

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 fourth day of January in the year of Our Lord two thousand and eleven.

Volume 138, No.4

Tuesday, January 11, 2011

Fourth Legislative Day

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 38 Senators present and 0 Senators absent as follows:

PRESENT – 38: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

The Honorable President, by unanimous consent, presents Senator Jabour, 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 2011 proceedings is read in part.

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

MOMENT OF SILENCE

The Honorable President asks that the chamber rise for a moment of silence to remember those affected by the Tucson, Arizona tragedy over the weekend of January 8th 2011.

GUESTS

Upon suggestion of Senator DeVall and by unanimous consent, the Honorable President, welcomes to the Chamber constituents of Senator DeVall, Harris and Carol Adkins.

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President, welcomes to the Chamber Bill Dupries.

NEW BUSINESS

Senate Resolution No. 4

BY Senators Goodwin, Paiva-Weed, Ruggerio, Algieri, Maher

ENTITLED, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHIES ON THE TRAGIC EVENTS OF JANUARY 8, 2011, IN TUCSON, ARIZONA

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators Algieri and Ruggerio.

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

Also:

Senate Bill No. 5

BY Senator Walaska

ENTITLED, AN ACT RELATING TO EDUCATION - RHODE ISLAND PUBLIC TELECOMMUNICATIONS AUTHORITY

Read and referred to the Senate Committee on Corporations.

Also:

Senate Bill No. 6

BY Senators Fogarty P, Tassoni, Goodwin, DeVall

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- EXCAVATION NEAR UNDERGROUND UTILITY FACILITIES -- COSTS

Read and referred to the Senate Committee on Corporations.

Also:

Senate Bill No. 7

BY Senators Tassoni, Lombardo, Doyle

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Read and referred to the Senate Committee on Corporations.

Also:

Senate Bill No. 8

BY Senators Tassoni, Bates, Lombardo

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION

Read and referred to the Senate Committee on Environment and Agriculture.

Also:

Senate Bill No. 9

BY Senators Tassoni, Bates, Lombardo, Doyle

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION

Read and referred to the Senate Committee on Environment and Agriculture.

Also:

Senate Bill No. 10 (by request)

BY Senator Tassoni

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE POLICE

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 11

BY Senators Tassoni, Bates, Lombardo, Felag

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 12

BY Senators Tassoni, Bates, Lombardo, Felag

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE --
ORGANIZATION AND COMMAND OF MILITARY AND NAVAL FORCES

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 13

BY Senators Tassoni, Bates, Doyle, Felag

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 14

BY Senators Sosnowski, Jabour, Sheehan, Walaska, Gallo

ENTITLED, AN ACT RELATING TO EDUCATION -- UNIVERSITY OF RHODE ISLAND

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 15

BY Senators Tassoni, Bates, Lombardo, Felag

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 16

BY Senators Felag, Ottiano, DiPalma

ENTITLED, AN ACT RELATING TO HIGHWAYS - CONSTRUCTION AND
MAINTENANCE OF STATE ROADS

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 17

BY Senators Fogarty P, Tassoni, Goodwin

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES --
RETIREMENT SYSTEM -- CONTRIBUTIONS AND BENEFITS

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 18**BY** Senators Fogarty P, Tassoni, Goodwin, DeVall**ENTITLED**, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY

Read and referred to the Senate Committee on Finance.

Also:

Senate Bill No. 19**BY** Senators Tassoni, Doyle**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- PUBLIC BUILDINGS

Read and referred to the Senate Committee on Housing and Municipal Government.

Also:

Senate Bill No. 20 (by request)**BY** Senator Sosnowski**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- STATE BUILDING CODE

Read and referred to the Senate Committee on Housing and Municipal Government.

Also:

Senate Bill No. 21**BY** Senators Tassoni, DeVall, Doyle, Miller**ENTITLED**, AN ACT RELATING TO TOWNS & CITIES -- RHODE ISLAND COMPREHENSIVE PLANNING AND LAND USE ACT

Read and referred to the Senate Committee on Housing and Municipal Government.

Also:

Senate Bill No. 22**BY** Senators Tassoni, Bates, Lombardo, Doyle**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - SAFETY BELT USE

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 23**BY** Senators Tassoni, Bates, Lombardo, Doyle**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- FAILURE TO PAY CHILD SUPPORT

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 24

BY Senators Tassoni, Bates, Lombardo, Felag

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- DIVORCE AND SEPARATION

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 25

BY Senators Tassoni, Bates, Doyle

ENTITLED, AN ACT RELATING TO PROPERTY

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 26 (by request)

BY Senator Tassoni

ENTITLED, AN ACT RELATING TO PROPERTY - RESIDENTIAL LANDLORD TENANT ACT

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 27

BY Senators Walaska, Lynch

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ACCIDENTS AND ACCIDENT REPORTS

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 28

BY Senators Tassoni, Lombardo, Doyle

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - MOTOR VEHICLE OFFENSES

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 29**BY** Senators Perry, Sosnowski, Miller, Pichardo, Nesselbush**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS -- PERSONS ELIGIBLE TO MARRY

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 30**BY** Senators Bates, Ottiano, Felag**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 31**BY** Senators Algieri, Maher**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- CHARLESTOWN MUNICIPAL COURT

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 32**BY** Senators Tassoni, Bates, Lombardo, Felag**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- NATIONAL GUARD

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 33**BY** Senators Tassoni, Bates, Lombardo, Felag**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- GRAVES AND CORPSES

Read and referred to the Senate Committee on Judiciary.

Also:

Senate Bill No. 34**BY** Senators Tassoni, Bates, Lombardo, Doyle**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES

Read and referred to the Senate Committee on Labor.

Also:

Senate Bill No. 35

BY Senators Tassoni, Bates, Ruggerio, Crowley, Lombardo

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Read and referred to the Senate Committee on Special Legislation.

Also:

Senate Bill No. 36

BY Senator Bates

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PROVIDENCE JEWELERS' CLUB

Read and ordered to be placed on the Senate Consent Calendar.

Also:

Senate Resolution No. 37

BY Senators Gallo, Tassoni, Paiva-Weed, Ruggerio, Goodwin

ENTITLED, SENATE RESOLUTION CONGRATULATING THE HONORABLE ANDREA M. IANNAZZI ON BECOMING CHAIRWOMAN OF THE CRANSTON SCHOOL COMMITTEE

Read and ordered to be placed on the Senate Consent Calendar.

Also:

Senate Bill No. 38

BY Senator Tassoni

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF NEW ENGLAND CARPET CONSULTANTS, INC.

Read and ordered to be placed on the Senate Consent Calendar.

Also:

Senate Bill No. 39

BY Senator Tassoni

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF TALBOTT SQUASH ACADEMY, INC.

Read and ordered to be placed on the Senate Consent Calendar.

Senate Bill No. 40**BY** Senator DaPonte**ENTITLED**, AN ACT APPROPRIATING MONEY FOR USE BY THE DEPARTMENT OF LABOR AND TRAINING FOR UNEMPLOYMENT COMPENSATION ADMINISTRATIVE EXPENSES.

Read and referred to the Senate Committee on Special Labor.

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.

GUESTS

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President, welcomes to the Chamber Lee McDaniel a Brown University graduate.

ANNOUNCEMENTS

Senator Pinga announces that the Committee on Government Oversight will meet on Thursday, January 13, 2011, at the rise of the Senate, in the Senate Lounge of the State House.

Senator DeVall announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in Room 313 of the State House.

Senate Majority Leader Ruggerio announces that session will be cancelled tomorrow, January 12, 2011 due to the impending snow storm and will return Thursday, January 13, 2011.

ADJOURNMENT

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

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR PAUL V. JABOUR

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, JANUARY 13, 2011:

1. 2011-S 37

BY Gallo

ENTITLED, SENATE RESOLUTION CONGRATULATING THE HONORABLE
ANDREA M. IANNAZZI ON BECOMING CHAIRWOMAN OF THE
CRANSTON SCHOOL COMMITTEE

Ordered to be placed on the Consent Calendar

2. 2011-S 38

BY Tassoni

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF NEW ENGLAND CARPET CONSULTANTS,
INC.

Ordered to be placed on the Consent Calendar

3. 2011-S 39

BY Tassoni

ENTITLED, AN ACT TO VACATE THE FORFEITUR OR REVOCATION OF
THE CHARTER OF TALBOTT SQUASH ACADEMY, INC.

Ordered to be placed on the Consent Calendar