

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.15

Tuesday, March 1, 2011

Fifteenth 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 4:13 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 4 Senators absent as follows:

PRESENT – 34: 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, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Sheehan, Shibley, Tassoni, Walaska.

ABSENT – 4: Senators Moura, Pinga, Ruggerio, Sosnowski.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senator Kettle and by unanimous consent, the Honorable President, welcomes to the Chamber Patrick Arricco, an intern for Senator Kettle.

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 1, 2011

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

Dear Madam President:

Please be advised that I will be absent from the Senate session on Tuesday, March 1, 2011 due to a medical issue. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

Bethany Moura
SENATOR, DISTRICT 10

Read and ordered to be placed on file.

Also:

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

March 1, 2011

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

Dear President Paiva Weed:

Please be advised and let the record reflect that I will be out of town and absent from the chamber on Tuesday, March 1, 2011.

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

Thank you for your attention to this matter.

Sincerely,

V. Susan Sosnowski
Senate District 37

Read and ordered to be placed on file.

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**

February 17, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-73-2 of the Rhode Island General Laws, I have made the following appointment of Child Advocate:

Regina Marie Costa Gibb

VICE
Jametta O. Alston

for a term of five years from the date of Senate confirmation.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Judiciary.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Joan C. Abrams of Bristol

VICE
Brenda Dann-Messier

for a term expiring January 31, 2014.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Lorne A. Adrain of Providence

VICE
The Honorable Frank Caprio

for a term expiring January 31, 2014.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Antonio Barajas, M.D. of Central Falls

VICE
Kathrin Belliveau

for a term expiring January 31, 2012.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Amy Beretta of Jamestown

VICE
Miriam Coleman

for a term expiring January 31, 2013.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 21, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

**Tessa N. Constant of Chepachet
(Student Representative)**

VICE
Brandon Brown

for a term expiring January 31, 2013.

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

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

William Maaia of Rumford

VICE
Pierre LaPerriere

for a term expiring January 31, 2013.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Eva-Marie Mancuso of Saunderstown

VICE
Dr. Joseph Hagan

for a term expiring January 31, 2013.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Jane Sherman of Providence

VICE
Solomon A. Solomon

for a term expiring January 31, 2012.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Michael Tikoian of Narragansett

VICE
Michael Ryan

for a term expiring January 31, 2012.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

John A. Walsh of Warwick

VICE
Kenneth Aurecchia

for a term expiring January 31, 2012.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

Also:

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

February 22, 2011

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following appointment to the Board of Governors for Higher Education:

Joseph White of North Kingstown

VICE
Daniel Ryan

for a term expiring January 31, 2014.

To this appointment, I request your advice and consent.

Sincerely,

Lincoln D. Chafee
Governor

Read and referred to the Committee on Education.

NEW BUSINESS

Senate Resolution No. 378

BY Senators O'Neill E, Ruggerio, Ciccone

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF ALBERT D. LOMBARDI {LC1381/1}

Senator O'Neill requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator O'Neill moves passage, seconded by Senators Algiere, Cote, McCaffrey and Kettle.

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

Also:

Senate Resolution No. 379

BY Senator Perry

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING NATIONAL GRID TO IMMEDIATELY EMPLOY THE MOST EFFECTIVE TECHNOLOGY AND METHODS TO DETECT, IDENTIFY, AND MITIGATE STRAY VOLTAGE HAZARDS IN THE STATE OF RHODE ISLAND {LC1757/1}

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by Senators Algiere, Goodwin, Bates and Miller.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Algiere, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Sheehan, Shibley, Tassoni.

NAYS- 0:

Also:

Senate Resolution No. 380

BY Senators Algieri, Maher

ENTITLED, SENATE RESOLUTION CONGRATULATING STEVEN MORRONE ON BEING SELECTED AS RHODE ISLAND'S 2009-2010 "OUTSTANDING FIRST YEAR PRINCIPAL" {LC1719/1}

Senator Algieri requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Algieri moves passage, seconded by Senator Goodwin.

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

CALENDAR

IN ORDER FOR TUESDAY, MARCH 1, 2011:

1. 2011-S 119 as amended

BY Bates

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

Committee on Judiciary recommends passage as amended.

Senator Bates moves passage, seconded by Senators McCaffrey, Maher, Lynch, Algieri, Metts and Walaska.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Hodgson, Jabour, Kettle, Lanzi, Lombardo, Lynch, Maher, McCaffrey, Metts, Miller, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Shibley, 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 DeVall announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in Room 310 of the State House.

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

Senator Algieri makes a recommendation that the entire Senate acknowledges the birthdays of Senators Maher and Ottiano.

Senator Goodwin announces that the deadline for Senate Bill Introduction will be extended until Thursday, March 3, 2011.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Algieri and upon suggestion of Senator O'Neill the Senate adjourns at 4:27 o'clock P.M. in memory Albert D. Lombardi.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR LOUIS P. DIPALMA**

As we return to the Senate Chamber, let us once again contemplate our reasons for being here. Let us also ask of our Creator that he bestow special blessings today on us all and properly guide us in serving the people of our State. Amen.