

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. 11

Tuesday, February 1, 2005

Eleventh Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:12 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, Polisenia, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, January 27, 2005 proceedings is read in part.

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

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 31, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-23-2 of the Rhode Island General Laws, I have made the following reappointment to the Coastal Resources Management Council:

Michael M. Tikoian of Narragansett
(Public Member – Representing A Coastal Community)

for a term expiring January 31, 2008.

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 31, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-61-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Public Telecommunications Authority:

Michael Isaacs of East Greenwich

for a term expiring January 31, 2008.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Education.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senate Majority Leader Paiva Weed, seconded by Senator Algieri, the following measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a voice vote:

2005-S 157

BY Walaska

ENTITLED, SENATE RESOLUTION COMMENDING THE REPUBLIC OF CHINA (TAIWAN) ON ITS CONTRIBUTIONS TO PROMOTE WORLD HEALTH

2005-S 158

BY Walaska

ENTITLED, SENATE RESOLUTION SUPPORTING A TAIWAN-UNITED STATES FREE AGREEMENT

REPORTS OF COMMITTEES

TRANSFER OF BILLS

Senator Caprio, for the Committee on Commerce reports back the following measure, with recommendation of transfer to the Committee on Finance.

Senate Bill No. 135

BY Senators Connors, Badeau, Issa

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES

Read and referred to the Committee on Finance.

NEW BUSINESS

Senate Bill No. 160

BY Senators Connors, Lenihan, DaPonte, Bates, Ruggiero
ENTITLED, AN ACT ADOPTING THE RULES OF THE SENATE.

Read and referred to the Committee on Rules.

Also:

Senate Resolution No. 161

BY Senator Doyle
ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF SCOTT J. MILLARD.

Senator Doyle requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Doyle moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 162

BY Senators McBurney, Badeau, Montalbano J, Felag, Algieri
ENTITLED, SENATE RESOLUTION EXPRESSING OUR DEEPEST SYMPATHIES ON THE PASSING OF THE HONORABLE WILLIAM B. ZUCCARELLI.

Senator McBurney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McBurney moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 163

BY Senators Pichardo, Metts, Ciccone
ENTITLED, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF ROOSEVELT BENTON.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Metts and the entire Senate.

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

Also:

Senate Resolution No. 164

BY Senators Perry, Levesque C, Paiva-Weed, Walaska, Gallo

ENTITLED, SENATE RESOLUTION COMMEMORATING THE 60TH ANNIVERSARY OF THE LIBERATION OF AUSCHWITZ-BIRKENAU CONCENTRATION CAMP ON JANUARY 27, 1945 AND HONORING THE MEMORY OF ALL WHO PERISHED THERE.

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by the entire Senate.

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

ANNOUNCEMENTS

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet on Wednesday, February 2, 2005, at the rise of the Senate, in Room 313 of the State House.

Senator Fogarty announces that the Committee on Commerce, Housing, and Municipal Government will meet today, at the rise of the Senate, in Room 212 of the State House.

TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Levesque, the Senate adjourns at 4:37 o'clock P.M. commemorating the Anniversary of the Liberation of the Concentration Camp at Auschwitz-Birkenau

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR PAUL W. FOGARTY

Almighty God, may we pursue our tasks with a sense of Your presence. Give us the wisdom not to squander energy on things that do not matter nor put off until tomorrow that which can be done today. Amen.