

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 fifth day of January in the year of Our Lord two thousand and ten.

Volume 137, No.4

Tuesday, January 12, 2010

Fourth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, Madam President of the Senate, at 4:12 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT – 37: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 1: Senator DiPalma

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Third Legislative Day of the 2010 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Metts and by unanimous consent, the Honorable President, welcomes to the Chamber Mr. Menlee Mansue who recently graduated from the Community College of Rhode Island and was accepted to Boston University.

Upon suggestion of Senator Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber the daughter of Senator Lanzi, Sophia Lanzi, 3rd grade student at Stonehill School in Cranston.

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**

January 8, 2010

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-6-9 of the Rhode Island General Laws, I have made the following reappointment as Director of the Department of Health:

David R. Gifford, M.D., M.P.H.
(Director of the Department of Health)

For a term expiring February 28, 2015.

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

Sincerely,



Donald L. Carcieri
Governor

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

COMMUNICATION

The Honorable President presents the following communication:

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

January 12, 2010

Honorable M. Teresa Paiva-Weed
Senate President
Room 318,
State House
Providence, RI 02903

Dear Madam President:

Please be advised that I will be absent from the Senate session January 12 & 13, 2009 due to an unexpected business trip.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your assistance.

Sincerely,

Louis P. DiPalma
Senator District 12

Read and ordered to be placed on file.

NEW BUSINESS**Senate Resolution No. 2005**

BY Senator Levesque C

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF
RICHARD F. SIEBEN

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Levesque moves passage, seconded by Senators Connors, Algiere, Felag and Metts.

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

Also:

Senate Bill No. 2006

BY Senators Blais, Raptakis, Maher, O'Neill E

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - THE 2010
TOWN OF COVENTRY MANDATE RELIEF PROGRAM ACT

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2007

BY Senator Perry

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF BENEFIT SQUARE CORPORATION

Placed on the Senate Consent Calendar

Also:

Senate Resolution No. 2008

BY Senators Picard, Connors, Cote

ENTITLED, SENATE RESOLUTION CONGRATULATING BREEZE PUBLICATIONS OWNERS THOMAS V. WARD AND JAMES QUINN ON THE TENTH ANNIVERSARY OF THE NORTH SMITHFIELD AND WOONSOCKET VALLEY BREEZE

Placed on the Senate Consent Calendar

Also:

Senate Resolution No. 2009

BY Senator Walaska

ENTITLED, SENATE RESOLUTION CONGRATULATING DR. DAVID ULISS ON HIS RETIREMENT AFTER 27 YEARS OF DEDICATED SERVICE TO THE RHODE ISLAND DEPARTMENT OF HEALTH

Placed on the Senate Consent Calendar

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Maselli announces that the Committee on Rules will meet tomorrow, at the rise of the Senate, in the Senate Lounge of the State House.

ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senator Algieri and Connors and upon suggestion of Senator Levesque the Senate adjourns at 4:19 o'clock P.M. in memory of Richard F. Sieben.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR DAVID E. BATES

Almighty God, grant us thy gift of loyalty and bear goodwill towards one another. Amen

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, JANUARY 13, 2010:

1. 2010-S 2007

BY Perry

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF BENEFIT SQUARE CORPORATION

Ordered to be placed on the Consent Calendar

2. 2010-S 2008

BY Picard

ENTITLED, SENATE RESOLUTION CONGRATULATING BREEZE
PUBLICATIONS OWNERS THOMAS V. WARD AND JAMES
QUINN ON THE TENTH ANNIVERSARY OF THE NORTH
SMITHFIELD AND WOONSOCKET VALLEY BREEZE

Ordered to be placed on the Consent Calendar

3. 2010-S 2009

BY Walaska

ENTITLED, SENATE RESOLUTION CONGRATULATING DR. DAVID ULISS
ON HIS RETIREMENT AFTER 27 YEARS OF DEDICATED
SERVICE TO THE RHODE ISLAND DEPARTMENT OF HEALTH

Ordered to be placed on the Consent Calendar

Joseph R. Brady
Secretary of the Senate

Tuesday, January 12, 2010