

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.54

Thursday, May 23, 2013

Fifty-fourth 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 4:13 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 McCaffrey to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Fifty-third Legislative Day of the 2013 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Goldin and by unanimous consent, the Honorable President, welcomes to the Chamber Mac Farmer, President of the Board of Family Service of Rhode Island.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 6075**BY** Guthrie

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Thomas Robert Myers of West Greenwich, Rhode Island, to join Amy Elizabeth Flynn and Stephen Lee Bentley in marriage on or about September 13, 2013, within the Town of Jamestown, Rhode Island) {LC2506/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6058**BY** Ajello, Marshall

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Martha Freeman Newcomb of Bristol, Rhode Island, to join Jessica Marie Phillips and Shaun Colin Walbridge in marriage within the City of Providence, Rhode Island, on or about October 13, 2013.) {LC2484/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6052**BY** Edwards, Canario

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Christopher Sanford of East Lyme, Connecticut, to join Jessica Rosini and Kyle Legnos in marriage within the Town of Tiverton, Rhode Island, on or about July 13, 2013.) LC2470/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6089**BY** Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Dannel P. Malloy, Governor of Connecticut, to join Megan Lynne Cooney and Gregory Robert Pearsall in marriage within the City of Newport, Rhode Island, on or about June 8,

2013.) {LC2525/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6090

BY Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Marvin Abney to join Alyse Jones and Lawrence Cobb in marriage within the City of Newport, Rhode Island, on or about September 28, 2013.) {LC2542/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6091

BY Canario, Craven, Blazejewski, Lombardi, Finn

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Georgianna Jordan, of Somerset, Massachusetts, to join Susan Douglas and Allan Johnson in marriage within the Town of Portsmouth, Rhode Island, on or about March 30, 2014) {LC2537/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6109

BY Keable, Newberry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow James Kelly, Jr., of Pascoag, Rhode Island, to join Crystal Kelly King and Paul Warren Ernest, Jr., in marriage within the Town of Burrillville, Rhode Island, on or about June 15, 2013.) {LC2579/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 6110

BY Abney

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow Deborah Jeannine Troisi of Lynnfield, Massachusetts, to join Laura Marie Scialdoni and Keith Loudon Tower in marriage within the City of Newport, Rhode Island, on or about August 23, 2013.) {LC2580/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5782

(Transportation)

BY Johnston, Keable, Blazejewski, Guthrie**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would clarify the meaning of divided highway as any highway that has been divided into two (2) roadways by leaving an unpaved intervening space or by a physical barrier) {LC1466/1}

Read and ordered to the Committee on Judiciary.

Also:

House Bill No. 5656 SUB A**BY** McNamara, Corvese, Bennett**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSES

(would amend and greatly expand the role and duties of certain types of nurses in the health care profession, especially the role and authority of advance practice registered nurses.) {LC1366/A/3}

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

Also:

House Bill No. 5929**BY** Corvese**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

(would authorize the North Providence board of licenses to issue a retail Class B liquor license for a business located on plat 23A, lot 98 of the North Providence tax assessment map.) {LC2175/1}

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

Also:

House Bill No. 6092**BY** Silva**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF CENTRAL FALLS (would ratify amendments to the Central Falls Home Rule Charter approved by the voters of Central Falls on November 6, 2012 which require ratification by the General Assembly in order to be effective.) LC2527/1}

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

Also:

House Bill No. 5978**BY** Almeida**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER FOR CLEAR SKY CONSTRUCTION, INC. {LC2349/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 6048

BY Winfield

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE STAMP CONSTRUCTION CO. {LC2448/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5656 SUB A

BY McNamara, Corvese, Bennett

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- NURSES (would amend and greatly expand the role and duties of certain types of nurses in the health care profession, especially the role and authority of advance practice registered nurses.)
{LC1366/A/3}

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

Also:

House Bill No. 6092

BY Silva

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF CENTRAL FALLS (would ratify amendments to the Central Falls Home Rule Charter approved by the voters of Central Falls on November 6, 2012 which require ratification by the General Assembly in order to be effective.)
{LC2527/1}

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

Also:

House Bill No. 5782

(Transportation)

BY Johnston, Keable, Blazejewski, Guthrie

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (would clarify the meaning of divided highway as any highway that has been divided into two (2) roadways by leaving an unpaved intervening space or by a physical barrier)
{LC1466/1}

Read and ordered to the Committee on Judiciary.

**REPORTS OF COMMITTEES
COMMITTEE ON LABOR**

Senator Fogarty, from the Committee on Labor, reports back, with recommendation of passage of the following measures:

Senate Bill No. 662

(State Police)

BY McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
DEPARTMENT OF PUBLIC SAFETY
{LC1491/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 843

BY Lombardo, Lombardi, Conley

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - DRUG
TESTING (would expand the regulation of employer mandated drug testing to include the
highway construction and repair industry.)
{LC2170/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Senator Sosnowski from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measures:

Senate Bill No. 671 SUB A

BY Miller

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF ADMINISTRATION {LC1551/A/2}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 725

(Governor)

BY Sosnowski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - ENERGY
RESOURCES (would add a responsibility to the office of energy resources to collect all energy

information regarding petroleum products/natural gas and other fuels including price/inventory, and product delivery dates/amounts, and types of product sold) {LC1692/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 814 SUB A

BY Cool Rumsey, Archambault, Raptakis, Fogarty

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - INTERSTATE WILDLIFE VIOLATOR COMPACT (would adopt the wildlife violation compact act which recognizes violations of hunting, trapping and fishing laws occurring in other states as violations in a person's home state.) {LC1969/A/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 816 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - BIODIESEL HEATING OIL ACT OF 2013 (would enact the Biodiesel Heating Oil Act of 2013, which would require that all heating oil sold in the state contain five percent (5%) of a biobased product.) {LC2253/A/1}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 900 SUB A

(Administration)

BY Conley, Pearson, Sosnowski, Miller, Goodwin

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - PROPERTY ASSESSED CLEAN ENERGY - RESIDENTIAL PROGRAM (would establish a new financing program which would allow homeowners to access affordable, long-term financing for energy upgrades to their property.) {LC2393/A/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON COMMERCE

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

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 be placed on the Consent Calendar.

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 be placed on the Consent Calendar.

Also:

House Bill No. 5729

(Secretary of State)

BY Keable, Kazarian, Blazejewski, Kennedy, Edwards

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS (would permit limited partnerships to file a certificate of cancellation when all fees and taxes have been paid to the tax administrator.) {LC1843/1}

Read and ordered to be placed on the Consent Calendar.

Also:

House Bill No. 5728

(Business Regulation)

BY Kazarian, Keable, Kennedy, Messier, Johnston

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS (would eliminate the board of bank incorporation.) {LC1259/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON EDUCATION

Senator Gallo from the Committee on Education, reports back, with recommendation of passage of the following measures:

Appointment of Louise Herrington-Bright (Public Member) of Cumberland VICE Mark McKenney to the Library Board of Rhode Island for a term expiring December 31, 2015.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Monica Nazareth-Dzialo, M.Ed., C.R.C. (Representing Users of the Talking Books Plus) of Pawtucket VICE Regina Connor to the Library Board of Rhode Island for a term expiring December 31, 2015.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Joseph Batiano (Consumer Member) to the State Board of Examiners for Interpreters for the Deaf for a term expiring March 31, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Dorothy Hodge (National Certified Interpreter) of Providence VICE Christopher Haas to the State Board of Examiners for Interpreters for the Deaf for a term expiring March 31, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Carol Fay (National Certified Interpreter) of Providence VICE Rosa Norberg to the State Board of Examiners for Interpreters for the Deaf for a term expiring March 31, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Jonathan Brown Henry (National Certified Interpreters) to the State Board of Examiners for Interpreters for the Deaf for a term expiring March 31, 2016.

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 62 SUB A

BY Crowley, Sosnowski, Miller, Jabour, Picard

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS (would provide that private schools of higher education would be required to give written notice of their closing at

least 30 calendar days prior to said closing.)
{LC383/A/2}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 312 SUB A

BY Lombardi, Miller, McCaffrey, Jabour, Crowley

ENTITLED, AN ACT RELATING TO EDUCATION - MAYORAL ACADEMIES (would provide that a mayoral academy charter school's application would not be approved by the board of education unless the school committee and the city or town council of each included municipality also supported the application.)

{LC1226/A/2}

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

House Bill No. 5771

(Secretary of State)

BY Ajello, Cimini

ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS (would eliminate the requirement of having to be physically present within the voting building in order to vote at eight o'clock (8:00) pm. Persons in line and outside of the building at the time of closure of the voting place shall be entitled to vote.)

{LC1841/1}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS

Senate Resolution No. 960

BY Goodwin

ENTITLED, SENATE RESOLUTION URGING THAT THOSE IN AZERBAIJAN WHO ARE RESPONSIBLE FOR ORGANIZING AND PERPETRATING THE ARMENIAN MASSACRES IN SUMGAIT, BAKU, KIROVABAD, AND MARAGHA, AS WELL AS THE EVENTS IN KHOJALU AND OTHER SETTLEMENTS, BE BROUGHT TO JUSTICE

{LC2650/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Resolution No. 961**BY** Ruggerio**ENTITLED**, SENATE RESOLUTION HONORING LILLIAN CARDULLO ON THE OCCASION OF HER 110TH BIRTHDAY

{LC2641/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 962**BY** Pichardo, Paiva Weed, Metts, Jabour**ENTITLED**, SENATE RESOLUTION CONGRATULATING JUANITA SANCHEZ HIGH SCHOOL FOR WINNING THE 2012-2013 RHODE ISLAND DIVISION III STATE GIRLS BASKETBALL CHAMPIONSHIP

{LC2649/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senators Metts, Ruggerio and Jabour.

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

Also:

Senate Bill No. 963**BY** McCaffrey**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2651/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 964**BY** Felag**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF COUNTRY CLUB, INC.

Read and ordered to be placed on the Consent Calendar.

GUESTS

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber the Juanita Sanchez High School Girls Basketball 2013 Division III State Champions, Angelica Ortiz, Jaleah Robinson, Elfreda Hoff, Emely Cabrera, Alejandra

Pedraza, D' Asia Allen, Seth Quire, Leon-I Taylor, Mirelis Cortes, Keysha Negron, Jessenia Escobar, Mecca Abdul Hasib, Head Coach Ty Dale, Assistant Coach Rick Bozzer and Assistant Principal Nathan Biah.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **Reappointment of Joseph Raymond (Local Building Official) to the Rhode Island Housing Resources Commission for a term expiring January 31, 2015.**
2. **Appointment of Jonathan J. Reiner (Local Planner) VICE Thomas Kravitz to the Rhode Island Housing Resources Commission for a term expiring January 31, 2015.**
3. **Reappointment of Joanne McGunagle (Representative of Community Development Corporation) of Cranston to the Rhode Island Housing Resources Commission for a term expiring January 31, 2014.**
4. **Reappointment of Carrie E. Zaslow (Community Development Intermediary) to the Rhode Island Housing Resources Commission for a term expiring January 31, 2014.**
5. **Appointment of Paul R. Alvarez (Representing Building Trades Council VICE David F. Palmisciano to the State Building Codes Standards Committee for a term expiring May 1, 2014.**
6. **2013-H 5153**
BY Gallison
ENTITLED, JOINT RESOLUTION SUPPORTING "THE WHOLE CHILD INITIATIVE"
7. **2013-H 5229**
BY McNamara
ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS
8. **2013-H 5595**
BY DeSimone
ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - VETERINARY PRACTICE
9. **2013-H 5609 SUB A**
BY Kennedy
ENTITLED, AN ACT RELATING TO INSURANCE
10. **2013-H 5665**
BY Shekarchi
ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - GENERAL POWERS OF SUPREME AND SUPERIOR COURTS

11. 2013-H 5668**BY** Craven**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND EXECUTION

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 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:

CALENDAR**IN ORDER FOR THURSDAY, MAY 23, 2013:****1. 2013-S 825****BY** Goldin**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- RHODE ISLAND WORKS PROGRAM

Committee on Finance recommends passage.

Senator Goldin moves passage, seconded by Senators Cool Rumsey, Metts, Jabour, Archambault, Lombardi and Crowley.

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:

2. 2013-S 510**BY** Jabour**ENTITLED**, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS

Committee on Education recommends passage.

Senator Jabour moves passage, seconded by Senators Gallo, Metts, Lombardi, Sheehan, Satchell, Archambault and Ruggerio.

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:

3. 2013-S 871**BY** Miller**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION

Committee on Finance recommends passage.

Senator Miller moves passage, seconded by Senators Pichardo, Nesselbush, DiPalma 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:

4. 2013-S 881**BY** Crowley**ENTITLED**, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE CITY OF CENTRAL FALLS

Committee on Housing & Municipal Government recommends passage.

Senator Crowley moves passage, seconded by Senators Ruggerio and Metts.

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:

5. 2013-S 297 SUB A

BY Felag

ENTITLED, AN ACT RELATING TO INSURANCE - FRATERNAL CODE

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

Senator Felag moves passage, seconded by Senators Lynch, Jabour, Lombardo and DiPalma.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Archambault, 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, Sheehan, Sosnowski, Walaska.

NAYS- 1: Senator Bates.

6. 2013-H 5718 SUB A

BY Phillips

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - AGENCY RELATIONSHIPS IN RESIDENTIAL REAL ESTATE TRANSACTIONS

Committee on Commerce recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

Senator Picard moves passage, seconded by Senators Jabour and Lombardo.

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, 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 Cote.

7. 2013-H 5721

BY Keable

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- POWERS AND OPERATIONS

Committee on Commerce recommends passage in concurrence.

Senator Picard moves passage, seconded by Senators Jabour, Lombardo and Sheehan.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative and 3 Senators abstaining as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

ABSTAINED- 3: Senators Algieri, DaPonte, Pearson.

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 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.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Bates and upon suggestion of Senator Fogarty the Senate adjourns at 4:33 o'clock P.M. in memory of May Briner.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR MICHAEL J. MCCAFFREY

Dear Lord, as we reflect on the lives of all who have died in service to our country, give us, your servants, their strength and fortitude to act with integrity and fidelity as we remember them this Memorial Day weekend. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, MAY 28, 2013:

1. **Appointment of Louise Herrington-Bright (Public Member) of Cumberland VICE Mark McKenney to the Library Board of Rhode Island for a term expiring December 31, 2015.**

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

2. **Appointment of Monica Nazareth-Dzialo, M.Ed., C.R.C. (Representing Users of the Talking Books Plus) of Pawtucket VICE Regina Connor to the Library Board of Rhode Island for a term expiring December 31, 2015.**

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

3. **Appointment of Joseph Batiano (Consumer Member) to the State Board of Examiners for Interpreters for the Deaf for a term expiring March 31, 2016.**

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

4. **Appointment of Dorothy Hodge (National Certified Interpreter) of Providence VICE Christopher Haas to the State Board of Examiners for Interpreters for the Deaf for a term expiring March 31, 2016.**

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

5. **Appointment of Carol Fay (National Certified Interpreter) of Providence VICE Rosa Norberg to the State Board of Examiners for Interpreters for the Deaf for a term expiring March 31, 2016.**

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

6. **Appointment of Jonathan Brown Henry (National Certified Interpreters) to the State Board of Examiners for Interpreters for the Deaf for a term expiring March 31, 2016.**

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

7. **2013-S 961**
 BY Ruggerio
 ENTITLED, SENATE RESOLUTION HONORING LILLIAN CARDULLO ON THE OCCASION OF HER 110TH BIRTHDAY
- Ordered on the Consent Calendar.
8. **2013-964**
 BY Felag
 ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF COUNTRY CLUB, INC.
- Ordered on the Consent Calendar.
9. **2013-H 5532**
 BY Marshall
 ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE APPRAISER CERTIFICATION ACT
- Committee on Commerce recommends passage in concurrence.
10. **2013-H 5601**
 BY Marshall
 ENTITLED, AN ACT RELATING TO INSURANCE
- Committee on Commerce recommends passage in concurrence.
11. **2013-H 5655**
 BY McNamara
 ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES
- Committee on Judiciary recommends passage in concurrence.
12. **2013-H 5729**
 BY Keable
 ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS
- Committee on Commerce recommends passage in concurrence.
13. **2013-H 5771**
 BY Ajello
 ENTITLED, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS
- Committee on Judiciary recommends passage in concurrence.

14. **2013-H 5901**
BY Giarrusso
ENTITLED, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO ACQUIRE THE PROPERTY, ASSETS AND PERSONNEL OF THE EAST GREENWICH FIRE DISTRICT

Committee on Finance recommends passage in concurrence.

15. **2013-H 5978**
BY Almeida
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER FOR CLEAR SKY CONSTRUCTION, INC.

Ordered to be placed on the Consent Calendar for passage in concurrence.

16. **2013-H 6048**
BY Winfield
ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE STAMP CONSTRUCTION CO.

Ordered to be placed on the Consent Calendar for passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 28, 2013:****1. 2013-S 309 SUB A****BY** Picard**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
WIRELESS TELEPHONE REGULATORY MODERNIZATION ACT

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

2. 2013-S 715 SUB A**BY** Jabour**ENTITLED**, AN ACT RELATING TO INSURANCE

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

3. 2013-S 811 SUB A**BY** Picard**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW

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

4. 2013-S 677**BY** Cote**ENTITLED**, AN ACT RELATING TO TAXATION

Committee on Finance recommends passage.

5. 2013-S 826 SUB A**BY** Miller**ENTITLED**, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF
LOCAL TAXES

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

6. 2013-S 827**BY** Lombardo**ENTITLED**, AN ACT RELATING TO TAXATION

Committee on Finance recommends passage.

7. **2013-S 880**
BY DiPalma
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - COUNCILS AND GOVERNING BODIES

Committee on Finance recommends passage.

8. **2013-S 380**
BY Ciccone
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - SAFETY AND HEALTH PROGRAMS FOR FIRE DEPARTMENTS

Committee on Housing & Municipal Government recommends passage.

9. **2013-S 650 SUB A**
BY Crowley
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOUSING FOR THE ELDERLY -- EMERGENCY GENERATORS REQUIRED

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

10. **2013-S 757 SUB A**
BY Sosnowski
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

11. **2013-S 838**
BY Walaska
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - STATE BUILDING CODE

Committee on Housing & Municipal Government recommends passage.

IN ORDER FOR WEDNESDAY, MAY 29, 2013:

1. **2013-S 62 SUB A**
BY Crowley
ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

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

2. **2013-S 312 SUB A**
BY Lombardi
ENTITLED, AN ACT RELATING TO EDUCATION - MAYORAL ACADEMIES

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

3. **2013-S 671 SUB A**
BY Miller
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF ADMINISTRATION

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

4. **2013-S 725**
BY Sosnowski
ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
ENERGY RESOURCES

Committee on Environment & Agriculture recommends passage.

5. **2013-S 814 SUB A**
BY Cool Rumsey
ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE - INTERSTATE
WILDLIFE VIOLATOR COMPACT

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

6. **2013-S 816 SUB A**
BY Sosnowski
ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - BIODIESEL
HEATING OIL ACT OF 2013

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

7. **2013-S 900 SUB A**
BY Conley
ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
PROPERTY ASSESSED CLEAN ENERGY - RESIDENTIAL PROGRAM

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

8. **2013-S 662**
 BY McCaffrey
 ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
 DEPARTMENT OF PUBLIC SAFETY

Committee on Labor recommends passage.

9. **2013-S 843**
 BY Lombardo
 ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - DRUG
 TESTING

Committee on Labor recommends passage.

10. **2013-H 5728**
 BY Kazarian
 ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS

Committee on Commerce recommends passage in concurrence.

Appendix**BILLS TRANSMITTED TO THE GOVERNOR****House Resolution No. 5153****BY** Gallison, Azzinaro, Messier, Serpa, Marshall**ENTITLED**, JOINT RESOLUTION SUPPORTING "THE WHOLE CHILD INITIATIVE"

{LC616/1}

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}

House Bill No. 5595

(Environmental Management)

BY DeSimone, Palangio, Lima, Palumbo, Slater**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - VETERINARY

PRACTICE (would allow licensed veterinarians in other states to practice in Rhode Island during emergency situations at the direction of the Rhode Island state veterinarian or the chief of the division of agriculture)

{LC1674/1}

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}

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}

House Bill No. 5668

(Judiciary)

BY Craven, Mattiello, O'Neill, Lombardi, Shekarchi**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE - SENTENCE AND

EXECUTION (would provide for the priority of restitution payments to victims of crime once restitution is determined.) {LC1624/1}

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}

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}