

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

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**Journal of the Senate**

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**JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the first day of January in the year of Our Lord two thousand and thirteen.**

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Volume 140, No.55

Tuesday, May 28, 2013

Fifty-fifth Legislative Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:34 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

**PRESENT** – 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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

**ABSENT** – 1: Senator Pearson.

**INVOCATION**

The Honorable President, by unanimous consent, presents Senator Cool Rumsey to deliver the invocation.

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

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

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

**GUESTS**

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber interns Keila Almonte from Hope High School and Megan Ampara from Juanita Sanchez High School.

**COMMUNICATION**

The Honorable President presents the following communication:

<p style="text-align:center"><b>STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS</b> <b>STATE HOUSE</b></p> <p>May 28, 2013</p> <p>The Honorable M. Teresa Paiva Weed President of the Senate State House, Room 318 Providence, RI 02903</p> <p>Dear Madam President:</p> <p>Please be advised that I will be unable to attend the Senate session on Tuesday, May 28, 2013.</p> <p>Sincerely,</p> <p>Ryan W. Pearson Senator, District- 19</p>
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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:

<p style="text-align:center"><b>STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS</b> <b>STATE HOUSE</b></p> <p>May 6, 2013</p> <p>TO THE HONORABLE, THE SENATE:</p> <p>I have the honor to inform you that in accordance with the provisions of Section 39-26.2-11 of the Rhode Island General Laws, I have made the following appointment to the Distributed Generation Standard Contracts Board:</p> <p style="text-align:center"><b>Sharon Conard-Wells</b> <b>(Low Income User Representative)</b></p> <p>for a term expiring May 31, 2014.</p> <p>To this appointment, I respectfully request your advice and consent.</p>
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Sincerely,

Lincoln D. Chafee  
Governor

Read and referred to the Committee on Environment and Agriculture.

#### FROM THE HOUSE OF REPRESENTATIVES

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

**Senate Bill No. 507 SUB A**

**BY** McCaffrey, Lynch

**ENTITLED**, AN ACT RELATING TO PROPERTY - COMMERCIAL REAL ESTATE  
BROKER LIEN ACT (would establish the Commercial Real Estate Broker Lien Act.)

{LC1759/A/2}

Read and ordered to be placed on the Calendar for Tuesday, June 4, 2013.

#### REPORTS OF COMMITTEES COMMITTEE ON HEALTH AND HUMAN SERVICES

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

**Senate Bill No. 497**

**BY** Sheehan

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - COMPREHENSIVE  
CHILDREN'S JEWELRY SAFETY ACT (would require children's jewelry, manufactured or sold  
within one hundred eighty (180) days after the effective date of the act, to conform to standards  
promulgated by the American Society for Testing and Materials.)

{LC1778/1}

Read and ordered to be placed on the Calendar for Tuesday, June 4, 2013.

Also:

**Senate Bill No. 540 SUB A as amended**

**BY** Miller, Ottiano, Goldin, Cool Rumsey, Nesselbush

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND  
HEALTH CARE REFORM ACT OF 2013 (would make a number of substantive and definitional  
changes to various statutes governing the health-care system.)

{LC788/A/1}

Read and ordered to be placed on the Calendar for Tuesday, June 4, 2013.

**COMMITTEE ON FINANCE**

Senator DaPonte from the Committee on Finance, reports back, with recommendation of passage of the following measure:

**House Bill No. 5041**

**BY** Gallison, Canario, Finn, Edwards

**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION AND EXEMPTING FROM TAXATION THE REAL AND PERSONAL PROPERTY OF THE PRUDENCE ISLAND HISTORICAL AND PRESERVATION SOCIETY, PRUDENCE ISLAND, RHODE ISLAND (would allow the town of Portsmouth to establish a tax exemption for historic preservation sites, and would further exempt all the property of the Prudence Island Historical and Preservation Society from taxation, provided it is used for nonprofit purposes)

{LC214/1}

Read and ordered to be placed on the Consent Calendar for Wednesday, May 29, 2013.

**COMMITTEE ON JUDICIARY**

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

**House Bill No. 5726 SUB A**

**BY** Marcello

**ENTITLED**, AN ACT RELATING TO PROPERTY - COMMERCIAL REAL ESTATE BROKER LIEN ACT (act would establish the Commercial Real Estate Broker Lien Act.)

{LC1203/A/1}

Read and ordered to be placed on the Calendar for Tuesday, June 4, 2013.

Also:

**Appointment of The Honorable Joseph A. Montalbano VICE Associate Justice Francis J. Darigan, Jr., as Associate Justice of the Rhode Island Superior Court**

Read and ordered to be placed on the Calendar for Thursday, May 30, 2013.

**NEW BUSINESS****Senate Resolution No. 965****BY** Cool Rumsey, Raptakis, Kettle**ENTITLED**, SENATE RESOLUTION CONGRATULATING THE 2012-2013 EXETER/WEST GREENWICH WRESTLING TEAM ON ITS CHAMPIONSHIP SEASON

{LC2574/1}

Senator Cool Rumsey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Cool Rumsey moves passage, seconded by Senators Cote, Kettle, Sheehan and O'Neill.

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

**GUESTS**

Upon suggestion of Senator Cool Rumsey and by unanimous consent, the Honorable President, welcomes to the Chamber members of the Exeter/West Greenwich Wrestling Team, Derek Persechino, Blake Stamas, Joseph Ricciutti, Ben Holcomb, Destin Litterio, Aaron Amitrano, Christian Labrie, Andrew Labrie, Dwight Anderson, Ryan Riecke, Gary Benedetti, Carl Neff, Dylan Greenless, Tony Tavares, Russell Ward, Cole Davidson, Evan Barber, Zachary Anderson, Patrick Maher, Tyler Maletesta, Kyle Manchester, James Williams, Phillip Kelley, Mike Petrarca, Sam Van Gyzen along with Head Coaches Dwayne Labrie, Assistant Coach Lee Stamas, Volunteer Coach John Davidson and Volunteer Coach Joseph Bilotti.

**NEW BUSINESS****Senate Resolution No. 966****BY** Paiva Weed, DaPonte, McCaffrey, Lynch**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF HARRY W. ASQUITH, JR., ESQ.

{LC2681/1}

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Lynch, Jabour, Ruggerio, Goodwin, Gallo, Nesselbush, Archambault and Cool Rumsey.

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

**CONSENT CALENDAR**

In order for the day is taken up as follows:

1. **Appointment of Louise Herrington-Bright (Public Member) of Cumberland VICE Mark McKenney to the Library Board of Rhode Island for a term expiring December 31, 2015.**
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.**
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.**
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.**
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.**
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.**
7. **2013-S 961**  
**BY Ruggiero**  
**ENTITLED, SENATE RESOLUTION HONORING LILLIAN CARDULLO ON THE OCCASION OF HER 110TH BIRTHDAY**
8. **2013-S 964**  
**BY Felag**  
**ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF COUNTRY CLUB, INC.**
9. **2013-H 5532**  
**BY Marshall**  
**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- REAL ESTATE APPRAISER CERTIFICATION ACT**
10. **2013-H 5601**  
**BY Marshall**  
**ENTITLED, AN ACT RELATING TO INSURANCE**

11. **2013-H 5655**  
**BY** McNamara  
**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES
  
12. **2013-H 5729**  
**BY** Keable  
**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS
  
13. **2013-H 5771**  
**BY** Ajello  
**ENTITLED**, AN ACT RELATING TO ELECTIONS -- ELECTIVE MEETINGS
  
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
  
15. **2013-H 5978**  
**BY** Almeida  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER FOR CLEAR SKY CONSTRUCTION, INC.
  
16. **2013-H 6048**  
**BY** Winfield  
**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE STAMP CONSTRUCTION CO.

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, 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:

## 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.

Senator Picard moves passage, seconded by Senators Jabour, Ciccone, Lombardi 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 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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

**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.

Senator Jabour moves passage, seconded by Senators Picard, O'Neill and Lombardi.

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 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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:



**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.

Senator Picard moves passage, seconded by Senator Lombardo.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, upon a roll call vote with 35 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 35: 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, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 2: Senators Hodgson, Kettle.

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

Committee on Finance recommends passage.

Senator Cote moves passage, seconded by Senators Picard and Sheehan

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:

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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

**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.

Senator Miller moves passage, seconded by Senators Metts, Goodwin, Nesselbush and Goldin.

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 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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

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

Committee on Finance recommends passage.

Senator Lombardo moves passage, seconded by Senators Kettle, DiPalma, Ruggerio and Metts.

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:

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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

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

Committee on Finance recommends passage.

Senator DiPalma moves passage, seconded by Senators Archambault and Felag.

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:

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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

**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.

Senator Ciccone moves passage, seconded by Senators Lombardi, Archambault and DiPalma.

Senators Raptakis and Ciccone discuss the act.

The act is read and passed, upon a roll call vote with 34 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS - 34: 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, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, Ottiano, Picard, Pichardo, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS - 3: Senators Kettle, O'Neill, Raptakis.

**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.

Senator Crowley moves passage, seconded by Senators Pichardo, Sosnowski, Jabour and Lombardi.

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 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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

**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.

Senator Sosnowski moves passage, seconded by Senators Miller, Nesselbush, Archambault, Sheehan, Lynch, Crowley, Lombardi 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 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, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

NAYS- 0:

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

Committee on Housing & Municipal Government recommends passage.

Senator Walaska moves passage, seconded by Senators Jabour, Ciccone, McCaffrey, Sosnowski and Crowley.

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:

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, 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)

**POINT OF PERSONAL PRIVILEGE**

Senator Metts rises on a point of personal privilege regarding to the Providence Journal Article and the comments about increasing minimum wage. Senator Metts comments were not a slight against any Senator but to express support for the bill. Senator Metts apologizes to any offended Senator and asks for their forgiveness.

**ANNOUNCEMENTS**

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 Cote announces that the Committee on Commerce will meet today, at the rise of the Senate, in Room 212 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 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 Felag announces that the Committee on Finance will meet on Thursday, May 30<sup>th</sup>, at 2:00 o'clock P.M. in Room 211 of the State House.

**ADJOURNMENT**

Upon motion of Senator Goodwin, seconded by Senator McCaffrey and upon suggestion of Senator DaPonte the Senate adjourns at 5:01 o'clock P.M. in memory of Harry W. Asquith, Jr, Esq.

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

**Appendix**

**INVOCATION**

**SENATOR CATHERINE COOL RUMSEY**

Lord, grant us a sense of your presence, not only during this hurried moment of prayer, but throughout the entire day, especially as we deliberate and vote on behalf of our constituents. Enable us to make our best judgments. Amen.

**Appendix**

**CONSENT CALENDAR**

**IN ORDER FOR WEDNESDAY, MAY 29, 2013:**

**1. 2013-H 5041**

**BY** Gallison

**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION AND EXEMPTING FROM TAXATION THE REAL AND PERSONAL PROPERTY OF THE PRUDENCE ISLAND HISTORICAL AND PRESERVATION SOCIETY, PRUDENCE ISLAND, RHODE ISLAND

Committee on Finance recommends passage in concurrence.

**Appendix****CALENDAR****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.

**IN ORDER FOR THURSDAY, MAY 30, 2013:**

1. **Appointment of The Honorable Joseph A. Montalbano VICE Associate Justice Francis J. Darigan, Jr., as Associate Justice of the Rhode Island Superior Court**

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

**IN ORDER FOR TUESDAY, JUNE 04, 2013:**

1. **2013-S 507 SUB A**  
**BY McCaffrey**  
**ENTITLED, AN ACT RELATING TO PROPERTY - COMMERCIAL REAL ESTATE BROKER LIEN ACT**

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

2. **2013-S 497**  
**BY Sheehan**  
**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - COMPREHENSIVE CHILDREN'S JEWELRY SAFETY ACT**

Committee on Health & Human Services recommends passage.

3. **2013-S 540 SUB A as amended**  
**BY Miller**  
**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2013**

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A as amended.

4. **2013-H 5726 SUB A**  
**BY Marcello**  
**ENTITLED, AN ACT RELATING TO PROPERTY - COMMERCIAL REAL ESTATE BROKER LIEN ACT**

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

**Appendix****BILLS TRANSMITTED TO THE GOVERNOR****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}

**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}

**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}

**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}

**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}

**House Bill No. 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

{LC2088/1}

**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}

**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}