

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.17

Thursday, March 3, 2011

Seventeenth 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 4:29 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, 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 – 2: Senators DaPonte, Pinga.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

COMMUNICATION

The Honorable President presents the following communication:

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

March 3, 2011

Rhode Island State Senate
State House
Providence, RI 02903

To The Honorable Senate:

Pursuant to Section 5.1-2 of the Interim Senate Rules, I am making the following appointments as Deputy Chairs for Senate Finance:

Subcommittee on Education and Human Services
Louis P. DiPalma

Subcommittee on Environment
V. Susan Sosnowski

Subcommittee on General Government
David E. Bates

Subcommittee on Transportation and Public Safety
Juan M. Pichardo

Sincerely,

Daniel DaPonte
Chairman
Senate Finance Committee

Read and ordered to be placed on file.

REPORTS OF COMMITTEES COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT

Senator Tassoni from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

Senate Bill No. 110

BY Senators Fogarty P, Tassoni, Perry

ENTITLED, AN ACT RELATING TO THE WEST GLOCESTER FIRE DISTRICT (would change the date of the annual meeting from the first Saturday in August to the third Saturday in June)

Read and ordered to be placed on the Calendar.

Also:

Senate Resolution No. 111

BY Senators Lanzi, Miller, Gallo

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE STATE TRAFFIC COMMISSION TO INSTALL SAFETY IMPROVEMENTS IN THE CITY OF CRANSTON

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 157

BY Senators Miller

ENTITLED, AN ACT RELATING TO FURNISH THE CITY OF PROVIDENCE WITH A SUPPLY OF PURE WATER (would further the Pawtuxet River Authority's mission to remove the Pawtuxet Village Dam (dam project)

Read and ordered to be placed on the Calendar.

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Senator Sosnowski from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measure:

Senate Resolution No. 137

BY Senators Sosnowski, Algiere, Bates, Felag, Ruggerio

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION, AND ENFORCEMENT TO COMPREHENSIVELY INVOLVE FISHERMEN IN THE DEVELOPMENT OF OFFSHORE ENERGY PROJECTS

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Perry from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

Nomination of Steven M. Costantino (appointment) VICE Gary D. Alexander as Secretary of the Executive Office of Health and Human Services

Read and ordered to be placed on the Calendar.

Also:

Nomination of Sandra M. Powell VICE Gary Alexander as the Director of the Department of Human Services

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 383

BY Senator Goodwin

ENTITLED, SENATE RESOLUTION RECOGNIZING THE UNIQUE AND IMPORTANT RELATIONSHIP BETWEEN THE UNITED STATES AND CANADA, AND, MORE SPECIFICALLY RHODE ISLAND AND CANADA {LC1297/1}

Senator Goodwin requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Goodwin moves passage, seconded by Senators Algieri, Ruggerio, Picard, Cote, O'Neill, Metts, Jabour and Gallo.

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

GUESTS

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President, welcomes to the Chamber the Honorable Patrick Binns, Consul General of Canada to New England, Lisa Carrier, Media and Political Affairs Officer and Aaron Annable Consul & Head of PERPA.

NEW BUSINESS

Senate Resolution No. 384

BY Senators Algieri, Maher

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF BERNARD F. LESSARD {LC1903/1}

Senator Algieri requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Algieri moves passage, seconded by Senators Ruggerio, Sosnowski and Maher.

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

GUESTS

Upon suggestion of Senator Maher and by unanimous consent, the Honorable President, welcomes to the Chamber the daughter of Bernard Lessard, Nanette Gallagher along with Julie and William McLusker from the Cross Mills Fire Department in Charlestown.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. **2011-S 212**
BY Perry
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
2. **2011-S 213**
BY Perry
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
3. **2011-S 330**
BY Maher
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
4. **2011-H 5014**
BY Newberry
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
5. **2011-H 5015**
BY Ehrhardt
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
6. **2011-H 5018**
BY Ucci
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
7. **2011-H 5036**
BY DaSilva
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
8. **2011-H 5037**
BY Martin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
9. **2011-H 5038**
BY Martin
ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

10. 2011-H 5039**BY Martin****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**11. 2011-H 5044****BY Martin****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**12. 2011-H 5067****BY Edwards****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**13. 2011-H 5097****BY Gordon****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Paiva Weed and Senators Algieri, Bates, Ciccone, Cote, Crowley, 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.

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

Senate Majority Leader Ruggerio announces that the General Consul of Canada to New England will meet in the House Lounge of the State House.

Senate Majority Leader Ruggerio announces the desk will remain open for additional New Business.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Ruggerio, the Senate adjourns at 4:44 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR FRANCIS T. MAHER JR.

Open our hearts Lord, not only to the needs of those we serve, but also to one another in this Chamber so as a community of leaders we can be led to wise and courageous actions that benefit Rhode Island. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, MARCH 8, 2011:

1. 2011-S 111

BY Lanzi

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE
STATE TRAFFIC COMMISSION TO INSTALL SAFETY
IMPROVEMENTS IN THE CITY OF CRANSTON

Committee on Housing & Municipal Government recommends passage.

2. 2011-S 137

BY Sosnowski

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE
BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION,
AND ENFORCEMENT TO COMPREHENSIVELY INVOLVE
FISHERMEN IN THE DEVELOPMENT OF OFFSHORE ENERGY
PROJECTS

Committee on Environment & Agriculture recommends passage.

Joseph R. Brady
Secretary of the Senate

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.

- 4. Nomination of Steven M. Costantino (appointment) VICE Gary D. Alexander as Secretary of the Executive Office of Health and Human Services.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

- 5. Nomination of Sandra M. Powell VICE Gary Alexander as the Director of the Department of Human Services.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

IN ORDER FOR WEDNESDAY, MARCH 9, 2011:

- 1. 2011-S 110
BY Fogarty P
ENTITLED, AN ACT RELATING TO THE WEST GLOCESTER FIRE DISTRICT**

Committee on Housing & Municipal Government recommends passage.

2. 2011-S 157

BY Miller

ENTITLED, AN ACT RELATING TO FURNISH THE CITY OF PROVIDENCE
WITH A SUPPLY OF PURE WATER

Committee on Housing & Municipal Government recommends passage.

Joseph R. Brady
Secretary of the Senate