

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 third day of January in the year of Our Lord two thousand and twelve.

Volume 139, No.17

Thursday, February 9, 2012

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 4:34 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, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Kettle, Lanzi, Lombardo, Lynch, McCaffrey, Metts, Miller, Moura Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

ABSENT – 2: Senators Hodgson, Maher.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senator Crowley and by unanimous consent, the Honorable President, welcomes to the Chamber Marie Twohey, Central Falls City Clerk.

COMMUNICATIONS

The Honorable President presents the following communications:

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

February 9, 2012

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 absent from the Senate session on Thursday, February 9, 2012 due to illness. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

Dawson T. Hodgson
DEPUTY MINORITY LEADER

Read and ordered to be placed on file.

Also:

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

February 9, 2012

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 absent from the Senate session on Thursday, February 9, 2012 due to a serious family illness. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you.

Sincerely,

Francis T. Maher, Jr.
SENIOR DEPUTY MINORITY LEADER

Read and ordered to be placed on file.

NEW BUSINESS

Senate Resolution No. 2348**BY** Pichardo, Tassoni, Pinga, Jabour**ENTITLED**, SENATE RESOLUTION COMMEMORATING FEBRUARY 11, 2012, AS "UNITED WAY 2-1-1 DAY" IN THE STATE OF RHODE ISLAND {LC1122/1}

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senators Metts, Pinga and DeVall.

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

Senator Lanzi abstains from the voice vote.

Senate Bill No. 2349

(Secretary of State)

BY Jabour, Miller**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT {LC1174/1}

Read and ordered to the Committee on Corporations

Senate Bill No. 2350

(Secretary of State)

BY Lanzi, Miller, DiPalma, Tassoni, Sosnowski**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS {LC1176/1}

Read and ordered to the Committee on Corporations

Senate Bill No. 2351

(Secretary of State)

BY Bates, Miller**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- RHODE ISLAND NONPROFIT CORPORATION ACT {LC1167/1}

Read and ordered to the Committee on Corporations

Senate Bill No. 2352

(Secretary of State)

BY Lanzi, Miller, DiPalma, Tassoni, Sosnowski**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- PARTNERSHIPS—FILING {LC1169/1}

Read and ordered to the Committee on Corporations

Senate Bill No. 2353

(Secretary of State)

BY Gallo, Miller**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - LIMITED PARTNERSHIPS {LC1171/1}

Read and ordered to the Committee on Corporations

Senate Bill No. 2354

(Secretary of State)

BY Picard, Miller**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT {LC1168/1}

Read and ordered to the Committee on Corporations

IMMEDIATE CONSIDERATION

Senator Sheehan asks to remove Senate Bill 2244 from the Calendar for Tuesday, February 14, 2012 and placed for immediate consideration.

Senate Bill No. 2244

(by request)

BY Sheehan, Hodgson**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE REPLACEMENTS AND RENOVATIONS AND RELATED EQUIPMENT FOR THE DAVISVILLE MIDDLE SCHOOL AND THE FISHING COVE, HAMILTON, QUIDNESSET AND STONY LANE ELEMENTARY SCHOOLS AND TO ISSUE NOT MORE THAN \$6,465,000 BONDS AND NOTES THEREFOR {LC831/1}

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sheehan moves passage, seconded by Senators Sosnowski, DaPonte and DiPalma.

Senator DaPonte discusses the act.

The act is read and passed, by unanimous consent, 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, Bates, Ciccone, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Kettle, Lombardo, Lynch, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

FROM THE HOUSE OF REPRESENTATIVES

A message from the House of Representatives transmits with announcement of passage, of the following measure:

House Bill No. 7236

(By Request)

BY Costa, Ehrhardt, Lally

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE REPLACEMENTS AND RENOVATIONS AND RELATED EQUIPMENT FOR THE DAVISVILLE MIDDLE SCHOOL AND THE FISHING COVE, HAMILTON, QUIDNESSET AND STONY LANE ELEMENTARY SCHOOLS AND TO ISSUE NOT MORE THAN \$6,465,000 BONDS AND NOTES THEREFOR {LC830/1}

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senator Sheehan.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Paiva Weed and Senators Algieri, Bates, Cote, Crowley, DaPonte, DeVall, DiPalma, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Kettle, Lombardo, Lynch, McCaffrey, Metts, Miller, Moura, Nesselbush, O'Neill, Ottiano, Perry, Picard, Pichardo, Pinga, Ruggerio, Sheehan, Shibley, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR**IN ORDER FOR THURSDAY, FEBRUARY 09, 2012:****1. 2012-S 2210****BY O'Neill****ENTITLED, AN ACT RELATING TO THE TOWN OF NORTH PROVIDENCE**

Committee on Housing & Municipal Government recommends passage.

Upon suggestion of Senator O'Neill and without objection, seconded by Senators Ruggerio and Ciccone and without objection, ordered to be recommitted to the committee on Housing and Municipal Government.

GUESTS

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber members from Aging Disability Resource Center, Point Manager, Marylouise Gamache, Point Regional Coordinator for Cranston and Scituate, Jay Burdick. Also from State Health Insurance, Marlene Moore Senior Medicare Patrol Regional Coordinator for Providence and Seileak Huoth Resources Coordinator.

Upon suggestion of Senator Bates, Lombardo and Walaska and by unanimous consent, the Honorable President, welcomes to the Chamber Mayor Joseph M. Polisena former state senator from Johnston.

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber members Lic. Jose Pimentel, UN Ambassador of Dominican Republic.

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.

(See Appendix for List)

ANNOUNCEMENTS

Senator Crowley announces she is sponsoring her third annual "Soup for Supper" food drive Friday to collect food and raise money for local food pantries. The event is scheduled Friday, February 10, 2012 from 5 P.M. to 8 P.M. at the Knights of Columbus Hall in Central Falls.

Senator Felag announces that the Committee on Finance will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Felag announces that the Committee on Finance will meet next Wednesday, February 15, 2012, at 2:00 o'clock P.M, in Room 211 of the State House.

Senator Pinga announces that the Committee on Government Oversight will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator DeVall announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in Room 310 of the State House.

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

Senator Gallo announces that on Tuesday, February 14th, 2012, from 4:30 P.M.- 5:00 P.M. the senate will have a briefing on Kindergarten Education.

ADJOURNMENT

Upon motion of Senator Goodwin seconded by Senator Ruggerio the Senate adjourns at 4:53 o'clock P.M.

JOSEPH R. BRADY
Secretary of the Senate

Appendix**INVOCATION****SENATOR MARC A. COTE**

Almighty God, we ask that you aid us in putting forth our best efforts as leaders of our State, as we attempt to make Rhode Island a better place for our people to live. Amen.

Appendix

BILLS TRANSMITTED TO THE GOVERNOR

House Bill No. 7236

(By Request)

BY Costa, Ehrhardt, Lally

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE REPLACEMENTS AND RENOVATIONS AND RELATED EQUIPMENT FOR THE DAVISVILLE MIDDLE SCHOOL AND THE FISHING COVE, HAMILTON, QUIDNESSET AND STONY LANE ELEMENTARY SCHOOLS AND TO ISSUE NOT MORE THAN \$6,465,000 BONDS AND NOTES THEREFOR {LC830/1}