

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 first day of January in the year of Our Lord two thousand and eight.

Volume 135, No.20

Tuesday, March 4, 2008

Twentieth 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 36 Senators present and 1 Senator absent as follows:

PRESENT – 36: 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, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 1: Senator Lenihan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Eighteenth Legislative Day of the 2008 proceedings is read in part.

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

GUESTS

Upon suggestion of Senators Issa and Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Thomas Lazieh, former mayor of the City of Central Falls.

COMMUNICATION

The Honorable President presents the following communication:

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

March 4, 2008

TO THE HONORABLE , THE SENATE

I am hereby withdrawing, without prejudice, the March 7, 2007 appointment of Richard H. Pierce, Esquire to the State Board of Elections.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

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

March 4, 2008

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-10.1-1 of the Rhode Island General Laws, I have made the following appointment to the Public Finance Management Board:

Emanuel E. Barrows of East Providence

for a term expiring March 1, 2011.

To this appointment, I respectfully request your advice and consent.

Sincerely,

Frank T. Caprio
General Treasurer

Read and referred to the Committee on Finance.

NEW BUSINESS

Senate Resolution No. 2781

BY Senators Gallo, Fogarty P, Lanzi, Miller

ENTITLED, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES ON THE PASSING OF JOHN THOMAS GLYNN {LC2345/1}

Senator Gallo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gallo moves passage, seconded by Senator Jabour and the entire Senate.

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

Also:

Senate Resolution No. 2782

BY Senator McBurney

ENTITLED, SENATE RESOLUTION CONGRATULATING THE SAINT RAPHAEL ACADEMY FOOTBALL TEAM ON WINNING THE 2007 RHODE ISLAND DIVISION ONE STATE FOOTBALL CHAMPIONSHIP {LC2404/1}

Senator McBurney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McBurney moves passage, seconded by Senator Doyle, Connors, Issa, Jabour, Ruggerio, Levesque, DaPonte and many others.

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

GUESTS

Upon suggestion of Senators McBurney, Doyle and Issa and by unanimous consent, the Honorable President, welcomes to the Chamber the Saint Raphael Academy Football Team, 2007 Rhode Island Division I State Football Champions, who went undefeated, Nael Pierre-Louis, Jordan Monk, Tyler J. Malo, Stanley N. Dunbar, Ryan A. Furtado, Hans Hall, Tevin Lespinasse, Jean-Daniel Roussel, Germain Amponsah, Evan Pavao, Trevor A. Vasey, Christopher Coggins, Zachary J. Sullivan, Jean R. Charles, Alexander M. Collette, Peter Micali, Joshua Barbosa, Michael Dolan, Daniel Hayes, Timothy J. LaBree, Christopher, H. Brown, William Lopes, Sean M. Goodwin, Daniel Carroll, William Vieira, Brandon Sherratt, Justin Rapp, Craig Argencourt, Wayne R. Thornhill, Eric Beaudoin Jeffery M. Furtado, Zachary R. Forsythe, Christopher Bergin, Ryan Queenan, Richard A. Casiello, Alex M. Pavao, Jordan Lazieh, Marques J. Mosby, Ricardo Pognon, Evan J. Haworth, Justin E. Beaucage Head Coach Mr. Michael Sassi, Assistant Coaches, Mr. Jonathan Kahle, Mr. Anthony Paladino and Mr. Chris Skurka.

NEW BUSINESS

Senate Bill No. 2783**BY** Senator Felag**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF T.M. ENT. INC. {LC2428/1}

Senator Felag requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Felag moves passage, seconded by Senator Fogarty.

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

Also:

Senate Resolution No. 2784**BY** Senators Paiva-Weed, Gibbs, Levesque C**ENTITLED**, JOINT RESOLUTION CELEBRATING THE CONTRIBUTIONS OF NATIONAL SIGNIFICANCE MADE BY JOHN CLARKE AND THE RHODE ISLAND KING CHARLES CHARTER OF 1663 TO THE COLONY AND STATE OF RHODE ISLAND {LC2417/1}

Read and ordered to be placed on the Senate Consent Calendar

Also:

Senate Bill No. 2785**BY** Senators McCaffrey, Montalbano J, Ruggerio**ENTITLED**, AN ACT RELATING TO ELECTIONS {LC2434/1}

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senator Jabour.

Senators Alves, Raptakis, Gibbs and Cote discuss the act.

The act is read and passed, upon a roll call vote with 30 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Bates, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gibbs, Goodwin, Issa, Jabour, Lanzi, Maselli, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 3: Senators Alves, Gallo, Levesque.

Also:

Senate Resolution No. 2786

BY Senator Sosnowski

ENTITLED, SENATE RESOLUTION CONGRATULATING ROSE KENYON ON BEING SELECTED AS A YOUTH VOLUNTEER HONOREE BY THE PRUDENTIAL SPIRIT OF COMMUNITY AWARDS PROGRAM {LC2419/1}

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded by Senator Revens.

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

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 Gallo, the Senate adjourns at 4:40 o'clock P.M. in memory of John Thomas Glynn, affectionately known as the "Mayor of Garden City".

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR WILLIAM A. WALASKA**

Dear Lord, as we gather on the Feast Day of St. Casimir, the patron saint of Poland and Lithuania, we are reminded that St. Casimir was possessed of great charms of person and character, and was noted particularly for his justice. May these traits live on in each of us as we serve our constituents. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 5, 2008:

1 2008-S 2784

BY Paiva-Weed

ENTITLED, JOINT RESOLUTION CELEBRATING THE CONTRIBUTIONS OF
NATIONAL SIGNIFICANCE MADE BY JOHN CLARKE AND THE
RHODE ISLAND KING CHARLES CHARTER OF 1663 TO THE
COLONY AND STATE OF RHODE ISLAND

Ordered to be placed on the Consent Calendar

RAYMOND T. HOYAS, JR.
Secretary of the Senate