

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

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Volume 136, No. 30

Tuesday, March 31, 2009

Thirtieth Legislative Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, Madam President of the Senate, at 4:13 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, 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, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**ABSENT** – 1: Senator Pichardo.

### INVOCATION

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

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### APPROVAL OF RECORD

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

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

**GUESTS**

Upon suggestion of Senator Perry and by unanimous consent, the Honorable President, welcomes to the Chamber former U.S. Attorney Meg Curran and Daughter Margie Feldhuhn of the Humane Society of the U.S.

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President, welcomes to the Chamber Amanda Clarke, URI student, Senate College Leadership Rhode Island.

**COMMUNICATION**

The Honorable President presents the following communication:

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

March 27, 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 Senate Session on Tuesday, March 31 and Wednesday, April 1. I will be out of the state attending a symposium. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

Juan M. Pichardo  
Senate – District 2

**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.

Senator Blais moves passage, seconded by Senator Bates.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**2. 2009-S 782**

**BY Levesque C**

**ENTITLED, AN ACT RELATING TO TAXATION - VEHICLE EXCISE TAX - BRISTOL**

Committee on Housing & Municipal Government recommends passage.

Senator Levesque moves passage, seconded by Senators Fogarty, Felag and Bates.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**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.

Senator Maselli moves passage, seconded by Senators Connors, Ruggerio, DaPonte, DeVall, Algieri, Bates and Jabour.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, Devall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pinga, Raptakis, Ruggerio, 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 Room 310 of the State House.

Senator Felag announces that the Committee on Finance will meet today, at the rise of the Senate, in Room 209 of the State House.

Senator Ciccone announces that the Committee on Government Oversight will meet tomorrow, at the rise of the Senate, in Room SB27 of the State House.

Senator Perry announces that the Committee on Health and Human Services will meet tomorrow, at the rise of the Senate, in Room 212 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.

Senator Ciccone announces that the Committee on Labor will meet tomorrow, at the rise of the Senate, in Room 212 of the State House.

### ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senator Connors and Algieri and upon suggestion of Senator Walaska the Senate adjourns at 4:27 o'clock P.M. in memory Raymond F. Kells, he was the husband of Patricia Kells. They were married for forty-five years. Mr. Kells was the founder and builder of Water Wizz of Cape Cod and developer of Water Wizz of Westerly. He was the brother of former State Senator Robert Kells. He will be greatly missed.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR FRANK A. CICCONE III**

Almighty God, we ask today that You help us to live wisely, to fight for justice and truth, and to always try to live up to the expectations of our constituents. Amen.

**Appendix**

**CALENDAR**

**IN ORDER FOR WEDNESDAY, APRIL 1, 2009:**

**1. 2009-S 20**

**BY Picard**

**ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES  
AND SUPERINTENDENTS**

Committee on Education recommends passage.