

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 six.

Volume 133, No. 10

Thursday, February 2, 2006

Tenth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:11 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT – 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPOINTMENTS

The Honorable President presents the following communication transmitting the following appointment:

SUPREME COURT OF RHODE ISLAND

January 31, 2006

The Honorable Joseph A. Montalbano
Senate President
State House Room 317
Providence, Rhode Island 02903

RE: Appointment of Pamela Woodcock Pfeiffer as Clerk of Rhode Island Supreme Court

Dear President Montalbano:

Pursuant to the provisions of Rhode Island General Laws Section 8-4-2, I am hereby appointing Pamela Woodcock Pfeiffer, Esq. To a five (5) year term as clerk of the Rhode Island Supreme Court effective April 1, 2006, subject to confirmation by the Senate. Ms. Pfeiffer is currently completing the balance of the term formerly held by Mr. Brian Burns, which term expires on April 1, 2006.

Should you require any information regarding Ms. Pfeiffer's credentials, I would be happy to provide them. I appreciate your assistance and the cooperation of the Senate in this matter.

Yours sincerely,
Frank J. Williams
Chief Justice

Read and referred to the Committee on Judiciary.

REPORTS OF COMMITTEES

COMMITTEE ON COMMERCE, HOUSING AND MUNICIPAL GOVERNMENT

Senator Caprio, from the Committee on Commerce, Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

Senate Bill No. 2010

BY Senator Algieri

ENTITLED, AN ACT RELATING TO TAXATION (authorize the town council of Westerly to increase the tax exemptions)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2012

BY Senator Gibbs

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- EXEMPTING FROM TAXATION CERTAIN PROPERTY OF THE MIDDLETOWN HISTORICAL SOCIETY INC. (town of Middletown to grant retroactive tax exemptions back to December 31, 2003 to any property owned or leased by the Middletown Historical Society, Inc.)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2119

BY Senators Tassoni, Cote, Fogarty P

ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION (North Smithfield, sixty-five or older)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2192

BY Senators Montalbano J, Connors

ENTITLED, AN ACT IN AMENDMENT OF THE ACT, PASSED AT THE JANUARY SESSION, A.D. 1948, ENTITLED "AN ACT TO INCORPORATE THE LIME ROCK FIRE DISTRICT IN THE TOWN OF LINCOLN," AS AMENDED (increase the borrowing limit of the Lime Rock Fire District).

Read and ordered to be placed on the Calendar

NEW BUSINESS

Senate Resolution No. 2253

BY Senator Pichardo

ENTITLED, SENATE RESOLUTION CONGRATULATING SHARON DARLING FOR HER LEADERSHIP IN THE FIELD OF FAMILY LITERACY.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 2254

BY Senators Metts, Pichardo, Levesque C, Paiva-Weed, Perry
ENTITLED, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE
PASSING OF CORETTA SCOTT KING.

Senator Metts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Metts moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 2255

BY Senator Blais
ENTITLED, SENATE RESOLUTION CONGRATULATING NATHAN P. LUCHKA 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. 2256

BY Senator Blais
ENTITLED, SENATE RESOLUTION CONGRATULATING JAMES MURRAY THOMPSON IV
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. 2257**BY** Senators Pichardo, Ciccone, Ruggerio, Algieri**ENTITLED**, JOINT RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL LEGISLATIVE COMMISSION TO STUDY PREDATORY MORTGAGE LENDING PRACTICES.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by Senator Metts.

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

Also:

Senate Resolution No. 2258**BY** Senators Goodwin, Ruggerio, McCaffrey, Alves, McBurney**ENTITLED**, SENATE RESOLUTION RELATING TO THE STATE BUDGET.

Senator Blais requests unanimous consent for immediate consideration.

Senate Algieri objects to immediate consideration.

The resolution is read and referred to the Senate Committee on Finance

Also:

Senate Resolution No. 2259**BY** Senators Perry, Roberts, Gibbs, Lanzi, Gallo**ENTITLED**, SENATE RESOLUTION PROCLAIMING FEBRUARY 3, 2006 TO BE "GO RED FOR WOMEN" DAY IN THE STATE OF RHODE ISLAND

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 2260

BY Senators Raptakis, Paiva-Weed, Felag, Gibbs, Sosnowski

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR OF THE STATE OF RHODE ISLAND TO ENTER INTO A MEMORANDUM OF AGREEMENT ON BEHALF OF THE STATE THAT ADDRESSES THE SAFETY AND SECURITY OF THE LIQUEFIED NATURAL GAS TERMINAL LOCATED IN FALL RIVER, MASSACHUSETTS.

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Bill No. 2261

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO ANIMALS (misdemeanor to permanently release a domesticated, diseased or non-indigenous animal in a park, circus, zoo or other such facility).

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Resolution No. 2262

BY Senators Lenihan, Raptakis, Blais, Breene, Walaska

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY ALL ASPECTS OF THE KENT COUNTY WATER AUTHORITY.

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Bill No. 2263

BY Senators Felag, Pichardo, Perry, Tassoni, Goodwin

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND HOUSING RESOURCES ACT OF 1998 (supportive services program which aids in the prevention of homelessness).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2264

BY Senator Cote

ENTITLED, AN ACT RELATING TO INSURANCE (create the High-Risk Health Insurance Pool Act).

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 2265**BY** Senators Tassoni, McBurney, Doyle**ENTITLED**, AN ACT RELATING TO FIDUCIARIES (Uniform Principal and Income Act).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Resolution No. 2266**BY** Senators Lenihan, Cote, Sheehan**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENTS TO THE CONSTITUTION OF THE STATE (ENFORCEMENT).

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Bill No. 2267**BY** Senators Bates, Blais, Breene, Gibbs, Damiani**ENTITLED**, AN ACT RELATING TO PROPERTY - BY POSSESSION AND PRESCRIPTION (increase the time period to acquire title to real property by adverse possession from ten years to twenty years)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2268**BY** Senator Lenihan**ENTITLED**, AN ACT RELATING TO PUBLIC RECORDS -- ACCESS (modify the definition of public records in the open records law).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2269**BY** Senators Polisena, Damiani, McCaffrey, Sosnowski, Issa**ENTITLED**, AN ACT RELATING TO CIVIL RIGHTS OF PEOPLE WITH DISABILITIES (complaint with the governors commission on disabilities).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2270**BY** Senators Lenihan, Cote, Sosnowski, Sheehan**ENTITLED**, AN ACT RELATING TO PUBLIC RECORDS (access to public records law by expanding these circumstances).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2271**BY** Senator Lenihan**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2272**BY** Senators Levesque C, McCaffrey**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION (increase certain benefits, and create a special state fund for uninsured workers' compensation claims).

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 2273**BY** Senator Walaska**ENTITLED**, AN ACT RELATING TO REGULATION OF BOATS -- FLOTATION DEVICES (children thirteen (13) years or younger to wear personal flotation devices while aboard vessels sixty-five (65) feet or less that are underway. It would also exempt children while occupying an enclosed cabin or compartment).

Read and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

Senate Bill No. 2274**BY** Senators Paiva-Weed, Gibbs**ENTITLED**, AN ACT AUTHORIZING THE CITY OF NEWPORT TO FINANCE THE DESIGN, CONSTRUCTION, REPAIR, REHABILITATION AND IMPROVEMENT OF STREETS AND SIDEWALKS IN THE CITY, INCLUDING, BUT NOT LIMITED TO, TRAFFIC CONTROL DEVICES, LANDSCAPING AND CONSTRUCTION MANAGEMENT SERVICES, BY THE ISSUANCE OF NOT MORE THAN \$12,000,000 BONDS AND/OR NOTES THEREFOR.

Read and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

Senate Bill No. 2275

BY Senators Alves, Raptakis

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DISTRESSED AREAS ECONOMIC REVITALIZATION ACT (amend the criteria for enterprise zone designations for the town of West Warwick).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2276

BY Senators Perry, Alves, Gallo, Sosnowski, Paiva-Weed

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY (fund for the spaying and neutering of cats and dogs and would provide funds from contributions from a check-off on the Rhode Island personal income tax form).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2277

BY Senators Lenihan, Sheehan, Sosnowski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ENERGY FACILITY SITING ACT (public hearings before the energy siting board).

Read and referred to the Senate Committee on Financial, Technology and Regulatory Issues

Also:

Senate Bill No. 2278

BY Senator Caprio F

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- POWERS OF FIDUCIARIES ("total return unitrust").

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2279

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- JOINT TORTFEASOR RELEASES (simplify the settlement of complex, multi-party cases).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2280

BY Senators Lenihan, Cote, Sheehan

ENTITLED, AN ACT RELATING TO CAUSES OF ACTION (cause of action for violations of the Rhode Island constitution).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2281

BY Senators Blais, Polisena, Raptakis, Fogarty P, Damiani

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS (exempt certain persons including those issued protective orders from the weapons safety requirements of this chapter)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2282

BY Senators Blais, Polisena, Raptakis, Fogarty P, Damiani

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS (license or permit to carry a pistol or revolver)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2283

BY Senator McBurney

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - CREDIT REPORTS (authorize a person to place a security alert or a security freeze in their credit report when they believe they may be a victim of identity theft)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2284

BY Senators Alves, Raptakis

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES (West Warwick town council to pass a resolution/exempt a particular fire station from certain restrictions governing the parking and stopping of vehicles near the entrance to a fire station).

Introduced, referred to Jt. Committee on Highway Safety

Also:

Senate Bill No. 2285**BY** Senators Raptakis, Sheehan, Lenihan, Caprio F, Connors**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- RHODE ISLAND DEVELOPMENT IMPACT FEES (impact on education resulting from low and moderate income housing construction).

Read and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

Senate Bill No. 2286 (By Request)**BY** Senator Fogarty P**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOBILE AND MANUFACTURED HOMES (allow a park owner in a mobile or manufactured home park to place weight restrictions on the replacement of new pets).

Read and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

Senate Bill No. 2287**BY** Senator Alves**ENTITLED**, AN ACT RELATING TO TOURISM AND DEVELOPMENT (create a ninth regional tourism district, the Pawtuxet Valley district).

Read and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

Senate Bill No. 2288**BY** Senator Levesque C**ENTITLED**, AN ACT RELATING TO REGISTRATION OF VEHICLES - VETERANS' PLATES (awarded the "Global War Expeditionary Medal" to apply for a "War Veteran", "Purple Heart" or "Ex-POW" plates).

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Bill No. 2289**BY** Senators Ciccone, Tassoni, Doyle, Badeau, Lanzi**ENTITLED**, AN ACT RELATING TO THE DEPARTMENT OF HEALTH (fragrance-free, less-toxic, and low volatile organic compound cleaning product, pest control, and indoor air and environmental quality policies).

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 2290

BY Senators Ciccone, Tassoni, Bates, Doyle, Badeau

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- HUNTING AND HUNTING SAFETY (clarify inconsistencies in hunting ordinances throughout the state by preemption).

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 2291

BY Senators Blais, Gibbs, Breene, Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY (amend the definitions section of the Toxic Packaging Reduction Act).

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 2292

BY Senators Raptakis, Sheehan, Lenihan, Cote, Caprio F

ENTITLED, AN ACT RELATING TO EDUCATION -- FOUNDATION LEVEL SCHOOL SUPPORT (determining local school aid).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2293

BY Senators Gallo, Walaska, Fogarty P, Ruggerio, Ciccone

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- PENSIONS (its pension contribution to obtain the pre-approval of the auditor general)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2294

BY Senators Tassoni, McBurney, Doyle

ENTITLED, AN ACT RELATING TO MEDICAL ASSISTANCE (provide for the eligibility requirements for medical assistance).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2295**BY** Senators Raptakis, Sheehan, Lenihan, Caprio F, Connors**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- STATE AID -- RHODE ISLAND DEVELOPMENT IMPACT FEES (housing bonus to school districts to offset increased education expenses).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2296**BY** Senator Caprio F**ENTITLED**, AN ACT RELATING TO FIDUCIARIES -- CHARITABLE TRUSTS (increase the maximum value of a charitable trust).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2297**BY** Senators Perry, Roberts, Gibbs, Bates, Sosnowski**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- SAFE ACCESS TO MEDICAL AND RELIGIOUS FACILITIES ACT (prohibit the obstruction of access to or exit from a health care facility).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2298**BY** Senators Blais, Breene, Damiani, Polisena, Walaska**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE -- PROHIBITING THE USE OF PUBLIC FUNDS FOR ABORTIONS (prohibit the use of public facilities, public employees and public funds for the purpose of performing, assisting or encouraging abortion)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Resolution No. 2299**BY** Senators Cote, Paiva-Weed, Algiere**ENTITLED**, SENATE RESOLUTION EXTENDING THE REPORTING DATE FOR PROPOSING A "REAL-TIME BILL TRACKING SYSTEM".

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Resolution No. 2300

BY Senators Issa, Perry, Polisena, Felag

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY EDUCATIONAL ALTERNATIVES FOR SCHOOL STUDENTS IMPACTED BY A VIRAL PANDEMIC.

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Bill No. 2301

BY Senators Tassoni, McBurney, Doyle

ENTITLED, AN ACT RELATING TO EDUCATION (buses/single gender schools).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2302

BY Senators Bates, Walaska, Cote, Caprio F

ENTITLED, AN ACT RELATING TO CASUALTY INSURANCE RATING (uniform safe driver point system).

Read and referred to the Senate Committee on Financial, Technology and Regulatory Issues

Also:

Senate Bill No. 2303

BY Senators Bates, Walaska, Cote, Caprio F

ENTITLED, AN ACT RELATING TO INSURANCE -- FEDERAL RIOT REINSURANCE REIMBURSEMENT FUND (expand basic property insurance).

Read and referred to the Senate Committee on Financial, Technology and Regulatory Issues

Also:

Senate Bill No. 2304

BY Senator Issa

ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE (meetings convened in the development of a district's strategic plan would be exempt from the provisions of section 42-46-6).

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 2305**BY** Senators Doyle, McBurney, Tassoni**ENTITLED**, AN ACT RELATING TO LICENSING OF HEALTH CARE FACILITIES (repeal minimum level compensated care).

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 2306**BY** Senators Lanzi, Ciccone, Tassoni, Connors, Ruggerio**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- FAIR MARKET DRUG PRICING (establish a state pharmaceutical assistance program/state would negotiate supplemental rebates or discounted prices from drug manufacturers).

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 2307**BY** Senator Cote**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTHCARE ACCESSIBILITY -- ASSURANCE (exclude from the definition of health plan those preferred provider plans that reimburse only on a discounted fee for service basis).

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 2308**BY** Senator Cote**ENTITLED**, AN ACT RELATING TO INSURANCE (simultaneous filing of rate change with the Insurance Advocacy Unit/delete the need for a hearing if the proposed rate increase exceeds the CPI for medical care for the prior calendar year).

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 2309**BY** Senator Levesque C**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- DECEPTIVE TRADE PRACTICES (complete defense in any action brought under this chapter).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2310

BY Senators Blais, Breene, Damiani

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- PERSONS ELIGIBLE TO MARRY (prohibit same sex marriages in the state and would prohibit the state from recognizing a relationship between persons of the same sex as a marriage)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2311

BY Senators Blais, Breene, Damiani, Polisena, Walaska

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RIGHT TO LIFE (that life is vested in each person at fertilization)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2312

BY Senator Issa

ENTITLED, AN ACT RELATING TO OPEN MEETINGS (items submitted in writing added).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2313

BY Senators Perry, Levesque C

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST (protocols/photo lineups)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2314

BY Senators Tassoni, Doyle, McBurney, Fogarty P, Lanzi

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS (carpenters).

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 2315**BY** Senators Revens, Walaska, McCaffrey**ENTITLED**, AN ACT RELATING TO LEVY AND ASSESSMENT OF LOCAL TAXES (allow for reduction of assessed value upon the removal of damaged buildings)

Read and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

Senate Resolution No. 2316**BY** Senators Gibbs, Blais, Perry**ENTITLED**, SENATE RESOLUTION RESPECTFULLY URGING THE PUBLIC UTILITIES COMMISSION TO DENY THE APPLICATION OF THE NATIONAL GRID TO INCREASE ELECTRIC UTILITY RATES

Read and referred to the Senate Committee on Constitutional and Gaming Issues

Also:

Senate Bill No. 2317**BY** Senators Sosnowski, Breene, Damiani, Revens, Gibbs**ENTITLED**, AN ACT RELATING TO SALES AND USE TAXES -- FARM STRUCTURES (exempt from state sales and use taxes materials used for the repair, alteration or extension of farm structures).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2318**BY** Senators Levesque C, Perry, Roberts, Gallo, Sosnowski**ENTITLED**, AN ACT RELATING TO THE FAMILY INDEPENDENCE ACT (allow a parent to receive child care assistance if they work at paid employment or attend an education or training program and work at least 25 hours per week).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2319**BY** Senators Walaska, Blais**ENTITLED**, AN ACT RELATING TO LICENSED ACTIVITIES - MORTGAGE ORGANIZATIONS (require loan originators to be licensed by the state in order to conduct business).

Read and referred to the Senate Committee on Financial, Technology and Regulatory Issues

Also:

Senate Bill No. 2320**BY** Senators Sosnowski, Gallo, Lanzi, Levesque C**ENTITLED**, AN ACT RELATING TO EDUCATION (limit the number of charters for charter schools which could be granted in a single school district).

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 2321**BY** Senators Levesque C, Roberts, Perry, Gallo, Sosnowski**ENTITLED**, AN ACT DOMESTIC VIOLENCE (batterer's intervention treatment program available to sentenced inmates while they are incarcerated)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2322**BY** Senators Levesque C, Pichardo, Metts**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - CORRECTIONS DEPARTMENT (establish regulations for the payment of prisoner phone calls at the Adult Correctional Institution (ACI)).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2323**BY** Senator Levesque C**ENTITLED**, AN ACT RELATING TO CRIMINAL PROCEDURE -- ESTABLISHING COMPENSATION FOR THOSE WRONGFULLY CONVICTED (innocent persons convicted of crimes and imprisoned can recover damages against the state by suing the office of the general treasurer in superior court).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2324**BY** Senator Perry**ENTITLED**, AN ACT RELATING TO MENTAL HEALTH, RETARDATION AND HOSPITALS -- INCOMPETENCY TO STAND TRIAL AND PERSONS ADJUDGED NOT GUILTY BY REASON OF INSANITY (mental health advocate to file petitions on behalf of mentally ill inmates held by the dept of corrections in order to have those inmates considered for transfer)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2325

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- THEFT, EMBEZZLEMENT, AND MISAPPROPRIATIONS (civil liability of an adult/emancipated minor to a merchant for larceny or attempted larceny to the value of the article).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2326

BY Senators Levesque C, Perry

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - JAILS AND PRISONS (allow a person to be incarcerated at the adult correctional institutions after the person has served his or her sentence of imprisonment for the nonpayment of his or her fine or costs)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2327

BY Senators Levesque C, Perry

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- GRAND JURIES (prosecutor in any grand jury proceeding to notify the grand jury of any exculpatory evidence)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2328

BY Senators Perry, Levesque C

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- ARREST (electronic recording of custodial interrogations in their entirety in cases where the potential sentence is one of life imprisonment)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2329

BY Senators Lanzi, Ciccone, Tassoni, Badeau, Connors

ENTITLED, AN ACT RELATING TO DAYS OF SPECIAL OBSERVANCE (month of November annually to be known as Lung Cancer Awareness Month).

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 2330

BY Senators Levesque C, Perry, Roberts, Gallo, Sosnowski

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES (public health access beneficiary employer report).

Read and referred to the Senate Committee on Health and Human Services

Also:

Senate Bill No. 2331

BY Senators Levesque C, DaPonte, Tassoni, Connors, Ciccone

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (procurement rules of an International trade Agreement).

Read and referred to the Senate Committee on Government Oversight

CALENDAR

IN ORDER FOR THURSDAY, FEBRUARY 2, 2006:

1 2006-S 2112

BY DaPonte

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES

Committee on Labor recommends passage.

Senator DaPonte moves passage, seconded by Senators Issa, Badeau, Connors, Metts, Pichardo, Goodwin, Perry, Doyle, Ruggerio, Paiva Weed, Levesque, Sheehan and many others.

Senators Issa, Felag, Raptakis, Metts and DaPonte discuss the act.

The act is read and passed, upon a roll call vote with 36 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais and Breene

2 2006-H 6718**BY Lima****ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES**

Committee on Labor recommends passage in concurrence.

Senator Badeau moves passage, seconded by Senators DaPonte, Ciccone, Metts, Pichardo, Damiani and many others.

The act is read and passed, in concurrence, upon a roll call vote with 35 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

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

NAYS- 2: Senators Blais and Breene.

ANNOUNCEMENTS

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 Sosnowski announces that the Committee on Environment and Agriculture will meet today, at the rise of the Senate Committee on Finance, in Room 211 of the State House.

TRANSMITTAL

By unanimous consent, all matters on the Secretary's desk, with the exception of (06-H6718) are ordered to be transmitted to His Excellency, the Governor, the Honorable Secretary of State, or to the Honorable House of Representatives forthwith.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Levesque, the Senate adjourns at 4:40 o'clock P.M. in memory of Coretta Scott King.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR V. SUSAN SOSNOWSKI

Almighty God, bless those who serve in this Senate. Inspire us with your truth, surround us with your love, and fill us with your grace. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, FEBRUARY 7, 2006:

1 2006-H 6708

BY Long

**ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF A. CAPUANO BROS. INC**

Ordered to be placed on the Consent Calendar

Raymond T. Hoyas, Jr.
Secretary of the Senate

Appendix**CALENDAR****IN ORDER FOR TUESDAY, FEBRUARY 7, 2006:**

- 1 Appointment of Lenette Boisselle of Tiverton to the Rhode Island Underground Storage Tank Review Board for a term expiring January 31, 2009.

Committee on Financial, Technology, Regulatory recommends that the Senate give its Advice and Consent to this appointment.

IN ORDER FOR THURSDAY, FEBRUARY 9, 2006:

- 1 **2006-S 2010**
BY Algieri
ENTITLED, AN ACT RELATING TO TAXATION

Committee on Commerce, Housing & Municipal Government recommends passage.

- 2 **2006-S 2012**
BY Gibbs
ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- EXEMPTING FROM TAXATION CERTAIN PROPERTY OF THE MIDDLETOWN HISTORICAL SOCIETY INC.

Committee on Commerce, Housing & Municipal Government recommends passage.

- 3 **2006-S 2119**
BY Tassoni
ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION

Committee on Commerce, Housing & Municipal Government recommends passage.

- 4 **2006-S 2192**
BY Montalbano J
ENTITLED, AN ACT IN AMENDMENT OF THE ACT, PASSED AT THE JANUARY SESSION, A.D. 1948, ENTITLED "AN ACT TO INCORPORATE THE LIME ROCK FIRE DISTRICT IN THE TOWN OF LINCOLN," AS AMENDED

Committee on Commerce, Housing & Municipal Government recommends passage.

Raymond T. Hoyas, Jr.
Secretary of the Senate