

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 sixth day of January in the year of Our Lord two thousand and nine.

Volume 136, No.23

Tuesday, March 10, 2009

Twenty-third Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, Madam President of the Senate, at 4:15 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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Twenty-second Legislative Day of the 2009 proceedings is read in part.

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

NEW BUSINESS

Senate Resolution No. 787**BY** Senators Perry**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF IRA WELLINS {LC2155/1}

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by Senator Algieri, Blais and Metts.

The resolution is read and passed, upon a rising vote

CONSENT CALENDAR

In order for the day is taken up as follows:

1 2009-S 163**BY Connors****ENTITLED**, AN ACT RELATING SOLEMNIZATION OF MARRIAGES**2 2009-S 197****BY Perry****ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**3 2009-S 265****BY Paiva-Weed****ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**4 2009-S 266****BY Paiva-Weed****ENTITLED**, AN ACT RELATING SOLEMNIZATION OF MARRIAGES

Upon motion of Senator Connors, 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 1 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Metts

CALENDAR

IN ORDER FOR TUESDAY, MARCH 10, 2009:

1. **2009-S 306****BY Goodwin****ENTITLED, AN ACT RELATING TO HUMAN SERVICES - INTERPRETER SERVICES**

Committee on Health & Human Services recommends passage.

Senator Goodwin moves passage, seconded by Senators Perry, Ciccone, Metts, Miller, Jabour, Levesque and Crowley.

Senators Cote, Pinga, Perry, Blais, Metts, Pichardo Levesque, O'Neill, Crowley and Goodwin discuss the act.

The act is read and passed, upon a roll call vote with 32 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, Perry, Picard, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Algieri, Bates, Blais, Maher, O'Neill, Pinga.

2. **2009-S 190****BY Walaska****ENTITLED, AN ACT RELATING TO HIGHWAYS**

Committee on Housing & Municipal Government recommends passage.

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

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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2009-S 246**BY Maher****ENTITLED,** AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Housing & Municipal Government recommends passage.

Senator Maher moves passage, seconded by Senators Blais and Sheehan.

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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2009-S 309**BY Blais****ENTITLED,** AN ACT RELATING TO THE REGULATION OF EARTH REMOVAL AND GRAVEL PROCESSING IN THE TOWN OF COVENTRY

Committee on Housing & Municipal Government recommends passage.

Upon suggestion of Senator Ruggerio, seconded by Senator Connors, and without objection, ordered to be recommitted to the committee on Housing and Municipal Government, upon a roll call vote with 29 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Paiva Weed and Senators Ciccone, Connors, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Algieri, Bates, Blais, Maher, Pinga, Raptakis.

5. 2009-S 555**BY Felag****ENTITLED,** AN ACT RELATING TO THE NORTH TIVERTON FIRE DISTRICT

Committee on Housing & Municipal Government recommends passage.

Senator Felag moves passage, seconded by Senator DiPalma.

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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6. 2009-S 559

BY Felag

ENTITLED, AN ACT RELATING TO AN ACT TO INCORPORATE THE STONE BRIDGE FIRE DISTRICT AND TO FINANCE A SUPPLY OF WATER FOR THE TOWN OF TIVERTON

Committee on Housing & Municipal Government recommends passage.

Senator Felag moves passage, seconded by Senator DiPalma.

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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7. 2009-S 561

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN OF JAMESTOWN

Committee on Housing & Municipal Government recommends passage.

Upon suggestion of Senator Ruggerio seconded by Senator Connors, and without objection, ordered to be placed on the Calendar for Wednesday, March 11, 2009.

8. 2009-S 562

BY Picard

ENTITLED, AN ACT RELATING TO VALIDATING AND RATIFYING CERTAIN AMENDMENTS TO THE HOME RULE CHARTER OF THE CUMBERLAND HILL FIRE DISTRICT

Committee on Housing & Municipal Government recommends passage.

Senator Picard moves passage, seconded by Senators Connors, Ciccone, Metts 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, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggiero, Sheehan, Sosnowski, Tassoni, 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.

ANNOUNCEMENTS

Senator Picard announces that the Committee on Corporations will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator Felag announces that the Committee on Environment and Agriculture will meet tomorrow, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Levesque announces that the Committee on Judiciary will meet today, at the rise of the Senate, in Room 313 of the State House.

GUESTS

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President, welcomes to the Chamber Kathleen "Kiki" Finn, Grand Marshall Newport St. Patrick's Day Parade, her friend Ed McWeeney, Newport LAOH President Therese Champion Welford and Brigid Finn daughter of Kiki Finn.

Upon suggestion of Senator Paiva Weed, the Honorable President, welcomes to the Chamber Anthony Arlia.

ADJOURNMENT

Upon motion of Senator Doyle seconded by Senator Connors, and upon suggestion of Senator Perry, the Senate adjourns at 4:48 o'clock P.M. in memory Ira Williams.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR WILLIAM A. WALASKA

Almighty God, grant us thy gift of Loyalty and bear goodwill towards one another man. Amen.

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MARCH 11, 2009:****1 Nomination of Craig Stenning (appointment) VICE Ellen Nelson as Director of the Department of Mental Health, Retardation and Hospitals.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

2 2009-S 493**BY Walaska****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -
REGULATION OF BOATS**

Committee on Environment & Agriculture recommends passage.

3 2009-S 378**BY Sosnowski****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
REAL ESTATE SALES DISCLOSURES**

Committee on Judiciary recommends passage.

4 2009-S 561**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO PROPERTY TAX RELIEF IN THE TOWN
OF JAMESTOWN**

Committee on Housing & Municipal Government recommends passage.