

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.16

Wednesday, March 2, 2011

Sixteenth 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 4:09 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senator absent as follows:

PRESENT – 37: 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, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

ABSENT – 1: Senator Pinga.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal's of the Fourteenth and Fifteenth Legislative Day's of the 2011 proceedings are read in part.

Upon suggestion of Senator DeVall and by unanimous consent, further reading of the Journal's are dispensed with and the Journal's approved as recorded.

COMMUNICATION

The Honorable President presents the following communication:

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

March 2, 2011

Joseph R. Brady
Secretary of the Senate
Room 145, State House
Providence, RI 02903

Dear Mr. Brady:

I recently introduced legislation, S-326, regarding mobile homes.

Unfortunately, I found the bill to have several errors and I am, therefore, asking to withdraw the current legislation for the opportunity to make the necessary changes.

Thank you for your consideration in this matter.

Sincerely,

Paul W. Fogarty
Senator – District 23

Read and ordered to be placed on file.

REPORTS OF COMMITTEES COMMITTEE ON EDUCATION

Senator Gallo from the Committee on Education, reports back, with recommendation of passage of the following measures:

Nomination of Carolina Baque Bernal (appointment) VICE Anna Cano-Morales to the Board of Regents for Elementary and Secondary Education for a term expiring January 31, 2014.

Read and ordered to be placed on the Calendar.

Also:

Nomination of George D. Caruolo (appointment) VICE Robert Flanders to the Board of Regents for Elementary and Secondary Education for a term expiring January 31, 2012.

Read and ordered to be placed on the Calendar.

Also:

Nomination of Mathies J. Santos (appointment) VICE Amy Beretta to the Board of Regents for Elementary and Secondary Education for a term expiring January 31, 2014.

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

Senate Bill No. 212

BY Senator Perry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (John A. Cogan to join Patricia Huschle and Christopher Lawrence in marriage within the Town of Portsmouth, Rhode Island, on or about August 21, 2011)

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

Also:

Senate Bill No. 213

BY Senator Perry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Heather Florence to join Elena Tennenbaum and Raj Shah in marriage on or about June 25, 2011, within the City of Providence, Rhode Island)

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

Also:

Senate Bill No. 330

BY Senators Maher, Algiere

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (would allow The Honorable Thomas A. Bishop to join Gretchen Lacouture and Jay F. Kosegarten in marriage on or about September 17, 2011, within the Town of Exeter, Rhode Island)

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

Also:

House Bill No. 5014

BY Newberry

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Jason Grabowski to join Joseph Wyld-Cherlco, Jr. and Jenna Pimental in marriage on or about May 21, 2011, within the Town of North Smithfield, Rhode Island)

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

Also:

House Bill No. 5015

BY Ehrhardt

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Would allow Richard S. Corrente to join Kristi Rae Miller and Stephen Mason in marriage with the City of Newport, Rhode Island, on or about May 29, 2011)

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

Also:

House Bill No. 5018

BY Ucci

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Sandra Carr to join Francine M. Ferris and Dennis E. Maher in marriage within the City of Newport, Rhode Island, on or about September 5, 2011)

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

Also:

House Bill No. 5036

BY DaSilva

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Christopher Danforth to join Laruen Canestrari and Benjamin Lamanna in marriage within the City of East Providence, Rhode Island, on or about November 5, 2011)

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

Also:

House Bill No. 5037

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Sara Szado to join Maura Paton and Peter Chlebus in marriage within the City of Newport, Rhode Island, on or about May 2, 2011)

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

Also:

House Bill No. 5038

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Jane Crosscup to join Alycia Marie Griffith and Adam John Noble in marriage within the City of Newport, Rhode Island, on or about September 2, 2011)

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

Also:

House Bill No. 5039

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Edith Mueller to join Sarah Ruth Thoensen and Cory Mitchell Saunders in marriage within the City of Newport, Rhode Island, on or about September 24, 2011)

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

Also:

House Bill No. 5044

BY Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (John Flynn to join Nicole T. Felici and Erick D. Nelson in marriage within the City of East Providence, Rhode Island, on or about July 2, 2011)

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

Also:

House Bill No. 5067

BY Edwards, Martin

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Georgiana Jordan to join Meghan Charlene Souza and William Hill Jr. in marriage within the City of Newport, Rhode Island, on or about May 21, 2011)

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

Also:

House Bill No. 5097

BY Gordon, Reilly, Edwards, Gallison, Costa

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Zachary Mercurio to join Hannah Minch and Andrew Mercurio in marriage within the Town of Portsmouth, Rhode Island, on or about April 15, 2011)

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

NEW BUSINESS**Senate Resolution No. 381****BY** Senator Picard**ENTITLED**, SENATE RESOLUTION HONORING THE DISTINGUISHED MUSICAL CAREER AND SERVICE TO RHODE ISLAND BY MR. DAVID GREELY {LC1749/1}

Senator Picard requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Picard moves passage, seconded by Senators Algieri, Ruggerio and Lynch.

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

Also:

Senate Resolution No. 382**BY** Senators Ruggerio, Paiva Weed, Gallo, Goodwin, Tassoni**ENTITLED**, SENATE RESOLUTION HONORING MARCIA B. REBACK ON THE OCCASION OF HER RETIREMENT AS PRESIDENT OF THE RHODE ISLAND FEDERATION OF TEACHERS AND HEALTH PROFESSIONALS {LC1809/1}

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

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

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 Sosnowski announces that the Committee on Environment and Agriculture will meet today, at the rise of the Senate, in Room 310 of the State House.

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

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Algieri the Senate adjourns at 4:14 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR FRANK A. DEVALL JR.

Dear God, please grant us the wisdom to be aware of the vital needs of the people we are here to serve. Please grant us the courage to meet those needs to the fullest extent of our ability. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, MARCH 3, 2011:****1. 2011-S 212****BY Perry****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

2. 2011-S 213**BY Perry****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

3. 2011-S 330**BY Maher****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

4. 2011-H 5014**BY Newberry****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

5. 2011-H 5015**BY Ehrhardt****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

6. 2011-H 5018**BY Ucci****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

7. 2011-H 5036**BY DaSilva****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage in concurrence.

8. 2011-H 5037**BY Martin****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

9. 2011-H 5038**BY Martin****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

10. 2011-H 5039**BY Martin****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

11. 2011-H 5044**BY Martin****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

12. 2011-H 5067**BY Edwards****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

13. 2011-H 5097**BY Gordon****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MARCH 8, 2011:**

- 1. Nomination of Carolina Baque Bernal (appointment) VICE Anna Cano-Morales to the Board of Regents for Elementary and Secondary Education for a term expiring January 31, 2014..**

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

- 2. Nomination of George D. Caruolo (appointment) VICE Robert Flanders to the Board of Regents for Elementary and Secondary Education for a term expiring January 31, 2012..**

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

- 3. Nomination of Mathies J. Santos (appointment) VICE Amy Beretta to the Board of Regents for Elementary and Secondary Education for a term expiring January 31, 2014..**

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

Joseph R. Brady
Secretary of the Senate