

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.15

Thursday, January 31, 2013

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 4:18 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, Archambault, Bates, Ciccone, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Ruggerio, Satchell, Sheehan, Sosnowski, Walaska.

ABSENT – 1: Senator Metts.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Ottiano and by unanimous consent, the Honorable President, welcomes to the Chamber Detective Lieutenant John Dring from the Middletown Police Department.

COMMUNICATION

The Honorable President presents the following communication:

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

January 24, 2013

The 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 out of state next week on family matters and I will be absent from the Senate Sessions on January 29, 30 and 31, 2013.

Thank you for understanding.

Respectfully,

Harold M. Metts
Senator District 6

Read and ordered to be placed on file.

NEW BUSINESS**Senate Resolution No. 160**

BY DiPalma, Ruggerio, Paiva Weed, Goodwin, McCaffrey

ENTITLED, SENATE RESOLUTION PROCLAIMING JANUARY 31, 2013, AS "RHODE ISLAND CATHOLIC SCHOOLS DAY" IN THE STATE OF RHODE ISLAND

{LC672/1}

Senator DiPalma requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DiPalma moves passage, seconded by Senators McCaffrey and Walaska.

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

GUESTS

Upon suggestion of Senator DiPalma and by unanimous consent, the Honorable President, welcomes to the Chamber Allyson Walsh, Immaculate Conception Catholic School, Bridget Bernardo, Monsignor Mathew F. Clarke Catholic Regional School, Zachary Mitsmenn, Saint Raphael Academy and Dara Starring from LaSalle Academy.

NEW BUSINESS**Senate Resolution No. 161****BY** Crowley**ENTITLED**, SENATE RESOLUTION RECOGNIZING FEBRUARY 1, 2013, AS "NATIONAL WEAR RED DAY" IN THE STATE OF RHODE ISLAND
{LC892/1}

Senator Crowley requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Crowley moves passage, seconded by Senators Gallo, Lynch, Cool Rumsey, Goldin, Nesselbush and Goodwin.

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

Also:

Senate Resolution No. 162**BY** Felag, Bates, Ottiano, Ciccone, Archambault**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE MORPHIS A. JAMIEL
{LC897/1}

Senator Felag requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Felag moves passage, seconded by Senators Bates, Ruggerio and Algieri.

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

Also:

Senate Bill No. 163

BY Paiva Weed

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

{LC743/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Bill No. 164

BY Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

{LC806/1}

Read and ordered to the Committee on Judiciary.

Also:

Senate Resolution No. 165

BY Pearson, O'Neill

ENTITLED, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF JEANNETTE M. BARRY

{LC742/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 166

BY Algieri

ENTITLED, SENATE RESOLUTION HONORING TIMOTHY RYAN ON THE OCCASION OF HIS RETIREMENT FROM THE WESTERLY SUN AND DESIGNATING MARCH 22ND OF 2013 TO BE "TIM RYAN DAY" IN THE TOWN OF WESTERLY, RHODE ISLAND

{LC852/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 167

BY Algieri

ENTITLED, SENATE RESOLUTION CONGRATULATING JOHN STELLITANO FOR BEING INDUCTED INTO THE CLASS OF 2013 RHODE ISLAND INTERSCHOLASTIC LEAGUE HIGH SCHOOL ATHLETIC HALL OF FAME

{LC613/1}

Read and ordered to be placed on the Consent Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

1. 2013-S 158

BY Cote

ENTITLED, SENATE RESOLUTION REAFFIRMING THE FRIENDSHIP BETWEEN THE STATE OF RHODE ISLAND AND THE REPUBLIC OF CHINA (TAIWAN), STRENGTHENING BILATERAL TRADE RELATIONS, AND SUPPORTING TAIWAN'S PARTICIPATION IN INTERNATIONAL ORGANIZATIONS

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 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: The Honorable President Paiva Weed and Senators Algieri, Archambault, Bates, Conley, Cool Rumsey, Cote, Crowley, DaPonte, DiPalma, Doyle, Felag, Fogarty, Gallo, Goldin, Goodwin, Hodgson, Jabour, Kettle, Lombardi, Lombardo, Lynch, McCaffrey, Miller, Nesselbush, O'Neill, Ottiano, Pearson, Picard, Pichardo, Raptakis, Satchell, Sheehan, Sosnowski, 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

Senators Archambault and Fogarty introduce former State Senator John J. Tassoni, Jr.

Senator Jabour announces that the Committee on Judiciary will meet next Tuesday, February 5, at the rise of the Senate, in Room 313 of the State House.

Senator DiPalma announces that the Catholic School Day Reception will be held at the rise in the State Room of the State House.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Algieri and upon suggestion of Senator Felag the Senate adjourns at 4:34 o'clock P.M. in memory of the Honorable Morphis A. Jamiel.

JOSEPH R. BRADY
Secretary of the Senate

Appendix

INVOCATION

SENATOR NICHOLAS D. KETTLE

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 TUESDAY, FEBRUARY 05, 2013:

- 1. 2013-S 165**
BY Pearson
ENTITLED, SENATE RESOLUTION EXPRESSING DEEPEST CONDOLENCES ON THE PASSING OF JEANNETTE M. BARRY

Ordered on the Consent Calendar.

- 2. 2013-S 166**
BY Algieri
ENTITLED, SENATE RESOLUTION HONORING TIMOTHY RYAN ON THE OCCASION OF HIS RETIREMENT FROM THE WESTERLY SUN AND DESIGNATING MARCH 22ND OF 2013 TO BE "TIM RYAN DAY" IN THE TOWN OF WESTERLY, RHODE ISLAND

Ordered on the Consent Calendar.

- 3. 2013-S 167**
BY Algieri
ENTITLED, SENATE RESOLUTION CONGRATULATING JOHN STELLITANO FOR BEING INDUCTED INTO THE CLASS OF 2013 RHODE ISLAND INTERSCHOLASTIC LEAGUE HIGH SCHOOL ATHLETIC HALL OF FAME

Ordered on the Consent Calendar.

Appendix

CALENDAR

IN ORDER FOR TUESDAY, FEBRUARY 05, 2013:

- 1. 2013-S 19 SUB A**
BY DaPonte
ENTITLED, AN ACT RELATING TO PUBLIC FINANCE - PUBLIC CORPORATION DEBT MANAGEMENT

Committee on Finance recommends indefinite postponement of the original bill and passage of Substitute A.

- 2. 2013-S 25 SUB A**
BY Raptakis
ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - TAXATION OF BEVERAGES

Committee on Finance recommends indefinite postponement of the original bill and passage of Substitute A.