

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.8

Tuesday, January 25, 2011

Eighth 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 4:16 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 2 Senators absent as follows:

PRESENT – 36: 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, Ruggerio, Shibley, Sosnowski, Tassoni, Walaska.

ABSENT – 2: Senators Pinga and Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Seventh Legislative Day of the 2011 proceedings is read in part.

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

COMMUNICATIONS

The Honorable President presents the following communications:

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

January 25, 2011

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

Dear Madam President:

I am writing to inform you that I will be absent from Legislative Session on Tuesday, January 25, 2011.

Thank you.

Sincerely yours,

James C. Sheehan
Senator – District 36

Read and ordered to be placed on file.

Also:

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

January 24, 2011

Rhode Island State Senate
State House
Providence, RI 02903

To The Honorable Senate:

Pursuant to Section 5.2 of the Interim Senate Rules, the following is a revised list to the Senate Standing Committees:

Judiciary Committee

Michael J. McCaffrey, Chairperson
Paul V. Jabour, Vice Chairperson
Erin P. Lynch, Secretary
Maryellen Goodwin
Dawson T. Hodgson
Harold M. Metts
Donna M. Nesselbush

Rhoda E. Perry
Glenford J. Shibley
William A. Walaska

Finance Committee

Daniel DaPonte, Chairperson
Walter S. Felag, Jr., 1st Vice Chairperson
Juan M. Pichardo, 2nd Vice Chairperson
Louis P. DiPalma, Secretary
David E. Bates
Frank A. Ciccone, III
James E. Doyle, II
Maryellen Goodwin
Edward J. O'Neill
V. Susan Sosnowski

Corporations Committee

Joshua B. Miller, Chairperson
Roger A. Picard, Vice Chairperson
Beatrice A. Lanzi, Secretary
David E. Bates
Marc A. Cote
Hanna M. Gallo
Paul V. Jabour
Frank Lombardo, III
Bethany L. Moura
Christopher S. Ottiano

Government Oversight Committee

Frank A. Ciccone, III, Chairperson
James C. Sheehan, Vice Chairperson
Michael J. Pinga, Secretary
Louis P. DiPalma
Francis T. Maher, Jr.
Donna M. Nesselbush
Edward J. O'Neill

Housing Committee

John J. Tassoni, Jr., Chairperson
Frank A. DeVall, Vice Chairperson
Elizabeth A. Crowley, Secretary
Paul W. Fogarty
Nicholas D. Kettle
Francis T. Maher, Jr.
Juan M. Pichardo
Michael J. Pinga

Special Legislation Committee

Walter S. Felag, Jr., Chairperson
Erin P. Lynch, Vice Chairperson
David E. Bates, Secretary
Marc A. Cote
Elizabeth A. Crowley
Christopher S. Ottiano
Juan M. Pichardo
Paul Jabour
John J. Tassoni, Jr.

Health and Human Services Committee

Rhoda E. Perry, Chairperson
James C. Sheehan, Vice Chairperson
Donna M. Nesselbush, Secretary
Francis T. Maher, Jr.
Joshua B. Miller
Bethany L. Moura
Juan M. Pichardo
V. Susan Sosnowski

Environment and Agriculture Committee

V. Susan Sosnowski, Chairperson
William A. Walaska, Vice Chairperson
Nicholas D. Kettle, Secretary
David E. Bates
Daniel DaPonte
Maryellen Goodwin
Michael J. McCaffrey

Education Committee

Hanna M. Gallo, Chairperson
Harold M. Metts, Vice Chairperson
Beatrice A. Lanzi, Secretary
Frank A. DeVall, Jr.
Louis P. DiPalma
Edward J. O'Neill
Glenford J. Shibley

Labor Committee

Paul W. Fogarty, Chairperson
Frank A. Ciccone, III, Vice Chairperson
Frank Lombardo, III, Secretary
James E. Doyle, II
Maryellen Goodwin
Dawson T. Hodgson
Michael J. McCaffrey
Roger A. Picard

Rules Committee

James E. Doyle, II, Chairperson
Beatrice A. Lanzi, Vice Chairperson
David E. Bates
Daniel DaPonte
Maryellen Goodwin
Michael J. McCaffrey

Sincerely,

M. TERESA PAIVA WEED
President of the Senate

Read and ordered to be placed on file.

**REPORTS OF COMMITTEES
COMMITTEE ON JUDICIARY**

Senator McCaffrey from the Committee on Judiciary, reports back, with recommendation of passage of the following measure:

Nomination of Ashbel T. Wall, II (reappointment) as Director of the Department of Corrections.

Read and ordered to be placed on the Calendar.

COMMITTEE ON FINANCE

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

Nomination of Rosemary Booth Gallogly (appointment) VICE Gary S. Sasse as the Director of the Department of Revenue.

Read and ordered to be placed on the Calendar.

Also:

Nomination of Richard A. Licht (appointment) VICE Rosemary Booth Gallogly as the Director of the Department of Administration.

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 80

BY Senators Tassoni, Paiva Weed

ENTITLED, SENATE RESOLUTION PROCLAIMING JANUARY 26, 2011, TO BE "HOMELESS MEMORIAL DAY" IN THE STATE OF RHODE ISLAND

Senator Tassoni requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Tassoni moves passage, seconded by Senators Metts, Pichardo, Sosnowski, Miller and Lynch.

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

Also:

Senate Bill No. 81**BY** Senator Bates**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

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

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 Doyle announces that the Committee on Rules will meet today, at the rise of the Senate, in Room 310 of the State House.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Ruggerio, and upon suggestion of Senator Picard the Senate adjourns at 4:45 o'clock P.M. in memory of David Emidy.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR ELIZABETH A. CROWLEY

Almighty God, help us through the stresses and strains of the day help us to make the right decisions for the jobless homeless and hungry in our State, by granting us your serenity, your wisdom and peace. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, JANUARY 26, 2011:

1. 2011-S 81

BY Bates

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered to be placed on the Consent Calendar

Joseph R. Brady
Secretary of the Senate

Appendix**CALENDAR****IN ORDER FOR THURSDAY, JANUARY 27, 2011:****1. Nomination of Rosemary Booth Gallogly (appointment) VICE Gary S. Sasse as the Director of the Department of Revenue.**

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

2. Nomination of Richard A. Licht (appointment) VICE Rosemary Booth Gallogly as the Director of the Department of Administration.

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

.3 Nomination of Ashbel T. Wall, II (reappointment) as Director of the Department of Corrections.

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

Joseph R. Brady
Secretary of the Senate