

**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 first day of January in the year of Our Lord two thousand and thirteen.**

---

Volume 140, No.5

Wednesday, January 9, 2013

Fifth 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 4:25 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, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Metts, Miller, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

**ABSENT** – 2: Senators Doyle, Nesselbush.

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

The Senate Journal of the Fourth Legislative Day of the 2013 proceedings is read in part.

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

**GUESTS**

Upon suggestion of Senator Pearson and by unanimous consent, the Honorable President, welcomes to the Chamber Megan Hyland, Junior at Providence College visiting as part of the Providence College Shadowing Program. She is an economics/Spanish major who will be returning to the London School of Economics to finish her Junior year abroad.

**COMMUNICATION**

The Honorable President presents the following communication:

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

January 8, 2013

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

Dear President Paiva Weed:

I would like to inform you I will be unable to attend session on Wednesday January 9 and Thursday January 10, 2013. I will be out of town attending a legal conference.

Sincerely,

Donna M. Nesselbush  
Senator District, 15

Read and ordered to be placed on file.

**NEW BUSINESS****Senate Resolution No. 6**

**BY** Paiva Weed, Goodwin, DiPalma

**ENTITLED**, SENATE RESOLUTION EXPRESSING SINCERE CONDOLENCES ON THE  
PASSING OF JAMES A. GARVEY, III

{LC327/1}

Senator DiPalma requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

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

The resolution is read and passed, upon a rising 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 Goodwin announces that the Senate will meet on Wednesday, January 16, 2013, at 6:00 o'clock P.M. and follow to the House Chamber at 7:00 o'clock P.M. for the Governor's State of the State Budget Address.

Senator Fogarty announces that January 10<sup>th</sup>, 2013 marks the 100<sup>th</sup> birthday anniversary of the late Congressman John E. Fogarty. On January 10<sup>th</sup>, 2013 the John E. Fogarty Foundation is hosting a reception from 3:00-5:00 in the Stateroom at the State House.

**ADJOURNMENT**

Upon motion of Senator Goodwin, seconded by Senator Algieri, and upon suggestion of Senator DiPalma the Senate adjourns at 4:31 o'clock P.M. in memory of James A. Garvey, III

JOSEPH R. BRADY  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR HANNA M. GALLO**

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 all of our citizens. Amen.