

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.16

Thursday, March 11, 2010

Sixteenth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John F. McBurney, President Pro Tempore of the Senate, at 4:13 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT – 35: Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni.

ABSENT – 3: Senators Paiva Weed, Ruggerio, Walaska.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber Judge Netti Vogel from the Rhode Island Superior Court, Magistrate Joseph P. Ippolito, Jr. and William Rampone Esq., member of the Judicial Nominating Commission.

Upon suggestion of Senator Doyle and by unanimous consent, the Honorable President, welcomes to the Chamber Suzanne Amerault, parent, Rachel Amerault, student, St. Cecilia School, Pawtucket, Lindsay Clegg, student, St. Cecilia School, Pawtucket.

Upon suggestion of Senator Levesque and by unanimous consent, the Honorable President, welcomes to the Chamber Marcia McGair Ippolito, Esq. and Melvin Enright.

COMMUNICATION

The Honorable President presents the following communication:

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

March 11, 2010

The Honorable M. Teresa Paiva Weed
President of the Senate
317 State House
Providence, RI 02903

Dear Madame President:

Please be advised and let the record reflect that I will be out of town and therefore absent from the chamber on Thursday, March 11, 2010.

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

Thank you for your attention to this matter.

Sincerely,

Senator William A. Walaska
Senate District 30

Read and ordered to be placed on file.

NEW BUSINESS**Senate Resolution No. 2689****BY** Senator Pichardo**ENTITLED**, SENATE RESOLUTION CELEBRATING THE 10TH ANNIVERSARY OF "EXTRAORDINARY WOMEN'S DAY," HELD ANNUALLY IN COMMEMORATION OF INTERNATIONAL WOMEN'S DAY {LC2167/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Metts.

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

CALENDAR**1 Nomination of Jeanne Ellen Lafazia (appointment) VICE Chief Judge Albert E. DiRobbio as Chief Judge of the Rhode Island District Court.**

Senator McCaffrey seconded by Senators Connors, Algieri, Bates, Maselli, Jabour, DiPalma, Lanzi, Metts, Ciccone, Goodwin, DaPonte, Gallo, Fogarty, Felag, Crowley and Levesque, moves that advice and consent of the Senate be given this appointment.

Senators McCaffrey and Connors discuss the appointment.

The advice and consent of the Senate is given to this appointment, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Lynch, Maher, Maselli, McBurney, McCaffrey, Metts, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Sheehan, Sosnowski, Tassoni.

NAYS- 0:

GUESTS

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President welcomes to the Chamber Jeanne Ellen LaFazia, newly appointed as Chief Judge of the Rhode Island District Court. Ray LaFazia, father and George Mason, husband.

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 211 of the State House.

Senator Felag announces that the Committee on Finance will meet on Tuesday, March 16, 2010, at 2:00 o'clock P.M. in Room 211 of the State House.

Senator Sheehan announces that the Committee on Health and Human Services will meet on Monday March 15, 2010, at 3:30 o'clock P.M. in Room 313 of the State House.

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

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

ADJOURNMENT

Upon motion of Senator Doyle, seconded by Senators Connors and Algieri, the Senate adjourns at 4:36 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR CHRISTOPHER B. MASELLI**

Heavenly Father, we ask you to teach us to give and not count the cost, and to labor and not ask for rewards. Above all, teach us that it is only what we give in love and service to others which endures forever. Amen.

CALENDAR

IN ORDER FOR TUESDAY, MARCH 16, 2010:

1. **2010-S 2406**

BY DiPalma

ENTITLED, AN ACT RELATING TO EDUCATION -- ESTABLISHMENT OF
CHARTER PUBLIC SCHOOLS

Committee on Education recommends passage.

2. **2010-S 2297**

BY Tassoni

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
HOME RULE CHARTER OF THE TOWN OF SMITHFIELD

Committee on Housing & Municipal Government recommends passage.

3. **2010-S 2611**

BY Tassoni

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

Committee on Housing & Municipal Government recommends passage.

JOSEPH R. BRADY
Secretary of the Senate