

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 five.

Volume 132, No. 3

Tuesday, January 11, 2005

Third Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:13 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT – 35: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 3: Senators Breene, Gallo, Lenihan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, January 5, 2005 proceedings is read in part.

Upon suggestion of Senator Algieri, 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:

January 11, 2005

The Honorable Joseph A. Montalbano
President of the Senate
318 State House
Providence, RI 02903

Dear Mr. President:

Please be advised and let the record reflect that I will be absent from the chamber on Tuesday, January 11, 2005.

I would appreciate your recording my letter in the appropriate Senate Journal.

Thanks you for your attention to this matter.

Sincerely,

Senator J. Michael Lenihan
Senate District 35

APPOINTMENTS BY THE GOVERNOR

The Honorable President presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

January 4, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-6-3 of the Rhode Island General Laws, I have made the following appointment as Director of the Department of Business Regulation:

A. Michael Marques of Coventry

VICE

Marilyn Shannon McConaghy

To this appointment, I respectfully request your advice and consent.

Sincerely,

Donald L. Carcieri
Governor

Read and referred to the committee on Financial Services and Regulatory Issues.

Also:

January 3, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-1-3 of the Rhode Island General Laws, I have made the following reappointment to the board of Registration and Examination of Architects:

James R. Carlson of Foster

For a term expiring April 1, 2009

To this reappointment, I respectfully request your advice and consent.

Sincerely,

Donald L. Carcieri
Governor

Read and referred to the committee on Commerce, Housing and Municipal Government.

Also:

January 3, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-1-3 of the Rhode Island General Laws, I have made the following reappointment to the board of Registration and Examination of Architects:

Dana Newbrook of Cumberland

For a term expiring April 1, 2009

To this reappointment, I respectfully request your advice and consent.

Sincerely,

Donald L. Carcieri
Governor

Read and referred to the committee on Commerce, Housing and Municipal Government.

Also:

January 3, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-1-3 of the Rhode Island General Laws, I have made the following reappointment to the board of Registration and Examination of Architects:

Wilbur E. Yoder, AIA, PE of East Greenwich

VICE
Andrew Yates

For a term expiring April 1, 2009

To this reappointment, I respectfully request your advice and consent.

Sincerely,

Donald L. Carcieri
Governor

Read and referred to the committee on Commerce, Housing and Municipal Government.

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No.5000**BY** Fox**ENTITLED**, JOINT RESOLUTION OF ADJOURNMENT

Ordered to be placed on desk.

Also:

House Resolution No.5002**BY** Fox, Watson**ENTITLED**, JOINT RESOLUTION OF ADJOURNMENT

Senator Ruggerio requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ruggerio moves passage, seconded by Senators Paiva Weed and Algieri.

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

NEW BUSINESS**Senate Resolution No.23****BY** Senator Blais**ENTITLED**, SENATE RESOLUTION CONGRATULATING MICHAEL C. LEWIS ON ATTAINING THE RANK OF EAGLE SCOUT

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 24

BY Senator Blais

ENTITLED, SENATE RESOLUTION CONGRATULATING MICHAEL P. HIGGINS ON ATTAINING THE RANK OF EAGLE SCOUT

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 25

BY Senator Blais

ENTITLED, SENATE RESOLUTION CONGRATULATING CHRISTOPHER MARQUIS ON ATTAINING THE RANK OF EAGLE SCOUT

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 26

BY Senator Blais

ENTITLED, SENATE RESOLUTION CONGRATULATING JUSTIN CHAFFEE-STANDISH ON ATTAINING THE RANK OF EAGLE SCOUT

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by the entire Senate.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senate Majority Leader Paiva Weed, seconded by Senator Algieri, the following measure on today's Consent Calendar, by unanimous consent, is read and passed, upon a voice vote:

1. 2005-S 10**BY Algieri****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CROSS'S MILLS'S VOL. FIRE DEPT.**ANNOUNCEMENTS**

Senator Connors announces that the Committee on Rules will meet on Thursday January 13, 2005, at 4:00 o'clock P.M. in Room 313 of the State House.

TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:22 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR DENNIS L. ALGIERE

Almighty and Most Merciful Father, We ask you that you send down your strength in order for these men and woman to better serve this state and the constituents which whom they represent. We also ask for your continued guidance all the days of this Legislative Session. Amen.