

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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Journal of the Senate

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**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.**

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Volume 137, No.20

Wednesday, March 24, 2010

Twentieth Legislative Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable M. Teresa Paiva Weed, President of the Senate, at 4:19 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: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Ciccone, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Ruggerio, Sheehan, Tassoni, Walaska.

**ABSENT** – 3: Senators Lenihan, Maher, Sosnowski.

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

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

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

**REPORTS OF COMMITTEES  
COMMITTEE ON FINANCE**

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

**Senate Bill No. 2018**

**BY** Senators Bates, DaPonte, Sosnowski

**ENTITLED**, AN ACT RELATING TO TAXATION--SALES AND USE TAXES -- ENFORCEMENT AND COLLECTION (would exempt commercial farmers from the requirement that sales tax returns be filed electronically)

Read and ordered to be placed on the Calendar.

Also:

**House Bill No. 7139 SUB A**

**BY** Costantino, Carter, Melo, Giannini, Silva

**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- THE AMERICAN RECOVERY AND REINVESTMENT ACT--BONDS (income from investments in the capital development fund may be applied to capital purposes and not become part of the general fund to the extent to exempt the interest paid from federal taxation) {LC469/1/A}

Read and ordered to be placed on the Calendar.

Also:

**Nomination of Rosemary Booth Gallogly (appointment) of Wakefield VICE Gary S. Sasse as the Director of Administration.**

Read and ordered to be placed on the Calendar.

**NEW BUSINESS**

**Senate Resolution No. 2712**

**BY** Senators Bates, Miller, Walaska, Picard, Ruggerio

**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE UNITED STATES CONGRESS PASS FEDERAL USURY LEGISLATION {LC2248/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues.

Also:

**Senate Resolution No. 2713**

**BY** Senators Raptakis, Blais, Pinga, Maher, Lynch

**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND PUBLIC UTILITIES COMMISSION TO DENY THE PROPOSED INCREASE REQUESTED BY THE KENT COUNTY WATER AUTHORITY {LC2237/1}

Read and referred to the Senate Committee on Constitutional and Regulatory Issues.

Also:

**Senate Bill No. 2714**

**BY** Senators Lynch, Walaska, Bates

**ENTITLED**, AN ACT RELATING TO INSURANCE {LC1946/1}

Read and referred to the Senate Committee on Corporations.

Also:

**Senate Bill No. 2715**

**BY** Senators Lynch, Walaska, Bates

**ENTITLED**, AN ACT RELATING TO INSURANCE {LC1952/1}

Read and referred to the Senate Committee on Corporations.

Also:

**Senate Bill No. 2716**

**BY** Senators Walaska, Bates

**ENTITLED**, AN ACT RELATING TO INSURANCE -- MANDATED BENEFITS

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

Also:

**Senate Bill No. 2717**

**BY** Senator Sosnowski

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2243/1}

Read and referred to the Senate Committee on Judiciary.

Also:

**Senate Bill No. 2718**

**BY** Senator Connors

**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PRINCETON PLACE DEVELOPMENT CORPORATION {LC2154/1}

Placed on the Senate Consent Calendar

Also:

**Senate Resolution No. 2719****BY** Senators Pichardo, Sheehan, DiPalma, Pinga**ENTITLED**, SENATE RESOLUTION SUPPORTING FINANCIAL REFORM TO PROTECT RHODE ISLAND COMMUNITIES AND FAMILIES {LC1675/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senators Connors, Metts, Jabour, Sheehan and Crowley.

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

**CONSENT CALENDAR**

In order for the day is taken up as follows:

**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, 2013.**

**2 Nomination of Donald T. Gomez (reappointment) (Representing Coastal Community Under 25,000) of Little Compton to the Coastal Resources Management Council for a term expiring January 31, 2013.**

Upon motion of Senator Connors, seconded by Senator Ruggerio, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Paiva Weed and Senators Algieri, Bates, Blais, Connors, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Lynch, Maselli, McBurney, McCaffrey, Metts, Miller, O'Neill, Perry, Picard, Pichardo, Pinga, Raptakis, Sheehan, Tassoni, Walaska.

NAYS- 0:

**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 Lynch announces that the Committee on Constitutional and Regulatory Issues will meet today, at the rise of the Senate, in Room 310 of the State House.

Senator Sheehan announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 212 of the State House.

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

**ADJOURNMENT**

Upon motion of Senator Doyle, seconded by Senator Connors, the Senate adjourns at 4:31 o'clock P.M.

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR JUAN M. PICHARDO**

Dear God, we thank Thee for the gift of this new day with its opportunities for growth in nobility of character and in service to others. Amen.

**Appendix**

**CONSENT CALENDAR**

**IN ORDER FOR THURSDAY, MARCH 25, 2010:**

**1 2010-S 2718**

**BY Connors**

**ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF  
THE CHARTER OF PRINCETON PLACE DEVELOPMENT  
CORPORATION

Ordered to be placed on the Consent Calendar.

**Appendix**

**CALENDAR**

**IN ORDER FOR TUESDAY, MARCH 30, 2010:**

**1 Nomination of Rosemary Booth Gallogly (appointment) of Wakefield VICE Gary S. Sasse as the Director of Administration.**

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

**2 2010-S 2018**

**BY Bates**

**ENTITLED,** AN ACT RELATING TO TAXATION--SALES AND USE TAXES  
-- ENFORCEMENT AND COLLECTION

Committee on Finance recommends passage.

**3 2010-H 7139 SUB A**

**BY Costantino**

**ENTITLED,** AN ACT RELATING TO PUBLIC FINANCE -- THE AMERICAN  
RECOVERY AND REINVESTMENT ACT--BONDS

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