

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.26

Tuesday, March 18, 2008

Twenty-Sixth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:18 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 2 Senators absent as follows:

PRESENT – 35: 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, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 2: Senators Miller, Raptakis.

INVOCATION

The Honorable President, by unanimous consent, presents The Reverend Gerald E. Beirne, from Our Lady of Grace Church in Johnston, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

NATIONAL ANTHEM

The National Anthem is performing by Marissa Beatini

**REPORTS OF COMMITTEES
COMMITTEE ON FINANCE**

Senator Alves, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

Nomination of Robert A. Mancini (appointment) of Providence to the Public Finance Management Board for a term expiring March 1, 2010.

Read and ordered to be placed on the Consent Calendar.

Also:

Nomination of Emanuel E. Barrows (appointment) of East Providence to the Public Finance Management Board for a term expiring March 1, 2011.

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS

Senate Resolution No. 2876

BY Senators Goodwin, McBurney, Walaska, Algieri, Montalbano J

ENTITLED, SENATE RESOLUTION COMMEMORATING THE CELEBRATION OF ST. PATRICK'S DAY {LC2559/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 2877

BY Senators Algieri, Ruggerio, Tassoni, McBurney, Montalbano J

ENTITLED, SENATE RESOLUTION COMMEMORATING THE CELEBRATION OF ST. JOSEPH'S DAY {LC2558/1}

Senator Algieri requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Algieri moves passage, seconded by the entire Senate.

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

GUESTS

Upon suggestion of Senator McCaffrey and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Judge George T. Salem of the Workers Compensation Court.

Upon suggestion of Senators Alves and Doyle and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable John Sabatini, former State Senator and current Administrator of the Workers Compensation Court.

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President, welcomes to the Chamber his son, Joseph John McBurney, Devin Bourcier Fagnoli and the Honorable John Mutter, Family Court Judge.

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President, welcomes to the Chamber Martha Fogarty, mother of Senator Fogarty along with Austin Coyne and Ann McCoy.

Upon suggestion of Senator Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable John J. Lombardi, Councilman from the City of Providence, Kelly Procacini and the Honorable Susan McGuril, Superior Court.

Upon suggestion of Senator Montalbano and by unanimous consent, the Honorable President, welcomes to the Chamber Deputy Sheriff Pamela Dosreis and Sheriff Joann Macari.

Upon suggestion of Senator Algieri and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Michael Sullivan, DEM Director, the Honorable Jeffrey Lanphear, Rhode Island Superior Court Justice and Family Court of Westerly, Magistrate Edward Newman.

Upon suggestion of Senator Cote and by unanimous consent, the Honorable President, welcomes to the Chamber the family of Senator Lenihan, his wife Patricia, daughter Meghan, and granddaughters Victoria and Bryanna.

Upon suggestion of Senator Maselli and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Michael Forte, family Court Judge and Father Gerald E. Beirne.

Upon suggestion of Senator Ciccone and by unanimous consent, the Honorable President, welcomes to the Chamber Sophia Lanzi, the Honorable Judge Ovalles, the Honorable Judge Lombaradi, and the Honorable Secretary of State Ralph A. Mollis.

Upon suggestion of Senator Breene and by unanimous consent, the Honorable President, welcomes to the Chamber Lucy and Don Degidio of Richmond.

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 Ciccone announces that the Committee on Labor will meet tomorrow, at 3:00 o'clock P.M. in Room 212 of the State House.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:28 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****REVEREND GERALD E. BEIRNE**

May you have good friends a plenty, and may they be as faithful and reliable as the morning's sunrise each day. May you have warm words on a cold evening, a full moon on a dark night, and a road downhill all the way to heaven. And may God and His Holy Mother take the harm of years away from you.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 19, 2008:

- 1 Nomination of Edward A. Garcia, Jr. (Representing the Economically Disadvantaged) (appointment) of Cranston VICE Christina Amedeo to the Library Board of Rhode Island for a term expiring December 31, 2008.**

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

- 2 Nomination of Brenda Dann-Messier, Ed.D. (reappointment) of East Greenwich to the Board of Governors for Higher Education for a term expiring January 31, 2011.**

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

- 3 Nomination of Pierre L. LaPerriere (reappointment) of Exeter to the Board of Governors for Higher Education for a term expiring January 31, 2010.**

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

- 4 Nomination of Daniel J. Ryan (reappointment) of Barrington to the Board of Governors for Higher Education for a term expiring January 31, 2011.**

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

- 5 Nomination of Anthony Santoro, Esquire (reappointment) to the Rhode Island Higher Education Assistance Authority for a term expiring July 1, 2012.**

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

- 6 Nomination of Bart Hollingsworth (General Public/Library User) (appointment) VICE Alice Barrows to the Library Board of Rhode Island for a term expiring December 31, 2009.**

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

- 7 Nomination of Phyllis A. Humphrey (Representing Librarian/School Libraries)(reappointment) of Saunderstown to the Library Board of Rhode Island for a term expiring December 31, 2010.**

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

8 Nomination of Mary Ann Slocomb (Librarian/Corporate-Special Libraries) (appointment) of Cranston VICE Tovah Reis to the Library Board of Rhode Island for a term expiring December 31, 2010.

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

9 Nomination of Thomas W. Viall (General Public/Library User) (appointment) VICE Jay Litman to the Library Board of Rhode Island for a term expiring December 31, 2009.

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

10 Nomination of Anna Cano-Morales (appointment) of North Providence VICE Gary Grove to the Board of Regents for Elementary and Secondary Education for a term expiring January 31, 2011.

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

11 Nomination of Robert A. Mancini (appointment) of Providence to the Public Finance Management Board for a term expiring March 1, 2010.

Committee on Finance recommends that the Senate give its Advice and Consent to this nomination.

12 Nomination of Emanuel E. Barrows (appointment) of East Providence to the Public Finance Management Board for a term expiring March 1, 2011.

Committee on Finance recommends that the Senate give its Advice and Consent to this nomination.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MARCH 19, 2008:**

- 1 Nomination of Brandon F. Brown (appointment) (Student Representative) of Kingston VICE Sarah D. Courtemanch to the Board of Governors for Higher Education for a term expiring January 31, 2010.**

Committee on Education recommends that the Senate give its Advice and Consent to this nomination.

- 2 2008-S 2414 as amended**

BY Alves

**ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE
-- COPAYMENTS**

Committee on Finance recommends passage as amended.

- 3 2008-S 2265 as amended**

BY Walaska

**ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL
REGULATORY PROVISIONS - INTEREST AND USURY**

Committee on Corporations recommends passage as amended.

- 4 2008-S 2793 as amended**

BY Cote

**ENTITLED, AN ACT RELATING TO LIBRARIES -- STATE PUBLICATIONS
CLEARING HOUSE**

Committee on Corporations recommends passage as amended.

- 5 2008-H 7007 SUB A**

BY Williamson

**ENTITLED, AN ACT AMENDING THE DISTRESSED AREAS ECONOMIC
REVITALIZATION ACT**

Committee on Finance recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

RAYMOND T. HOYAS, JR.
Secretary of the Senate