

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.21

Wednesday, March 16, 2011

Twenty-first 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 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 Lombardo to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Nesselbush and by unanimous consent, the Honorable President, welcomes to the Chamber the Slater Jr. High Basketball Team, Power Kanga, Chris Duarte, Cedric Dalomba, Joseph Benda, Joshua Alves, Jarod Mainville, Jessie Fernandes, Alex Holloway, Justin Farmer, Mario Santos and Coach Christopher Walsh.

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable President, welcomes to the Chamber Alicia Pirraglia, from Brown University.

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. 21 SUB A as amended
BY Senators Tassoni, DeVall, Doyle, Miller
ENTITLED, AN ACT RELATING TO TOWNS & CITIES -- RHODE ISLAND
COMPREHENSIVE PLANNING AND LAND USE ACT {LC47/1/A}

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 63
BY Senators Fogarty P, Tassoni
ENTITLED, AN ACT RELATING TO THE TOWN OF BURRILLVILLE - VALIDATING
AND RATIFYING AMENDMENTS TO HOME RULE CHARTER

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 112
BY Senators Walaska, McCaffrey, Lynch
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - WARWICK SEWER
AUTHORITY

Read and ordered to be placed on the Calendar.

Also:

Senate Bill No. 159**BY** Senators Cote, Picard

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION - WOONSOCKET (would give all owners of eligible properties a two year period after certification of their property is made and taxes are abated to make all repairs required to make the properties habitable) {LC7/1}

Read and ordered to be placed on the Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2011-S 704**BY** Paiva Weed

ENTITLED, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES ON THE PASSING OF CLIFTON R. LARGESE, JR.

Upon motion of Senator Ruggerio, seconded by Senator Algiere, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: 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, Maher, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR**IN ORDER FOR WEDNESDAY, MARCH 16, 2011:****1. 2011-S 174 SUB A as amended****BY** Doyle

ENTITLED, SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE

Committee on Rules recommends indefinite postponement of the original bill and passage of Substitute A as amended.

Senator Doyle moves passage, seconded by Senators Goodwin, Lanzi, Lynch, McCaffrey, DaPonte, Tassoni, Gallo and Pichardo.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 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.

NAYS- 0:

2. 2011-S 205

BY Ottiano

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE HOME RULE CHARTER OF THE TOWN OF BRISTOL

Committee on Housing & Municipal Government recommends passage.

Senator Ottiano moves passage, seconded by Senators Tassoni, Felag, DeVall, Bates, Kettle and Lynch.

The act is read and passed, by unanimous consent, 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, 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, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2011-S 209

BY Sosnowski

ENTITLED, AN ACT RELATING TO TOWN AND CITIES

Committee on Housing & Municipal Government recommends passage.

Senator Sosnowski moves passage, seconded by Senators Tassoni, Felag, DeVall and Pichardo.

The act is read and passed, by unanimous consent, 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, 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, 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 Walaska 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 Sheehan announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator Lombardo announces that the Committee on Labor will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Lynch announces that the Committee on Special Legislation and Veteran's Affairs will meet today, at the rise of the Senate, in Room 211 of the State House.

ADJOURNMENT

Upon motion of Senator Goodwin, seconded by Senator Algieri, the Senate adjourns at 4:33 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR FRANK LOMBARDO III**

Father, we seek the guidance of your Holy Spirit in the business that is before us. In planning for the future, give us vision; in matters of finance, give us responsibility; in dealing with people, give us love. Where there is weakness, give us strength; where there is disagreement, give us tolerance; where there is misunderstanding, give us patience; where there is hurt, give us courage to forgive and the grace to accept forgiveness, As always let us learn from each other as each of us brings something unique to this chamber. Amen.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MARCH 22, 2011:****1. 2011-S 21 SUB A as amended****BY Tassoni****ENTITLED,** AN ACT RELATING TO TOWNS & CITIES -- RHODE ISLAND
COMPREHENSIVE PLANNING AND LAND USE ACT

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A as amended.

2. 2011-S 63**BY Fogarty P****ENTITLED,** AN ACT RELATING TO THE TOWN OF BURRILLVILLE -
VALIDATING AND RATIFYING AMENDMENTS TO HOME RULE
CHARTER

Committee on Housing & Municipal Government recommends passage.

3. 2011-S 112**BY Walaska****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - WARWICK
SEWER AUTHORITY

Committee on Housing & Municipal Government recommends passage.

4. 2011-S 159**BY Cote****ENTITLED,** AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO
TAXATION - WOONSOCKET

Committee on Housing & Municipal Government recommends passage.

Joseph R. Brady
Secretary of the Senate