

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 Second day of January in the year of Our Lord two thousand and seven.

Volume 134, No.2

Wednesday, January 3, 2007

Second Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

The Honorable President, by unanimous consent, presents Senate Majority Leader Paiva Weed to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President, by unanimous consent, presents Senate Majority Leader Paiva Weed to lead the Senate in the pledge of allegiance to the flag.

APPROVAL OF RECORD

The Senate Journal of the Tuesday, January 2nd 2007 proceedings is read in part.

Upon suggestion of Senate Majority Leader Paiva Weed and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as recorded.

ELECTION OF THE READING CLERK

The Honorable President declares that nominations for the office of Reading Clerk are now in order.

Senator Algieri nominates John S. Baxter, Jr., of Pawtucket, as Reading Clerk for the 2007 and 2008 Sessions. The nomination is seconded by Senators McBurney and Sheehan.

The motion to elect John S Baxter, Jr., of Pawtucket, as Reading Clerk for the 2007 and 2008 Sessions 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS – 0:

OATH

The Honorable A. Ralph Mollis, Secretary of State, administers the Oath of Office to the Senate Reading Clerk, John S. Baxter Jr., of Pawtucket.

GUESTS

Upon suggestion of Senator Tassoni, and by unanimous consent, the Honorable President, welcomes to the Chamber, Tom Grundy, who will be serving as an intern this year.

Upon suggestion of Senator Jabour, and by unanimous consent, the Honorable President, welcomes to the Chamber, the Honorable Frank Caprio, newly appointed General Treasurer.

COMMUNICATION

The Honorable President presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
A. RALPH MOLLIS SECRETARY OF STATE**

January 3, 2007

A. Ralph Mollis
Secretary of State

To the Honorable Joseph A. Montalbano, President of the Senate:

On the third day of January, 2007, I administered the Oath of Office to Senate Read Clerk, John S. Baxter Jr. as prescribed by the Rhode Island General Laws.

Respectfully,
A. Ralph Molls
Secretary of State

Read and ordered to be placed on file.

APPOINTMENTS

The Honorable President presents the following communication transmitting the following appointments:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER**

January 3, 2007

The Honorable Senate
State House
Providence, RI 02903

Dear Colleagues:

Pursuant to Section 5.2 of the Senate Rules, I am making the following appointments to the Senate Committee on Rules:

Senate Committee on Rules
Daniel P. Connors, *Chairperson*
Daniel DaPonte, *Vice Chairperson*
J. Michael Lenihan
Dominick J. Ruggerio
David E. Bates

* President Montalbano, Majority Leader Paiva-Weed and Minority Leader Algiere serve as ex-official members of all committees.

Sincerely,

JOSEPH A. MONTALBANO
President of the Senate

Received and ordered to be placed on file.

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No.5003

BY Fox, Watson

ENTITLED, JOINT RESOLUTION OF ADJOURNMENT

Senator Paiva Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Paiva Weed moves passage, seconded by Senator Ruggerio.

Senator Paiva Weed seconded by Senator Ruggerio, offers a written motion to amend.

Senator Paiva Weed seconded by Senator Ruggerio, offers an oral motion to amend the amendment.

The motion to amend the amendment prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Paiva Weed, seconded by Senator Levesque, offers the following written motion to amend as amended.

F L O O R A M E N D M E N T
2007 -- H 5003
JOINT RESOLUTION OF ADJOURNMENT

Mr. President:

I hereby move to amend 2007 -- H 5003, entitled "JOINT RESOLUTION OF ADJOURNMENT", as follows:

(1) On page 1, by deleting all of the language on lines 1 through 3, inclusive, and substituting therefore the following:

"RESOLVED, That when either house of the general assembly adjourns on Wednesday or Thursday or Friday of each week, it may be in recess until Tuesday of the following session week. Said recess by the Rhode Island Senate and/or the Rhode Island House of Representatives is hereby accorded the consent of both the Rhode Island Senate and the Rhode Island House of Representatives in accordance with Section 9 of Article VI of the Rhode Island Constitution."

Respectfully submitted,
MAJORITY LEADER PAIVA-WEED
{LC227/2}

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Paiva Weed moves passage of the act, as amended, seconded by Senator Levesque.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

NEW BUSINESS

Senate Resolution No. 1

BY DaPonte, Alves, Moura, Paiva-Weed, Metts

ENTITLED, JOINT RESOLUTION OPPOSING THE CLOSING OF THE PORTUGUESE CONSULATE IN THE CITY OF PROVIDENCE

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senators Moura, Gibbs, Connors, Metts, Algieri, Alves, Felag, Paiva Weed and several others.

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

Also:

Senate Resolution No. 2

BY Revens, Walaska, McCaffrey, Raptakis, Felag

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND DEPARTMENT OF EDUCATION IN CONJUNCTION WITH THE RHODE ISLAND DEPARTMENT OF HEALTH TO DEVELOP A STANDARDIZED SYNDROMIC SCHOOL-BASED SURVEILLANCE REPORTING SYSTEM

Senator Revens requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Revens, moves passage, seconded by Senators Issa, Raptakis, McCaffrey and Sheehan.

Senator Revens seconded by Senators Issa, Raptakis, McCaffrey and Sheehan, offers the following written motion to amend.

The motion to amend prevails upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Revens moves passage of the act, as amended, seconded by Senators Walaska, McCaffrey, Sheehan, Raptakis and Issa.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, 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.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Ruggerio, the Senate adjourns at 4:43 o'clock P.M. in memory of Domenico "Tom" Grieco of Providence, who served as a Senate Doorkeeper for twenty years. He will be greatly missed.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR TERESA PAIVA WEED

Lord, we pray for your guidance in understanding the problems and issues we will face during the General Assembly session. May your supreme law of love and tolerance always guide our actions. Amen.