

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 third day of January in the year of Our Lord two thousand and twelve.**

---

Volume 139, No.6

Tuesday, January 17, 2012

Sixth Legislative Day

---

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:29 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 4 Senators absent as follows:

**PRESENT** – 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Pinga, Ruggerio, Shibley, Sosnowski, Tassoni, Walaska.

**ABSENT** – 4: Senators Ciccone, Doyle, Perry, Sheehan.

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

The Senate Journal of the Fifth Legislative Day of the 2012 proceedings is read in part.

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

**COMMUNICATIONS**

The Honorable President presents the following communications:

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

January 17, 2012

Honorable M. Teresa Paiva-Weed  
Senate President  
Room 318,  
State House  
Providence, RI 02903

Dear Madam President:

Please be advised that I will be absent from the Senate Session on Tuesday, January 17, 2012 because of illness.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

James C. Sheehan  
RI State Senator- District 36

Read and ordered to be placed on file.

Also:

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

January 17, 2012

Honorable Members of the Senate:

I have established a special Senate Task Force on Youth Violence Prevention to examine the trends, best practices and future recommendations that will assist Rhode Island in developing strategies and policies that foster safe and healthy communities for our children. The task force will be chaired by Senator Pichardo and members will include Senator Picard, Senator Lynch, Senator Jabour, Senator Crowley, Senator Metts and Senator Hodgson.

The purposes of this Task Force are to:

- Identify the status and trends of youth violence in Rhode Island;
- Understand the best practices for prevention and intervention to positively influence these trends;
- Propose legislative and regulatory recommendations for consideration.

Youth violence is a serious problem affecting communities both locally and nationally. Our own state has been significantly impacted by youth violence which has long lasting harmful effects on victims, their families,

friends, and communities. This Task Force will focus its efforts on strategies that improve both healthy behaviors and the welfare of our youth throughout the state.

The first meeting of the Task Force will be scheduled sometime within the next few weeks.

Sincerely,

M. Teresa Paiva Weed  
President of the Senate

Read and ordered to be placed on file.

Also:

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

January 17, 2012

Mr. Joseph R. Brady  
Secretary of the Senate  
State House, Room 145  
Providence, RI 02903

Dear Mr. Secretary:

I would like to take this opportunity to respectfully request that the following be withdrawn at the sponsor's request. The legislation I would like to have withdrawn is 2012 Senate Bill 2050. I appreciate your assistance in this matter. If you have any questions, please feel free to contact me.

Sincerely,

John J. Tassoni  
Senator- District 22

Read and ordered to be placed on file.

**CALENDAR**

**IN ORDER FOR TUESDAY, JANUARY 17, 2012:**

- 1. 2012-S 2016**  
**BY DaPonte**  
**ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- BUDGET COMMISSIONS**

Committee on Finance recommends passage.

Senator DaPonte moves passage, seconded by Senators Bates, DeVall, Felag, Ruggerio, DiPalma and O'Neill.

Senators Kettle and DaPonte discuss the act.

The act is read and passed, upon a roll call vote with 31 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Kettle, Pinga, Shibley.

### NEW BUSINESS

#### **Senate Resolution No. 2067**

**BY** DiPalma

**ENTITLED**, {LC682/1}

Senator DiPalma requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DiPalma moves passage, seconded by Senators Ruggerio and Goodwin.

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

### FROM THE HOUSE OF REPRESENTATIVES

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

#### **House Bill No. 7052**

**BY** Melo, Silva, Mattiello, Gallison, Savage

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- BUDGET COMMISSIONS (would authorize a Budget Commission established under Title 1 45 of the RIGL to certify to the Rhode Island Department of Revenue the need to advance payments of the state's basic education program)

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senator Ruggerio, DeVall, Felag and O'Neill.

The act is read and passed, upon a roll call vote with 31 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senator Kettle, Pinga, Shibley.

### NEW BUSINESS

#### **Senate Resolution No. 2066**

**BY** Lombardo

**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF WALTER L. GIBSON {LC620/1}

Senator Lombardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lombardo moves passage, seconded by Senator Ruggerio.

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

Also:

#### **Senate Resolution No. 2065**

**BY** Lanzi, Paiva Weed, Lynch, Crowley, Sosnowski

**ENTITLED**, SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A NATIONAL WOMEN'S HISTORY MUSEUM IN WASHINGTON, D.C. {LC411/1}

Senator Lanzi requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lanzi moves passage, seconded by Senators Goodwin, Gallo, Sosnowski, Nesselbush, Lynch and Moura.

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

Also:

#### **Senate Resolution No. 2068**

**BY** Metts, Paiva Weed, Ruggerio, Goodwin, Algieri

**ENTITLED**, SENATE RESOLUTION COMMEMORATING THE CELEBRATION OF THE BIRTH OF THE REVEREND DR. MARTIN LUTHER KING, JR. {LC636/1}

Senator Metts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Metts moves passage, seconded by Senators Ruggerio, Algieri and Pichardo.

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

### CONSENT CALENDAR

In order for the day is taken up as follows:

**1. 2012-S 2025**

**BY** McCaffrey

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

**2. 2012-S 2064**

**BY** Ciccone

**ENTITLED**, SENATE RESOLUTION PROCLAIMING JANUARY 22-28, 2012 AS "SCHOOL CHOICE WEEK" IN THE STATE OF RHODE ISLAND

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Felag, Fogarty, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Picard, Pichardo, Pinga, Ruggerio, Shibley, 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 Felag announces that the Committee on Finance will meet today, at the rise of the Senate, in Room 211 of the State House.

**ADJOURNMENT**

Upon motion of Senator Algieri seconded by Senator Ruggerio and upon suggestion of Senator Metts the Senate adjourns at 4:48 o'clock P.M. in memory of Jacqueline Shavers, Gene Powers and Raymond "Ray Ray" Rogers.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR HANNA M. GALLO**

Almighty God, we thank you for this day. We thank you for awakening us with a renewed spirit and the vigor to live each day to the fullest. We thank you for the love, comfort and impenetrable bond we share with our families and with your divine spirit. Amen.



**Appendix**

**TRANSMITTED TO THE GOVERNOR**

**House Bill No. 7052**

**BY** Melo, Silva, Mattiello, Gallison, Savage

**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- BUDGET COMMISSIONS

(would authorize a

Budget Commission established under Title 1 45 of the RIGL to certify to the Rhode Island Department of Revenue the need to advance payments of the state's basic education program)