

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.35

Tuesday, May 2, 2006

Thirty-fifth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:15 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, 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 – 2: Senators Blais, Damiani.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Thirty-fourth Legislative Day of the 2006 proceedings is read in part.

Upon suggestion of Senator Bates, 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 communications:

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

May 1, 2006

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

Dear Senator Montalbano:

Please be advised and let the records show that I will be absent from Senate Session on Tuesday May 2, 2006, I will be in Boston on a medical appointment.

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

Thank you.

Sincerely,

Michael J. Damiani
State Senator District 18

Read and ordered to be placed on file.

Also:

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

May 2, 2006

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

Dear Mr. President:

Please be advised that I will be out of state on business and absent from the Senate Session on Tuesday, Wednesday and Thursday, May 2, 3 and 4, 2006. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

Leo R. Blais
DEPUTY PRESIDENT PRO TEMPORE

Read and ordered to be placed on file.

Also:

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

April 27, 2006

TO THE HONORABLE, THE SENATE:

Due to a clerical oversight, I am hereby requesting that the attached withdrawal of Richard Ribb replace the withdrawal that was submitted on March 29, 2006.

Mr. Ribb was inadvertently withdrawn from the Public Advisory Committee of the Rhode Island Bays, Rivers and Watersheds Coordination Team rather than the Chairmanship of the Rhode Island Bays, Rivers and Watersheds Coordination Team.

By virtue of this letter, Mr. Ribb shall remain as a member of the Public Advisory Committee of the Rhode Island Bays, Rivers and Watersheds Coordination Team.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

Also:

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

April 27, 2006

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing the April 12, 2005 appointment of Richard Ribb as Chairman of the Rhode Island Bays, Rivers, and Watersheds Coordination Team.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE

May 2, 2006

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing, without prejudice, the April 14, 2005 appointment of Frank Messina to the Rhode Island Public Transit Authority.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE

May 1, 2006

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing, without prejudice, the March 7, 2005 appointment of William G. Foulkes to the Rhode Island Public Telecommunications Authority.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

APPOINTMENTS

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

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
JUDICIAL DEPARTMENT
DISTRICT COURT**

To the Honorable THE SENATE:

Pursuant to the authority vested in me by Gen. Laws 1956 (Reenactment of 1997, as amended) 8-8-15, I hereby appoint Mr. Kevin M. Spina of Smithfield to the position of Chief Clerk of the District Court vice Mr. Jerome Smith

To this appointment I respectfully request advice and consent of the Honorable Senate.

Dated at Providence on this 26th day of April, 2006.

Respectfully Submitted,

Albert E. DeRobbio
Chief Judge
R.I. District Court

Read and referred to the Committee on Judiciary.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
JUDICIAL DEPARTMENT
DISTRICT COURT**

To the Honorable THE SENATE:

Pursuant to the authority vested in me by Gen. Laws 1956 (Reenactment of 1997) 8-8.2-1, I hereby assign William J. Trezvant of Portsmouth to the position of Magistrate of the Traffic Tribunal, filling the vacancy created by the resignation of Magistrate Auredina G. Veiga.

To this assignment I respectfully request advice and consent of the Honorable Senate.

Dated at Providence on this 26th day of April, 2006.

Respectfully Submitted,

Albert E. DeRobbio
Chief Judge
R.I. District Court

Read and referred to the Committee on Judiciary.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
JUDICIAL DEPARTMENT
DISTRICT COURT**

To the Honorable THE SENATE:

Pursuant to the authority vested in me by Gen. Laws 1956 (Reenactment of 1997) 8-8.2-1, I hereby assign Ralph T. Della Rosa of East Providence to the position of Magistrate of the Traffic Tribunal, filling the vacancy created by the retirement of Judge Marjorie R. Yashar.

To this assignment I respectfully request advice and consent of the Honorable Senate.

Dated at Providence on this 26th day of April, 2006.

Respectfully Submitted,

Albert E. DeRobbio
Chief Judge
R.I. District Court

Read and referred to the Committee on Judiciary.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 7104 as amended

BY Carter, Faria

ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS -- CONTRACTORS' REGISTRATION

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

Also:

House Bill No. 7854

BY Menard, Petrarca, McManus

ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION (permit the town of Lincoln to provide for a tax credit on real property located in Lincoln to any person who is one hundred percent disabled and unable to work as of the date of the tax assessment).

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

Also:

House Bill No. 6886 (by request)**BY** Pacheco**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- UNFAIR SALES PRICES (prevent the issuers of rebates from limiting their customer use to one per household)

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

Also:

House Bill No. 7392**BY** Gallison, Landroche, Sullivan, Carter, Slater**ENTITLED**, AN ACT RELATING TO THE NATIONAL GUARD (eliminate the requirement that commissioned officers in the National Guard be "residents of the state").

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

Also:

House Bill No. 7781**BY** Gallison, Rice**ENTITLED**, AN ACT RELATING TO TAXATION - PROPERTY SUBJECT TO TAXATION (authorize the town of Portsmouth to allow qualified elderly residents unable to pay the balance of their real property taxes to defer payment until the property is disposed of after the death of all the owners or by transfer or conveyance).

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

Also:

House Resolution No. 7779 SUB A**BY** Kennedy, Lewiss, Shanley, Lally, Lima**ENTITLED**, JOINT RESOLUTION IN OPPOSITION TO FEDERAL PREEMPTIVE INSURANCE REGULATORY MEASURES

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

Also:

House Bill No. 7605**BY** Carter, Gallison, Lally, Rose, Costantino**ENTITLED**, AN ACT RELATING TO DECORATIONS (allow the RI house medal of freedom to be awarded by the speaker of the house to a past or presently serving veteran, spouse or child of a veteran, or a citizen who has distinguished him or herself by heroism or meritorious service).

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

Also:

House Bill No. 8012**BY** Ajello, Savage, Melo**ENTITLED**, AN ACT RELATING TO EDUCATION (would amend the date the joint committee issues its report to no later than March 15, 2007).

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

Also:

House Bill No. 7754**BY** Landroche**ENTITLED**, AN ACT RELATING TO WASTEWATER TREATMENT PLANTS (change the expiration date to every odd year, and would require continuing education for renewal of the certification of wastewater treatment operations).

Read and referred to the Senate Committee on Environment and Agriculture

Also:

House Bill No. 7900**BY** Ginaitt, Kilmartin, Pacheco, Fox, Picard**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- GASOLINE SPECIFICATIONS.

Read and referred to the Senate Committee on Environment and Agriculture

Also:

House Bill No. 7604 SUB A**BY** Lally, Carter, McCauley, Shanley, Corvese**ENTITLED**, AN ACT RELATING TO VETERANS -- BURIAL OF VETERANS (provide that wherever possible a veteran's funeral should be accompanied by a bugler playing "Taps" live)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2717 SUB B (Administration)**BY** Senators Blais, Breene**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES (loan program for those state employees affected by the additional income tax liability due to the extension of health insurance coverage to a non-dependent domestic partner)

Read and referred to the Senate Committee on Finance

Also:

House Bill No. 7237 SUB A as amended

BY Palumbo, Corvese

ENTITLED, AN ACT RELATING TO PROPERTY -- REVERSE MORTGAGES (amend the conditions upon which a reverse mortgage may be written)

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

Also:

House Bill No. 7103 SUB A as amended

BY Giannini, Moura, Petrarca, Brien T, Landroche

ENTITLED, AN ACT RELATING TO ORTHOTICS AND PROSTHETICS (licensure of orthotists and prosthetists/provide penalties for unauthorized practices in order to regulate the practices and protect the public)

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

Also:

House Bill No. 7955 SUB A

BY Jackson, Rice, Crowley

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - FORT ADAMS FOUNDATION (change the organization of the Fort Adams foundation and clarify its powers)

Read and referred to the Senate Committee on Government Oversight

Also:

House Bill No. 7597

BY Jackson, Lewiss, Scott

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- PROBATE CONFLICT OF INTEREST (doctrine of virtual representation).

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7531 as amended

BY Lewiss, Corvese, Kennedy, Pacheco, Church

ENTITLED, AN ACT RELATING TO ELECTIONS -- PRIMARIES (amend several sections of the primary election laws by placing some of the duties of the clerk at the polls with the bipartisan pair of poll supervisors).

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7601 (Attorney General)**BY** Jackson, Sullivan, Church, Moran, Gallison**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (change the jurisdiction of section 11-9-5.3, "Brendan's Law," to the Superior Court).

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7287 SUB A as amended**BY** Ajello, Coderre E, Slater, Williams, Dennigan**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - CORRECTIONS DEPARTMENT

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7431 SUB A**BY** Giannini, Rose, McNamara, Wasylyk, Petrarca**ENTITLED**, AN ACT RELATING TO TRESPASS AND VANDALISM (offense to use graffiti in any way on any private residence, office, business or commercial property)

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7594**BY** Jackson, Lewiss, Scott**ENTITLED**, AN ACT RELATING TO TRUSTS AND FIDUCIARIES ("total return unitrust,").

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7598**BY** Jackson, Lewiss, Scott**ENTITLED**, AN ACT RELATING TO COURTS -- TEMPORARY CUSTODIANS (clarify the probate court's discretion in ordering the sale of real or personal property under the control of a temporary custodian appointed by the probate court).

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7530**BY** Lewiss, Kennedy, Jackson, Crowley, McNamara**ENTITLED**, AN ACT RELATING TO ELECTIONS - VOTING (allow election officials to combine voting districts in certain circumstances which would result in cost savings).

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6720**BY** Kennedy, Ucci, Moran, Gallison**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- DECEPTIVE TRADE PRACTICES (cannot advertise the price of the item after the rebate has been deducted from the item's price unless the amount of the manufacturer's rebate is provided)

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6869**BY** Rice, Ajello, Diaz**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE (allow a lawyer, or law firm, to share a statutory, or tribunal-approved fee award, with an organization that is not for profit and is tax-exempt under federal law)

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6866**BY** Corvese**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- THEFT OF MOTOR FUEL (stealing of motor fuel from a retail dealer a larceny and punishable as a felony or misdemeanor depending upon the retail value of the fuel taken)

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7479**BY** Gorham, Mumford**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SNOWMOBILES AND RECREATIONAL VEHICLES (increase the fine for the operation of a snowmobile or recreational vehicle without permission)

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 6838 as amended**BY** Kennedy, Lewiss, Lally, Shanley, Coderre E**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- ELECTRONIC MAIL FRAUD (create a chapter in the general laws to provide protection to consumers from electronic mail fraud)

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7719**BY** Giannini, Williams, Fox, Melo, Ucci**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES (prohibit the practice of human sex trafficking of minors for the purposes of sexual activity and/or prostitution/also prohibit the practice of human trafficking for the purposes of forced labor and/or prostitution).

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7321**BY** Gallison, Anguilla, Lewiss, San Bento, Corvese**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - OPEN MEETINGS (hold juvenile hearing boards exempt from the requirements of the open meetings laws).

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7023**BY** Lima, Jacquard, Petrarca, Naughton, Anguilla**ENTITLED**, AN ACT RELATING TO DECEPTIVE TRADE PRACTICES -- MODEL FAIR CONSUMER CONTRACTS ACT (repeal exemptions to the Deceptive Trade Practices Act/create the Model Fair Consumer Contracts Act)

Read and referred to the Senate Committee on Judiciary

Also:

House Bill No. 7946**BY** Gallison**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Susan Robinson and Edward Trucchi).

Read and ordered to be placed on the Senate Consent Calendar.

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. 3023

BY Senators Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$700,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2043

BY Senators Fogarty P, Breene, Tassoni, Gallo, Walaska

ENTITLED, AN ACT RELATING TO PROPERTY -- TAX CLASSIFICATION IN THE WEST GLOCESTER FIRE DISTRICT (property tax classification)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3024

BY Senators Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2461 SUB A

BY Senators Tassoni, Walaska, Blais

ENTITLED, AN ACT RELATING TO REAL PROPERTY -- RESTRICTIONS

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3021

BY Senators Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2986

BY Senator Gibbs

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- AUTHORIZING THE TOWN OF MIDDLETOWN TO CONSTRUCT AND MAINTAIN A STORMWATER CONTROL SYSTEM (Middletown to construct and maintain a stormwater control system.).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3020

BY Senators Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3022 as amended

BY Senators Doyle, McBurney, Issa, DaPonte

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND RECONSTRUCTION AND EQUIPPING OF PUBLIC RECREATION FACILITIES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$600,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2987**BY** Senator Tassoni**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$5,000,000 GENERAL OBLIGATION BONDS OR NOTES FOR ROAD REPAIR AND RECONSTRUCTION.

Senator Tassoni requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Tassoni moves passage, seconded by Senators Doyle and Caprio.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 2976**BY** Senator Tassoni**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$1,000,000 GENERAL OBLIGATION BONDS OR NOTES FOR LAND ACQUISITION.

Senator Tassoni requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Tassoni moves passage, seconded by Senator Caprio.

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

NAYS- 0:

COMMITTEE ON GOVERNMENT OVERSIGHT

Senator Lenihan, from the Committee on Government Oversight, reports back, with recommendation of passage of the following measures:

Senate Bill No. 2094 SUB A

BY Senators Lanzi, Ciccone, Badeau, Pichardo, Damiani

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- GOVERNMENT OVERSIGHT AND FISCAL ACCOUNTABILITY REVIEW ACT

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2139 as amended

BY Senators Lenihan, Blais, Paiva-Weed

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (related to financial functions of the state)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2331 SUB A

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 ordered to be placed on the Calendar

Also:

Senate Bill No. 2357 SUB A

BY Senators Ciccone, Connors, Lanzi, Pichardo, DaPonte

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY (senate committee on government oversight be empowered to conduct evaluations and reviews of all consulting contracts entered into by and/or on behalf of the state)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2744 (Transportation)

BY Senator Breene

ENTITLED, AN ACT RELATING TO EXCISE ON MOTOR VEHICLES AND TRAILERS

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6889 SUB B

BY Coderre E, Crowley, Gemma, Gallison, Lima

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION (extensive technical changes to the laws relating to the RI resource recovery corporation in order to bring it into compliance with the separation of powers as well as providing detailed annual reporting requirements for the corporation)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7389 SUB A

BY Caprio D, Lally, Coderre E, McHugh, Gemma

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- ADVISORY COMMISSION ON HISTORICAL CEMETERIES

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7440 as amended

BY Coderre E, Almeida, Jackson, Gemma, Lima

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from the state crime laboratory commission).

Read and ordered to be placed on the Calendar.

Senate Bill No. 2826 SUB A

BY Senators Connors, Lenihan, Paiva-Weed

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation of passage of the following measures:

Senate Bill No. 2812 (by request)

BY Senators Tassoni, Doyle

ENTITLED, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTIONS (establish a deadline for delivery of election materials to the board of elections).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2451

BY Senators Sosnowski, Roberts, Lenihan, Perry

ENTITLED, AN ACT RELATING TO OPERATORS' LICENSES -- MOBILE TELEPHONE USE PROHIBITED (prohibits drivers under the age of 18 to use cellular phones while operating a motor vehicle on the highway).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2419 SUB A

BY Senators Paiva-Weed, Goodwin, McCaffrey, Gallo, Perry

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS {LC1791/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2879

BY Senators Ciccone, Lanzi, Connors, Polisena, Ruggerio

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS (authorize the use of electronic communication or telephone communications as reasonable accommodation for a member of a public body who has a disability).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2909

BY Senator Alves

ENTITLED, AN ACT RELATING TO INSURANCE (action for injuries).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2396

BY Senators Polisena, Damiani

ENTITLED, AN ACT RELATING TO CORRECTIONS DEPARTMENT (prohibit the transfer or delegation of custody, supervision of persons detained).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2970**BY** Senator McCaffrey**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES (extend the expiration date for the collection of a fee assessed for a conviction for driving under the influence from 2006 to 2010.).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2212 SUB A**BY** Senators Raptakis, Sheehan, Walaska, Damiani, Polisena**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN {LC110/1/A}

Read and ordered to be placed on the Calendar

NEW BUSINESS**Senate Bill No. 3064****BY** Senator Goodwin**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- FAMILY INDEPENDENCE ACT (raise the permitted gross earnings per month and assure that at periodic determinations of continuing eligibility for cash assistance there is a simultaneous review of the parent's employment plan.).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3065**BY** Senators Polisena, Damiani, Tassoni, McCaffrey, Ruggerio**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- THEFT OF MOTOR FUEL (stealing of motor fuel from a retail dealer a larceny and punishable as a felony or misdemeanor depending upon the retail value of the fuel taken.).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Resolution No. 3066**BY** Senators Gibbs, Blais, Lenihan, Sosnowski, Algieri**ENTITLED**, SENATE RESOLUTION PROCLAIMING MAY 1-5, 2006 AS "CHARTER SCHOOLS WEEK" IN THE STATE OF RHODE ISLAND.

Senator Gibbs requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Gibbs moves passage, seconded by Senators Issa, Cote and Algieri.

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 3067

BY Senator Revens

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. PAUL EVANGELICAL LUTHERAN CHURCH.

Read and referred to the Senate Consent Calendar

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 measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a voice vote:

IN ORDER FOR TUESDAY, MAY 2, 2006:

1 2006-S 3055

BY Metts

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE INTERDENOMINATIONAL UNITED CHURCH USHERS OF RHODE ISLAND, INC.

2 2006-S 3056

BY Sosnowski

ENTITLED, SENATE RESOLUTION HONORING HILDING AND JUDY MUNSON

CALENDAR

IN ORDER FOR TUESDAY, MAY 2, 2006:**1 Reappointment of Kenneth Aurecchia of Johnston to the Board of Governors for Higher Education for a term expiring January 31, 2009.**

Committee on Education recommends that the Senate give its Advice and Consent to this reappointment.

Senator Issa, seconded by Senators Gallo, Polisena, Badeau, Ciccone, Ruggerio and Fogarty, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS-0:

2 Appointment of Kathrin P. Belliveau of Barrington VICE Anne Szostak (resigned) to the Board of Governors for Higher Education for a term expiring January 31, 2009.

Committee on Education recommends that the Senate give its Advice and Consent to this appointment.

Senator Issa, seconded by Senators Gallo, Caprio and Bates, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3 Appointment of Sarah D. Courtemanche (Student Representative) of Pawtucket VICE Paula Arruda to the Board of Governors for Higher Education for a term expiring January 31, 2008.

Committee on Education recommends that the Senate give its Advice and Consent to this appointment.

Senator Issa, seconded by Senators Gallo, McBurney, Doyle and Metts, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Doyle, and by unanimous consent, the Honorable President welcomes to the Chamber Sarah D. Courtemanche, newly confirmed member of the Board of Governors for Higher Education.

CALENDAR

4 Appointment of Dr. Joseph H. Hagan of Little Compton VICE Michael Schuster to the Board of Governors for Higher Education for a term expiring January 31, 2007.

Committee on Education recommends that the Senate give its Advice and Consent to this appointment.

Senator Issa, seconded by Senators Gallo, Gibbs and Connors, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5 Appointment of Brenda Dann-Messier of East Greenwich VICE Jose Gonzalez to the Board of Governors for Higher Education for a term expiring January 31, 2008.

Committee on Education recommends that the Senate give its Advice and Consent to this appointment.

Senator Issa, seconded by Senators Gallo, Lenihan, Roberts, Pichardo, Metts and Raptakis, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Lenihan, and by unanimous consent, the Honorable President welcomes to the Chamber Brenda Dann-Messier of East Greenwich, newly appointed member of the Board of Governors for Higher Education.

CALENDAR

6 Reappointment of Thomas J. Rockett, Ph.D. of East Greenwich to the Board of Governors for Higher Education for a term expiring January 31, 2009.

Committee on Education recommends that the Senate give its Advice and Consent to this reappointment.

Senator Issa, seconded by Senators Gallo, Lenihan, and Felag, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7 Reappointment of Soloman A. Soloman of East Providence to the Board of Governors for Higher Education for a term expiring January 31, 2009..

Committee on Education recommends that the Senate give its Advice and Consent to this reappointment.

Senator Issa, seconded by Senators Gallo, Connors, Lenihan, DaPonte, Paiva Weed, Polisena, Bates, Algieri, Ruggerio, Goodwin, Sheehan, Raptakis and many more, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator DaPonte and by unanimous consent, the Honorable President welcomes to the Chamber the Honorable Soloman A. Soloman, member of the Board of Governors for Higher Education.

CALENDAR

8 Appointment of Pamela Woodcock Pfeiffer, Esq. VICE Mr. Brian Burns as Clerk of the Rhode Island Supreme Court for a term expiring April 1, 2011.

Committee on Judiciary recommends that the Senate give its Advice and Consent to this appointment.

Senator McCaffrey, seconded by Senators Polisena, Connors, Metts, Levesque, Algieri and many more moves, that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Levesque, and by unanimous consent, the Honorable President welcomes to the Chamber Pamela Woodcock Pfeiffer, newly confirmed Clerk of the Rhode Island Supreme Court, along with her daughter.

CALENDAR

9 2006-S 2732 SUB A as amended**BY Bates****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- COUNCILS AND GOVERNING BODIES**

Committee on Financial, Technology, Regulatory recommends indefinite postponement of the original bill and passage of Substitute A as amended.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, May 4, 2006.

10 2006-S 2654 as amended**BY Ruggerio****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS**

Committee on Government Oversight recommends passage as amended.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the desk.

11 2006-S 2018**BY Bates****ENTITLED, AN ACT RELATING TO THE STATE AFFAIRS AND GOVERNMENT - STATE LOTTERY**

Committee on Constitutional & Gaming Issues recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Tuesday, May 9, 2006.

12 2006-S 2457**BY McCaffrey****ENTITLED, AN ACT RELATING TO THE CITY OF WARWICK -- SEWER AUTHORITY**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator McCaffrey, moves passage, seconded by Senators Walaska, Roberts and Polisena.

Senator McCaffrey seconded by Senator Walaska, offers the following written motion to amend.

FLOOR AMENDMENT

2006 -- S 2457

AN ACT RELATING TO THE CITY OF WARWICK -- SEWER AUTHORITY

Mr. President:

I hereby move to amend 2006 -- S 2457, entitled "AN ACT RELATING TO THE CITY OF WARWICK -- SEWER AUTHORITY", as follows:

On page 2, by deleting all of the language on lines 15 through 21 inclusive and inserting in place thereof the following:

"(b) Mandatory connection to sewer prior to sale or transfer. – Any abutting owner or occupant of land upon any street in which there is a sewer must connect the sewage of such premises with such sewer and fill up and destroy any cesspool, privy vault, drain or other arrangement on such land for the reception of sewage, excluding any Rhode Island department of environmental management ISDS approved system, prior to the one year anniversary of the sale or transfer in ownership. If such abutting owner or occupant of land who is required to connect to the sewage system fails to do so in prescribed time period, then such abutting owner or occupant of land shall be required to pay usage fees as if such abutting owner or occupant of land were connected to the sewage system."

Respectfully submitted,

SENATOR MCCAFFREY
LC01541/2

The motion to amend prevails 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator McCaffrey moves passage of the act, as amended, seconded by Senators Walaska and Roberts.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Tassoni, Walaska.

NAYS- 0:

13 2006-S 2889**BY Lenihan****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Lenihan moves passage, seconded by Senator Sheehan.

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

NAYS- 0:

14 2006-S 2890**BY Lenihan****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- ELECTION AND QUALIFICATION OF OFFICERS

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Lenihan moves passage, seconded by Senator Sheehan.

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

NAYS- 0:

15 2006-S 2935**BY Connors****ENTITLED,** AN ACT RELATING TO TAXATION

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Connors moves passage, seconded by Senators Issa and Badeau.

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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

16 2006-S 2937

BY Levesque C

ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION

Committee on Commerce, Housing & Municipal Government recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the desk.

17 2006-S 2047 as amended

BY Cote

ENTITLED, AN ACT RELATING TO HUNTING AND HUNTING SAFETY

Committee on Environment & Agriculture recommends passage as amended.

Senator Cote moves passage, seconded by Senator Sosnowski.

The act is read and passed, by unanimous consent, as amended 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

18 2006-S 2048 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Sosnowski moves passage, seconded by Senators Breene, Pichardo, Lenihan and Gibbs.

Senator Sosnowski, seconded by Senator Breene, offers the following written motion to amend.

FLOOR AMENDMENT

2006 -- S 2048 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

Mr. President:

I hereby move to amend 2006 -- S 2048 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL", as follows:

(1) On page 5, line 14, by deleting the words "subject to any license or registration issued" and inserting in place thereof the words "licensed or registered".

Respectfully submitted,

SENATOR SOSNOWSKI
LC00304/2

The motion to amend prevails 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Sosnowski moves passage of the act, as amended, seconded by Senators Breene.

The act is read and passed, by unanimous consent, as amended, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

19 2006-S 2498 SUB A**BY Perry****ENTITLED, AN ACT RELATING TO ALTERNATIVE FUELS**

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Perry moves passage, seconded by Senators Sosnowski, Roberts, Connors Lenihan and Pichardo.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

20 2006-S 2499 SUB A as amended

BY Sosnowski

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A as amended.

Senator Sosnowski moves passage, seconded by Senators Connors, Lenihan, Pichardo, Felag, Fogarty and many more.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

21 2006-S 2502 SUB A

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Paiva Weed moves passage, seconded by Senators Sosnowski and Felag.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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 Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ANNOUNCEMENTS

Senator Caprio announces that the Committee on Commerce, Housing and Municipal Government will meet tomorrow, at the rise of the Senate, in Room 211 of the State House.

Senator Issa announces that the Committee on Education will meet will meet tomorrow, at the rise of the Senate, in the Senate Lounge of the State House.

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 Perry announces that the Committee on Health and Human Services will meet tomorrow, at the rise of the Senate, in Room 212 of the State House.

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

Senator Ciccone announces that the Committee on Labor will meet tomorrow, at 3:00 o'clock P.M. in Room 212 of the State House.

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.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri the Senate adjourns at 4:51 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR DAVID E. BATES

Lord, we ask you to show us our place in this chamber, to define our duties, to direct our energies for the common good, and to always guide us as we work. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MAY 3, 2006:

1 2006-S 3067

BY Revens

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ST. PAUL EVANGELICAL LUTHERAN CHURCH

Ordered to be placed on the Consent Calendar

2 2006-H 7946

BY Gallison

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Ordered to be placed on the Consent Calendar

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

CALENDAR

IN ORDER FOR WEDNESDAY, MAY 3, 2006:

1 2006-S 2637**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- CHILD CARE --
STATE SUBSIDIES**

Committee on Labor recommends passage.

2 2006-S 2810 SUB A**BY McCaffrey****ENTITLED, AN ACT RELATING TO ELECTIONS -- CAMPAIGN
CONTRIBUTIONS AND EXPENDITURES REPORTING**

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

3 2006-S 2013 SUB A**BY Tassoni****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
REGISTRATION OF VEHICLES**

Committee on Constitutional & Gaming Issues recommends indefinite postponement of the original bill and passage of Substitute A.

4 2006-S 2082 SUB A**BY Raptakis****ENTITLED, AN ACT RELATING TO LICENSES -- ALCOHOLIC BEVERAGES**

Committee on Constitutional & Gaming Issues recommends indefinite postponement of the original bill and passage of Substitute A.

5 2006-S 2486**BY Metts****ENTITLED, AN ACT RELATING TO ELECTIONS**

Committee on Constitutional & Gaming Issues recommends passage.

6 2006-S 2085 SUB A**BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION -- ESTABLISHMENT OF
CHARTER PUBLIC SCHOOLS**

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

7 2006-S 2374

BY Issa

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY OF PUPILS

Committee on Education recommends passage.

8 2006-S 2496

BY Blais

ENTITLED, AN ACT RELATING TO EDUCATION -- ADULT EDUCATION COMMISSION

Committee on Education recommends passage.

9 2006-S 2697

BY Blais

ENTITLED, AN ACT RELATING TO STATEWIDE SCIENCE CURRICULUM

Committee on Education recommends passage.

10 2006-S 2091

BY Raptakis

ENTITLED, AN ACT RELATING TO OPEN MEETINGS

Committee on Judiciary recommends passage.

11 2006-S 2180

BY Walaska

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS' LICENSES

Committee on Judiciary recommends passage.

12 2006-S 2182

BY McCaffrey

ENTITLED, AN ACT RELATING TO CAUSES OF ACTION -- SURETY BONDS

Committee on Judiciary recommends passage.

13 2006-S 2205

BY Caprio F

ENTITLED, AN ACT COURTS AND CIVIL PROCEDURE - PROBATE COURT

Committee on Judiciary recommends passage.

14 2006-S 2279**BY Levesque C****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
JOINT TORTFEASOR RELEASES

Committee on Judiciary recommends passage.

15 2006-S 2440**BY Blais****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- SENTENCE
AND EXECUTION

Committee on Judiciary recommends passage.

16 2006-S 2853**BY Connors****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE

Committee on Judiciary recommends passage.

17 2006-S 2860**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

18 2006-S 2646 SUB A**BY Ruggiero****ENTITLED,** AN ACT RELATING TO ELECTRICIANSCommittee on Labor recommends indefinite postponement of the original bill and
passage of Substitute A.**19 2006-S 2660****BY Ruggiero****ENTITLED,** AN ACT RELATING TO LABOR AND PAYMENT OF DEBTS BY
CONTRACTORS

Committee on Labor recommends passage.

20 2006-S 2664**BY Ruggiero****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
MEDIATION

Committee on Labor recommends passage.

21 2006-S 2665**BY Ruggiero****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --
MUNICIPAL EMPLOYEES' ARBITRATION

Committee on Labor recommends passage.

22 2006-S 2666**BY Ruggiero****ENTITLED,** AN ACT RELATING TO LABOR - SCHOOL TEACHERS'
ARBITRATION

Committee on Labor recommends passage.

23 2006-S 2667**BY Ruggiero****ENTITLED,** AN ACT RELATING TO LABOR -- ARBITRATION

Committee on Labor recommends passage.

IN ORDER FOR THURSDAY, MAY 4, 2006:**1 2006-S 2732 SUB A as amended****BY Bates****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- COUNCILS AND
GOVERNING BODIESCommittee on Financial, Technology, Regulatory recommends indefinite postponement of the
original bill and passage of Substitute A as amended.**2 2006-S 2043****BY Fogarty P****ENTITLED,** AN ACT RELATING TO PROPERTY -- TAX CLASSIFICATION IN
THE WEST GLOUCESTER FIRE DISTRICT

Committee on Commerce, Housing & Municipal Government recommends passage.

3 2006-S 2461 SUB A**BY Tassoni****ENTITLED,** AN ACT RELATING TO REAL PROPERTY -- RESTRICTIONSCommittee on Commerce, Housing & Municipal Government recommends indefinite
postponement of the original bill and passage of Substitute A.**4 2006-S 2986****BY Gibbs****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES --
AUTHORIZING THE TOWN OF MIDDLETOWN TO CONSTRUCT

AND MAINTAIN A STORMWATER CONTROL SYSTEM

Committee on Commerce, Housing & Municipal Government recommends passage.

5 2006-S 3020**BY Doyle**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008

Committee on Commerce, Housing & Municipal Government recommends passage.

6 2006-S 3021**BY Doyle**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$200,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008

Committee on Commerce, Housing & Municipal Government recommends passage.

7 2006-S 3022 as amended**BY Doyle**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND RECONSTRUCTION AND EQUIPPING OF PUBLIC RECREATION FACILITIES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$600,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008

Committee on Commerce, Housing & Municipal Government recommends passage as amended.

8 2006-S 3023**BY Doyle**

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT

MORE THAN \$700,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008

Committee on Commerce, Housing & Municipal Government recommends passage.

9 2006-S 3024

BY Doyle

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2007 AND 2008

Committee on Commerce, Housing & Municipal Government recommends passage.

10 2006-S 2094 SUB A

BY Lanzi

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- GOVERNMENT OVERSIGHT AND FISCAL ACCOUNTABILITY REVIEW ACT

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

11 2006-S 2139 as amended

BY Lenihan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage as amended.

12 2006-S 2331 SUB A

BY Levesque C

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

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

13 2006-S 2357 SUB A

BY Ciccone

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY

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

14 2006-S 2744**BY Breene****ENTITLED, AN ACT RELATING TO EXCISE ON MOTOR VEHICLES AND TRAILERS**

Committee on Government Oversight recommends passage.

15 2006-S 2826 SUB A**BY Connors****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

Committee on Government Oversight recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

16 2006-S 2212 SUB A**BY Raptakis****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN**

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

17 2006-S 2396**BY Polisena****ENTITLED, AN ACT RELATING TO CORRECTIONS DEPARTMENT**

Committee on Judiciary recommends passage.

18 2006-S 2419 SUB A**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS**

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

19 2006-S 2451**BY Sosnowski****ENTITLED, AN ACT RELATING TO OPERATORS' LICENSES -- MOBILE TELEPHONE USE PROHIBITED**

Committee on Judiciary recommends passage.

20 2006-S 2812**BY Tassoni****ENTITLED, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTIONS**

Committee on Judiciary recommends passage.

21 2006-S 2879**BY Ciccone****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
OPEN MEETINGS

Committee on Judiciary recommends passage.

22 2006-S 2909**BY Alves****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Judiciary recommends passage.

23 2006-S 2970**BY McCaffrey****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLE OFFENSES

Committee on Judiciary recommends passage.

24 2006-H 6889 SUB B**BY Coderre E****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- RHODE
ISLAND RESOURCE RECOVERY CORPORATION

Committee on Government Oversight recommends indefinite postponement of the original bill and the Substitute A and passage of Substitute B.

25 2006-H 7389 SUB A**BY Caprio D****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- ADVISORY
COMMISSION ON HISTORICAL CEMETERIES

Committee on Government Oversight recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

26 2006-H 7440 as amended**BY Coderre E****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage as amended in concurrence.

RAYMOND T. HOYAS, JR.
Secretary of the Senate