

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.12

Tuesday, February 6, 2007

Twelfth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:09 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 Senator Cote, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journals of the Tenth and Eleventh Legislative Days of the 2007 proceedings are read in part.

Upon suggestion of Senator Cote, and by unanimous consent, further reading of the Journals are dispensed with and the Journals approved as recorded.

**REPORTS OF COMMITTEES
COMMITTEE ON JUDICIARY**

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation of passage of the following appointments:

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Appointment of Robert D. Giudici of Johnston, to the State Investment Commission, for a term expiring January 17, 2009.

Senator Maselli, seconded by Senators Badeau, Ciccone, Levesque, Jabour, McBurney and Alves, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative and 2 Senators abstaining as follows:

YEAS- 35: 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, Metts, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED-2: McCaffrey, Ruggerio.

GUESTS

Upon suggestion of Senator Maselli, and by unanimous consent, the Honorable President welcomes to the Chamber Robert D. Giudici of Johnston.

Read and ordered to be placed on the Calendar.

**REPORTS OF COMMITTEES
COMMITTEE ON JUDICIARY**

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation of passage of the following appointment:

Appointment of Marcia Reback of Providence, to the State Investment Commission, for a term expiring October 19, 2008.

Senator McCaffrey, seconded by Senators Levesque, Sheehan, Maselli, Algieri, Blais, Connors, Badeau, Ruggerio and many others, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Appointment of Andrew K. Reilly of Newport, to the State Investment Commission, for a term expiring January 17, 2008.

Senator Paiva Weed, seconded by Senator McCaffrey, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Paiva Weed, and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Frank Caprio, General Treasurer, along with Andrew K. Reilly of Newport.

NEW BUSINESS

Senate Resolution No. 222

BY Senator Tassoni

ENTITLED, SENATE RESOLUTION HONORING DARLEEN CRAWFORD AND EDWARD MOWRY

Senator Tassoni requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Tassoni moves passage, seconded by the entire Senate.

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

GUESTS

Upon suggestion of Senator Tassoni and by unanimous consent, the Honorable President, welcomes to the Chamber Michael Crawford, Darlene Crawford, Kevin Burns and Lynn Burns.

NEW BUSINESS

Senate Resolution No. 223

BY Senators Ciccone, Goodwin, Montalbano J, Connors, Sheehan

ENTITLED, SENATE RESOLUTION EXPRESSING OUR DEEPEST SYMPATHIES ON THE PASSING OF BENJAMIN H. HAWKSLEY

Senator Ciccone requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ciccone moves passage, seconded by the entire Senate.

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

CALENDAR

In order for the day is taken up as follows:

IN ORDER FOR TUESDAY, FEBRUARY 6, 2007:

1 2007-S 63

BY Algieri

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Housing & Municipal Government recommends passage.

Senator Algieri moves passage, seconded by Senators Blais and Tassoni.

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 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:

2 2007-S 92

BY Sosnowski

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
CHARTER OF THE TOWN OF SOUTH KINGSTOWN

Committee on Housing & Municipal Government recommends passage.

Senator Sosnowski moves passage, seconded by Senators Tassoni and Sheehan.

The act is read and passed, by unanimous consent, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Maselli, McBurney, McCaffrey, Metts, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3 2007-S 93

BY Algieri

ENTITLED, AN ACT RELATING TO TAXATION -- TOWN OF WESTERLY

Committee on Housing & Municipal Government recommends passage.

Senator Algieri, moves passage, seconded by Senators Blais and Tassoni.

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 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:

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 311 of the State House.

Senator Sosnowski announces that the Committee on Environment and Agriculture will meet tomorrow, Wednesday, February 7, 2007, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Sosnowski announces that the Committee on Government Oversight will meet tomorrow, Wednesday, February 7, 2007, at the rise of the Senate, in the Senate Lounge of the State House.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Goodwin, the Senate adjourns at 4:32 o'clock P.M. in memory Benjamin H. Hawksley, our friend and colleague, who will be greatly missed.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR MARC A. COTE**

Father in heaven, enlighten our minds and touch our hearts so that we may carry on the best traditions of our Senate's history. Remembering always that it is the people's government, made by the people and accountable to the people. Amen.