

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.22

Thursday, March 6, 2008

Twenty-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 4:16 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 3 Senators absent as follows:

PRESENT – 34: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

ABSENT – 3: Senators Gallo, Lenihan, Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Twenty-first Legislative Day of the 2008 proceedings is read in part.

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

APPOINTMENTS

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

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

March 6, 2008

The Honorable Senate
State House
Providence, RI 02903

Dear Colleagues:

Pursuant to Section 5.4 of the Senate Rules, I am making the following appointment to the Senate Committee on Labor:

Senate Committee on Labor
Daniel P. Connors, Chairperson

Sincerely,

JOSEPH A. MONTALBANO
President of the Senate

Received and ordered to be placed on file.

Also:

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

March 5, 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:

Robert A. Mancini of Providence

for a term expiring March 1, 2010.

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

Sincerely,

Frank T. Caprio
General Treasure

Read and referred to the Committee on Finance.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Senator Sosnowski, from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following appointments:

Nomination of David Abedon (reappointment) (Public Member - Representing a Coastal Community) of Warwick to the Coastal Resources Management Council for a term expiring January 31, 2010

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of James Hagerty (reappointment) of Warwick to the Clean Water Finance Agency for a term to expire March 1, 2009

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Kenneth Ketcham (Representing Commercial Fishing Industry) (reappointment) of Narragansett to the Marine Fisheries Council for a term expiring April 1, 2010

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Guy Lefebvre (reappointment) of Warwick to the Rhode Island Rivers Council for a term to expire January 1, 2011

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Peter M. Moniz (appointment) of Tiverton VICE John Raymond Payne, Jr. to the Scenic Highway Board for a term expiring January 31, 2011

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Francis J. Perry, Jr. of Coventry to the Water Resource Board for a term expiring March 1, 2011

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS

Senate Bill No. 2839**BY** Senator Gibbs**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - HEALTH CARE REGULATORY RESOURCES {LC1969/1}

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 2840**BY** Senators Ciccone, Connors, Doyle**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CRIMES AGAINST PUBLIC TRUST {LC2241/1}

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 2841**BY** Senators Felag, Metts, Breene, Paiva-Weed, Pichardo**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT {LC2295/1}

Read and referred to the Senate Committee on Environment and Agriculture

Senate Resolution No. 2842**BY** Senator Levesque C**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF MAY Y. LEVESQUE {LC2309/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Levesque moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 2843**BY** Senators Levesque C, Gibbs**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF LT. CMDR. JOHN M. JONES {LC2460/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Levesque moves passage, seconded by Senator Gibbs and the entire Senate.

The resolution is read and passed, upon a rising 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.

ANNOUNCEMENTS

Senator Levesque announces that the Committee on Judiciary will meet on Tuesday, March 11, 2008, at the rise of the Senate, in Room 313 of the State House.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Levesque, the Senate adjourns at 4:25 o'clock P.M. in memory of his loving aunt, May Y. Levesque, who will be greatly missed.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR V. SUSAN SOSNOWSKI**

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.

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, MARCH 11, 2008:**

- 1 Nomination of David Abedon (reappointment) (Public Member - Representing a Coastal Community) of Warwick to the Coastal Resources Management Council for a term expiring January 31, 2010.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

- 2 Nomination of James Hagerty (reappointment) of Warwick to the Clean Water Finance Agency for a term to expire March 1, 2009.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

- 3 Nomination of Kenneth Ketcham (Representing Commercial Fishing Industry) (reappointment) of Narragansett to the Marine Fisheries Council for a term expiring April 1, 2010.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

- 4 Nomination of Guy Lefebvre (reappointment) of Warwick to the Rhode Island Rivers Council for a term to expire January 1, 2011.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

- 5 Nomination of Peter M. Moniz (appointment) of Tiverton VICE John Raymond Payne, Jr. to the Scenic Highway Board for a term expiring January 31, 2011.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this nomination.

- 6 Reappointment of Francis J. Perry, Jr. of Coventry to the Water Resource Board for a term expiring March 1, 2011.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this reappointment.

RAYMOND T. HOYAS, JR.
Secretary of the Senate