

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 fourth day of January in the year of Our Lord two thousand and five.

Volume 132, No. 9

Tuesday, January 25, 2005

Ninth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:14 o'clock P.M.

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

PRESENT – 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisenena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, January 20, 2005 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President welcomes to the Chamber Mackenzie McBurney, daughter of Senator McBurney.

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:

January 12, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-55-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Housing and Mortgage Finance Corporation:

Denise A. Barge of Cranston

for a term to expire July 1, 2008.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Commerce, Housing and Municipal Government.

Also:

January 13, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-73-2 of the Rhode Island General Laws, I have made the following appointment of Child Advocate:

Jametta O. Alston of Warwick

VICE
Laureen D'Ambra

for a term expiring February 1, 2010.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

January 3, 2005

TO THE HONORABLE, THE SENATE:

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

Joan Ress Reeves of Providence
(Representing General Library Users)

VICE
Joan Ankner

for a term expiring December 31, 2006.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Education.

Also:

January 11, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-15.1-2 of the Rhode Island General Laws, I have made the following reappointment to the Water Resources Board:

William Penn of Block Island
(Public Member)

for a term expiring March 1, 2007.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

Also:

January 3, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 28-5-8 of the Rhode Island General Laws, I have made the following appointment to the Commission for Human Rights:

Alton W. Wiley, Jr. of North Providence

VICE
Richard Ferland
(resigned)

for a term expiring July 1, 2005.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5132

BY Church

ENTITLED, AN ACT RELATING TO TAXATION – NORTH SMITHFIELD

Received and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

House Bill No. 5133

BY Church

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Received and referred to the Senate Committee on Commerce, Housing and Municipal Government

NEW BUSINESS

Senate Bill No. 123

BY Senator Gibbs

ENTITLED, AN ACT RELATING TO TAXATION – LEVY AND ASSESSMENT OF LOCAL TAXES

Read and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

Senate Resolution No. 124

BY Senators Cote, Badeau, Bates, Raptakis, Lenihan

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (INITIATIVE AND REFERENDUM)

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Bill No. 125

BY Senators Cote, Badeau, Bates, Raptakis, Lenihan

ENTITLED, AN ACT RELATING TO INITIATIVE AND REFERENDUM

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Bill No. 126

BY Senator Blais

ENTITLED, AN ACT RELATING TO SALES AND USE TAXES - EXEMPTIONS

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 127

BY Senator Blais

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (Interstate Compact Sunshine Act)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 128

BY Senator Badeau

ENTITLED, AN ACT RELATING TO WAGES – FREQUENCY OF PAYMENT

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 129

BY Senators Lanzi, Ciccone, Badeau, Connors

ENTITLED, AN ACT RELATING TO FIREFIGHTERS' ARBITRATION

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 130

BY Senators Lanzi, Ciccone, Badeau, Connors

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY – SAFETY AND HEALTH PROGRAMS FOR FIRE DEPARTMENTS

Read and referred to the Senate Committee on Labor

Also:

Senate Resolution No. 131

BY Senators Polisena, Damiani, McCaffrey, Sosnowski, Perry

ENTITLED, SENATE RESOLUTION CONGRATULATING THE RHODE ISLAND NURSES ASSOCIATION ON THE CENTENNIAL CELEBRATION OF THEIR INCORPORATION IN THE STATE OF RHODE ISLAND

Senator Polisena requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Polisena moves passage, seconded by the entire Senate.

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

GUESTS

Upon suggestion of Senator Polisena, Issa and Roberts and by unanimous consent, the Honorable President welcomes to the Chamber Barbara Blakeney ANA President, Sylvia Weber, Pam McCue, Pat Thomas, Jeannie Borozny, Pat Beezer, Claire Nadeau, Marie Ghazal, Marcia Bliss, Charles Mills.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:25 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JOHN J. TASSONI, JR.

Almighty God, we ask that you aid us in putting forth our best efforts as leaders of our State, as we attempt to make Rhode Island a better place for our people to live. Amen.