cimini

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Christine McMichael to join Caitlin Lee Wentworth and Robert Abel Minger in marriage within the Town of Narragansett, Rhode Island, on or about June 22, 2013.) {LC2243/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5943**BY** Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Ann M. Rand to join Jacqueline Marie Richardson and Jonathan Balzano-Brookes in marriage within the Town of Jamestown, Rhode Island, on or about June 29, 2013.) {LC2222/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5948**BY** Newberry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Michael Crepeau to join Adam P. Vasconcellos, M.D., and Mansi G. Shah in marriage on or about June 29, 2013, within the City of Providence, Rhode Island.) {LC2251/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5949**BY** Newberry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Michael Crepeau to join Edward A. Gingras and Maria Vasconcellos in marriage on or about June 22, 2013, within the Town of North Kingstown, Rhode Island.) {LC2252/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5956

BY Canario

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Phillip McManus to join Jennifer M. Boyce and Paul J. Ritter in marriage within the Town of Portsmouth, Rhode Island, on or about July 20, 2013) {LC2283/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5962

BY Almeida

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Sky Stanfield to join Sandra Little and Jesse Steinberg in marriage within the City of Providence, Rhode Island, on or about August 10, 2013.) {LC2292/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5941

BY McNamara, Diaz, Azzinaro, Ruggiero, Corvese

ENTITLED, AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS (would require all school districts to conduct school safety assessments, and would also require the dept of elementary and secondary education to develop a model school safety plan to be implemented by all school districts.) {LC2121/1}

Read and ordered to the Committee on Education.

Also:

House Bill No. 5266 as amended

BY Ucci, Corvese, Lombardi, O'Brien, Carnevale

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- NARRAGANSETT BAY COMMISSION (would reduce the number of Narragansett Bay Commission members from twenty-three (23) down to nineteen (19). It would also reduce the number required for a quorum to a simple majority) {LC1006/1}

Read and ordered to the Committee on Environment and Agriculture.

Also:

House Bill No. 5391

BY Silva, Hull, McLaughlin

ENTITLED, AN ACT RELATING TO TAXATION-LEVY AND ASSESSMENT OF LOCAL TAXES-CENTRAL FALLS (would authorize the city council of the city of Central Falls to

increase the amount of time for tax exemptions for certain improvements to qualifying real and personal property from 5 years to 10 years, and the amount from \$20,000 to \$25,000) {LC1100/1}

Read and ordered to the Committee on Finance.

Also:

House Bill No. 5097

BY Ruggiero, Abney, Finn

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - INDEBTEDNESS OF TOWNS AND CITIES (would authorize the town of Middletown to borrow to finance a court judgment or settlement to an amount not to exceed ten percent (10%) of the town's most recently adopted budget) {LC291/1}

Read and ordered to the Committee on Finance.

Also:

House Bill No. 5176 SUB A

BY Guthrie, Tomasso, Serpa

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- CENTRAL COVENTRY FIRE DISTRICT ANNUAL APPROPRIATION (would provide fire districts with the power to adopt tax classification rates, adopt supplemental taxes and operate under a previous fiscal year's budget under certain circumstances)
{LC493/A/1}

Read and ordered to the Committee on Finance.

Also:

House Bill No. 5650 SUB A

(Health)

BY Bennett, Hull, Shekarchi, Silva, Tanzi

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PHYSICIANS ASSISTANT (would update section 5-54-9 to provide that the training program for physician assistant be certified by the accreditation review commission on education for the physician assistant (ARC-PA.) {LC1453/A/1}

Read and ordered to the Committee on Health and Human Services.

Also:

House Bill No. 5155 SUB A

BY Naughton, Coderre

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - FAMILY CAREGIVERS SUPPORT ACT OF 2013 (would create a family caregiver support act which would require a caregiver assessment if the plan of care involves, a family caregiver, and a plan of care would be developed which would take into account the needs of the caregiver and the recipient)
{LC665/A/1}

Read and ordered to the Committee on Health and Human Services.

Also:

House Bill No. 5080 SUB A

BY Malik, Gallison, Hearn, Marshall

ENTITLED, AN ACT RELATING TO "AN ACT TO CREATE THE BRISTOL COUNTY WATER AUTHORITY AND TO PROVIDE FOR IT'S POWERS AND DUTIES" (would amend the Bristol County Water Authority Act by specifying how by-laws may be amended and how directors, officers and employees may serve) {LC370/A/1}

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

Also:

House Bill No. 5265 SUB A

BY Mattiello, Marcello, Ackerman, Lima, Tomasso

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (would extend the expiration dates pertaining to any approval or permit pursuant to any state law or pursuant to the local ordinances promulgated under state law) {LC851/A/1}

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

Also:

House Bill No. 5347

BY Shekarchi, Costa, McNamara, Lombardi, Dickinson

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE (would permit ramps, lifts and other accommodation alternatives necessary for compliance with the provisions of the Americans with Disabilities Act relating to accessibility shall be permitted as needed in front, side or rear yards of existing structures) {LC426/1}

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

Also:

House Bill No. 5592

(Revenue)

BY Nunes

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - DEALERS', MANUFACTURERS' AND RENTAL LICENSES (would allow dealers, manufacturers, distributors and leasing companies to renew their licenses every three years instead of renewing every year/license fees remain unchanged but are allowed to be paid on a yearly basis) {LC1659/1}

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

Also:

House Bill No. 5819 SUB A

(Revenue)

BY Malik, Marcello, Azzinaro, Gallison, Corvese**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - PARKING FACILITIES AND PRIVILEGES (would eliminate the renewal requirement for individuals who have disability placards for a permanent disability) {LC1663/A/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:

Reappointment of The Honorable Kevin A. Breene (Farm Bureau Representative) of West Greenwich to the Rabies Control Board for a term expiring September 1, 2014.

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Christopher H. Hannafin, D.V.M. (Representing the Rhode Island Veterinary Medical Association) to the Rabies Control Board for a term expiring September 1, 2014.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Scott R. Scofield (Member of the Rhode Island Animal Control Association) of Providence VICE Betsy Hanson (resigned) to the Rabies Control Board for a term expiring September 1, 2016.

Read and ordered to be placed on the Consent 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:

Senate Bill No. 55**BY** Goodwin, Ruggerio, Paiva Weed, Algieri, McCaffrey**ENTITLED**, AN ACT RELATING TO GENERAL ASSEMBLY -- JOINT COMMITTEE ON LEGISLATIVE SERVICES (would include the majority leader of the senate as a member of the joint committee on legislative services.) {LC286/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 479 SUB A

BY Felag, Bates, Cote, Raptakis, Pearson

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF VETERANS' AFFAIRS (would create the Veterans' Services Strategic Plan Advisory Committee that would be responsible for developing, maintaining and annually updating a five (5) year statewide Veterans' Services Strategic Plan ("VSSP")) {LC1821/A/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 581

(by request)

BY Cote, Picard

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- GAMBLING AND LOTTERIES (would permit a senior citizens center to obtain a permit approved by the division of state police to conduct bingo in the senior citizens center.) {LC1906/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 630 SUB A

(Governor)

BY Felag, Pichardo, Walaska, Ottiano, Bates

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE - NATIONAL GUARD {LC1706/A/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 775 SUB A

(Revenue)

BY Goodwin, DiPalma

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - PARKING FACILITIES AND PRIVILEGES {LC1664/A/1}

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 875

BY Lynch, Gallo

ENTITLED, SENATE RESOLUTION HONORING THE STATE ALLIANCE OF RHODE

ISLAND YMCAS {LC2329/1}

Senator Lynch requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lynch moves passage, seconded by Senator Gallo.

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

Also:

Senate Resolution No. 876

BY Kettle

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF CAPTAIN WILLIAM J. HALL {LC2452/1}

Senator Kettle requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Kettle moves passage, seconded by Senators Raptakis and Satchell.

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

Also:

Senate Bill No. 877

(by request)

BY Cote

ENTITLED, AN ACT RELATING TO EDUCATION - RIGHTS AND DUTIES OF TEACHERS GENERALLY {LC2401/1}

Read and ordered to the Committee on Education.

Also:

Senate Bill No. 878

BY Ciccone, Ruggerio

ENTITLED, AN ACT RELATING TO TAXATION - PERSONAL INCOME TAX {LC2386/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 879

BY Ciccone

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - OPTIONAL RETIREMENT

FOR MEMBERS OF POLICE FORCE AND FIRE FIGHTERS {LC2387/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 880

BY DiPalma

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - COUNCILS AND GOVERNING BODIES {LC2373/1}

Read and ordered to the Committee on Finance.

Also:

Senate Bill No. 881

BY Crowley

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF CENTRAL FALLS {LC2419/1}

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

Also:

Senate Bill No. 882

(by request)

BY Cool Rumsey

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - LOW AND MODERATE INCOME HOUSING {LC2081/1}

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

Also:

Senate Bill No. 883

BY Felag, Ottiano, Bates

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2376/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 884

BY Ottiano

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS - THE TOWN OF PORTSMOUTH MUNICIPAL COURT {LC2443/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 885

BY Kettle

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2474/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 886

BY Raptakis, Sheehan, Lombardo, Picard, DiPalma

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - LICENSE FOR MOTORCYCLES {LC2162/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 887

BY Ciccone, Fogarty, Gallo, Doyle

ENTITLED, AN ACT RELATING TO TAXATION - TAX SALES {LC1927/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 888

BY Miller, Gallo, Doyle, Ciccone, Lombardi

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS {LC2308/1}

Read and ordered to the Committee on Labor.

Also:

Senate Bill No. 889

BY Lombardi, Cool Rumsey, Ciccone, Archambault, Conley

ENTITLED, AN ACT RELATING TO EDUCATION - TEACHERS' TENURE {LC2422/1}

Read and ordered to the Committee on Labor.

Also:

Senate Resolution No. 890

BY Gallo, Goodwin, Paiva Weed, Lynch, Sosnowski

ENTITLED, SENATE RESOLUTION PROCLAIMING THE WEEK OF APRIL 21-27, 2013, AS THE "GENERAL FEDERATION OF WOMEN'S CLUBS - CRANSTON COMMUNITY WOMEN'S CLUB VOLUNTEERS IN ACTION WEEK" IN THE STATE OF RHODE ISLAND {LC2435/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 891

BY Algieri

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE AML PUBLICATIONS, INC. {LC2447/1}

Read and ordered to be placed on the Consent Calendar.

CALENDAR

IN ORDER FOR THURSDAY, APRIL 25, 2013:

1. 2013-S 495 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Walaska moves passage, seconded by Senators Sosnowski, Fogarty, Kettle, Archambault and Ruggerio.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

2. 2013-S 641 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - DISTRIBUTED GENERATION STANDARD CONTRACTS

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Walaska moves passage, seconded by Senators Miller, Sosnowski, Gallo, Lombardi, Lombardo and DiPalma.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

3. 2013-S 236 SUB A

BY DiPalma

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES --
MANUFACTURING AND WHOLESALE LICENSES

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

Senator DiPalma moves passage, seconded by Senators Felag, Walaska, Pichardo, Goodwin, Gallo, Lynch, Lombardi, Lombardo, Satchell and Cool Rumsey.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 37: 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, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Miller.

4. 2013-S 477

BY Goodwin

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL
LICENSES

Committee on Special Legislation and Veterans Affairs recommends passage.

Senator Goodwin moves passage, seconded by Senators Walaska, Crowley, Lombardi, Archambault and DiPalma.

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 and 1 Senator abstaining as follows:

YEAS- 37: 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.

NAYS- 0:

ABSTAINED- 1: Senator Miller.

5. 2013-S 480

BY Felag

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

Committee on Special Legislation and Veterans Affairs recommends passage.

Senator Felag moves passage, seconded by Senators Gallo, Lynch and Bates.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

6. 2013-S 501

BY Felag

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
EMERGENCY MANAGEMENT

Committee on Special Legislation and Veterans Affairs recommends passage.

Senator Felag moves passage, seconded by Senators Lynch, Metts and Lombardi.

Senator Felag seconded by Senator Lynch, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2013 -- S 501

AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- EMERGENCY MANAGEMENT

Madam President:

I hereby move to amend 2013 -- S 501, entitled "AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- EMERGENCY MANAGEMENT", as follows:

(1) On page 3, lines 7 through 9, inclusive, by deleting all the language appearing on said lines.

Respectfully submitted,
SENATOR FELAG

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, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

Senator Felag moves passage of the act, as amended, seconded by Senator Lynch.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

7. **2013-S 467**
BY Archambault
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
OPERATORS' AND CHAUFFEURS' LICENSES

Committee on Judiciary recommends passage.

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Thursday, May 2, 2013.

8. **2013-S 490**
BY McCaffrey
ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND
EXECUTION

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Lynch, Hodgson, Archambault, Ciccone and Jabour.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

9. **2013-S 619**
BY Nesselbush
ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS - EXCHANGE OF
INFORMATION IN SUPPORT OF CHILD SUPPORT COLLECTION

Committee on Judiciary recommends passage.

Senator Nesselbush moves passage, seconded by Senators Lynch, Crowley, Walaska, McCaffrey and Archambault.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

10. 2013-S 659

BY McCaffrey

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - TRAFFIC CONTROL DEVICES

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Lynch, Archambault, Metts and Picard.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

11. 2013-S 660

BY McCaffrey

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Lynch, Sosnowski, Pichardo and Archambault.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

12. 2013-S 661**BY** Felag**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Judiciary recommends passage.

Senator Felag moves passage, seconded by Senators McCaffrey, Archambault and Lombardi.

The act is read and passed, by unanimous consent, upon a roll call vote with 38 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

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)

GUESTS

Upon suggestion of Senator Cool Rumsey and by unanimous consent, the Honorable President, welcomes to the Chamber Pat D'Andrea, Tony D'Andrea, Jake D'Andrea from West Greenwich and Mellissa Hoefler Branch from Charlestown.

ANNOUNCEMENTS

Senator Nesselbush announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 211 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 the Senate Lounge of the State House.

Senator Sheehan announces that the Committee on Government Oversight will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Goodwin announces that next Tuesday, April 30th, is the State of Education Address at 5:00 o'clock P.M in the House Chamber.

Senator Goodwin announces that Ethics Commission Reports are due tomorrow.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Bates and upon suggestion of Senator Kettle the Senate adjourns at 4:45 o'clock P.M. in memory of Captain William J. Hall.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR V. SUSAN SOSNOWSKI**

Gracious God, as we gather today to observe Rhode Island Agriculture Day. We thank you for the rich variety of our food from the many parts of our state. We pray for those who grow, prepare and distribute the food we eat. We thank you for the enjoyment and pleasure we find in sharing food in celebration and fellowship. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, APRIL 30, 2013:

1. Reappointment of The Honorable Kevin A. Breene (Farm Bureau Representative) of West Greenwich to the Rabies Control Board for a term expiring September 1, 2014.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

2. Reappointment of Christopher H. Hannafin, D.V.M. (Representing the Rhode Island Veterinary Medical Association) to the Rabies Control Board for a term expiring September 1, 2014.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

3. Appointment of Scott R. Scofield (Member of the Rhode Island Animal Control Association) of Providence VICE Betsy Hanson (resigned) to the Rabies Control Board for a term expiring September 1, 2016.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

4. **2013-S 890**

BY Gallo

ENTITLED, SENATE RESOLUTION PROCLAIMING THE WEEK OF APRIL 21-27, 2013, AS THE "GENERAL FEDERATION OF WOMEN'S CLUBS - CRANSTON COMMUNITY WOMEN'S CLUB VOLUNTEERS IN ACTION WEEK" IN THE STATE OF RHODE ISLAND

Ordered on the Consent Calendar.

5. **2013-S 891**

BY Algieri

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE AML PUBLICATIONS, INC.

Ordered on the Consent Calendar.

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MAY 01, 2013:**

- 1. 2013-S 55**
BY Goodwin
ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- JOINT
COMMITTEE ON LEGISLATIVE SERVICES

Committee on Special Legislation and Veterans Affairs recommends passage.
- 2. 2013-S 479 SUB A**
BY Felag
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF VETERANS' AFFAIRS

Committee on Special Legislation and Veterans Affairs recommends indefinite
postponement of the original bill and passage of Substitute A.
- 3. 2013-S 581**
BY Cote
ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- GAMBLING AND
LOTTERIES

Committee on Special Legislation and Veterans Affairs recommends passage.
- 4. 2013-S 630 SUB A**
BY Felag
ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -
NATIONAL GUARD

Committee on Special Legislation and Veterans Affairs recommends indefinite
postponement of the original bill and passage of Substitute A.
- 5. 2013-S 775 SUB A**
BY Goodwin
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - PARKING
FACILITIES AND PRIVILEGES

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

CALENDAR

IN ORDER FOR THURSDAY, MAY 02, 2013:

1. **2013-S 467**
BY Archambault
ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
OPERATORS' AND CHAUFFEURS' LICENSES

Committee on Judiciary recommends passage.