

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. 28 Wednesday, March 25, 2009 Twenty-eighth 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 4:35 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: Senators

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

NATIONAL ANTHEM

The National Anthem is performed by Amanda Santo, Hilary Gothberg, Heather Jacobe, Jessica Schloesser and Nina Sheets, students at CCRI.

GUESTS

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President, welcomes to the Chamber Sarah Hammond, Program Principal, Criminal Justice, National Conference of State Legislatures.

Upon suggestion of Senator Sosnowski and by unanimous consent, the Honorable President, welcomes to the Chamber Hilary Gothberg from South Kingstown, one of the CCRI Vocal Students.

Upon suggestion of Senator Blais and by unanimous consent, the Honorable President, welcomes to the Chamber Nina Sheets from Coventry, one of the CCRI Vocal Students.

Upon suggestion of Senator Lynch and by unanimous consent, the Honorable President, welcomes to the Chamber Heather Jacobe from Burlington, MA, one of the CCRI Vocal Students.

Upon suggestion of Senator DaPonte and by unanimous consent, the Honorable President, welcomes to the Chamber Jessica Schloesser from East Providence, one of the CCRI Vocal Students.

Upon suggestion of Senator Pinga and by unanimous consent, the Honorable President, welcomes to the Chamber Amanda Santo from West Warwick, one of the CCRI Vocal Students.

COMMUNICATION

The Honorable President presents the following communications:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

March 24, 2009

Honorable M. Teresa Paiva Weed
President of the Senate
318 State House
Providence, RI 02903

Dear Madam President:

I am writing to inform you that I will be absent from Legislative Session on Thursday, March 25, 2009 to attend the Hellenic Independence Day Event at the White House in Washington, DC.

Thank you.

Sincerely yours,

Leonidas P. Raptakis
Senator - District 33

Read and ordered to be placed on file.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE**

March 25, 2009

Honorable M. Teresa Paiva Weed
President of the Senate
318 State House
Providence, RI 02903

Dear Madam President:

Please be advised that I will be absent from the Senate session on Wednesday, March 25, 2009, due to health issues. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

Francis T. Maher, Jr.
DEPUTY MINORITY LEADER

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT**

Senator Tassoni, from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

Senate Bill No. 753 SUB A

BY Senator Blais

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- FISCAL YEAR (would authorize the Scituate town council to modify the fiscal year for the town) {LC1082/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 782**BY** Senators Levesque C, Felag, Bates**ENTITLED**, AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX - BRISTOL (would permit the town of Bristol to list motor vehicle taxes due and owning on their municipal lien certificates.) {LC2137/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON RULES

Senator Maselli, from the Committee on Rules, reports back, with recommendation of passage of the following measure:

Senate Bill No. 792 SUB A as amended**BY** Senators Maselli**ENTITLED**, AN ACT ADOPTING THE RULES OF THE SENATE {LC2225/1/A}

Read and ordered to be placed on the Calendar.

NEW BUSINESS**Senate Resolution No. 834****BY** Senators Raptakis, Paiva-Weed, Gallo, McBurney, Connors**ENTITLED**, SENATE RESOLUTION CELEBRATING MARCH 25, 2009 AS THE 188TH ANNIVERSARY OF GREEK INDEPENDENCE DAY {LC2206/1}

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senators Algieri and Sheehan.

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

Also:

Senate Resolution No. 835**BY** Senators Cote, Picard**ENTITLED**, SENATE RESOLUTION CONGRATULATING MOUNT SAINT CHARLES HIGH SCHOOL ON WINNING THE RHODE ISLAND DIVISION I BOYS STATE HOCKEY CHAMPIONSHIP {LC2331/1}

Senator Cote requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Cote moves passage, seconded by Senators Connors and Algieri.

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

Also:

Senate Resolution No. 836

BY Senator Sosnowski

ENTITLED, SENATE RESOLUTION CONGRATULATING MARION EDDY WATERMAN ON THE OCCASION OF HER 100TH BIRTHDAY {LC2330/1}

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded by Senators Connors and Algieri.

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

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 25, 2009:

1. **2009-S 201**

BY Jabour

ENTITLED, AN ACT RELATING TO ELECTIONS -- FEDERAL ELECTIVE OFFICERS

Committee on Judiciary recommends passage.

Senator Jabour moves passage, seconded by Senators Ruggerio, Ciccone, Pichardo, DiPalma, Maselli, Goodwin, Miller, DaPonte, Gallo, Crowley and Sheehan.

Senator Sheehan discusses the act.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Connors, Cote, DaPonte, Devall, DiPalma, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Blais

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 Lynch announces that the Committee on Constitutional and Regulatory Issues will meet today, at the rise of the Senate, in Room 310 of the State House.

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

Senator Lenihan announces that the Committee on Government Oversight will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Sheehan announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 313 of the State House.

Senator Ciccone announces that the Committee on Labor will meet today, at the rise of the Senate, in Room 211 of the State House.

RECESS

Upon motion of Senator Doyle, seconded by Senator Ruggiero, the Senate stands at recess at 4:53 o'clock P.M.

CALLED TO ORDER

The Senate is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, on Thursday, March 26, 2009, at 4:13 o'clock P.M.

NEW BUSINESS

Senate Bill No. 837

BY Senators Lenihan, Ciccone, Sheehan, Levesque C, Sosnowski

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES
{LC2273/1}

Read and referred to the Senate Committee on Government Oversight.

ADJOURNMENT

Upon motion of Senator Connors, seconded by Senator Ruggiero, the Senate adjourns at 4:06 o'clock P.M.

Joseph R. Brady
Secretary of the Senate

Appendix

INVOCATION

SENATOR JUAN M. PICHARDO

Lord, grant us Your higher wisdom to our leaders and our people. By Your grace, enable us to dwell together with unity of spirit and bonds of peace. Amen.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MARCH 31, 2009:****1. 2009-S 753 SUB A****BY Blais****ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- FISCAL YEAR**

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

2. 2009-S 782**BY Levesque C****ENTITLED, AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX -
BRISTOL**

Committee on Housing & Municipal Government recommends passage.

3. 2009-S 792 SUB A as amended**BY Maselli****ENTITLED, AN ACT ADOPTING THE RULES OF THE SENATE**

Committee on Rules recommends indefinite postponement of the original bill and passage of Substitute A as amended.

Joseph R. Brady
Secretary of the Senate