

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.43

Tuesday, May 23, 2006

Forty-third Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:27 o'clock P.M.

The roll is called and a quorum is declared present with 37 Senators present and 1 Senators absent as follows:

PRESENT – 37: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT –1: Senators Goodwin.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President, welcomes to the Chamber Caroline Canning of the Town of Cumberland, a senior at the Lincoln School in Providence.

COMMUNICATION

The Honorable President presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SENATE CHAMBER**

May 23, 2006

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

Dear President Montalbano:

Please accept this letter as notification that I will be unable to attend Senate Session today, Tuesday, May 23, 2006, due to being away on business.

Thank you.

Sincerely yours,

James E. Doyle, II
Senator – District 8
Pawtucket

Read and ordered to be placed on file.

APPOINTMENTS BY THE GOVERNOR

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

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

May 22, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-28-5 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Rivers Council:

Margaret Kerr of North Kingstown
(representing environmental science)

for a term to expire January 1, 2009.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

Also:

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

May 23, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 20-3-1 of the Rhode Island General Laws, I have made the following reappointment to the Marine Fisheries Council:

Stephen Medeiros of Coventry

for a term expiring April 1, 2010.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

Also:

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

May 23, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 20-3-1 of the Rhode Island General Laws, I have made the following reappointment to the Marine Fisheries Council:

David Preble of Narragansett

for a term expiring April 1, 2010.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

NEW BUSINESS

Senate Resolution No. 3114

BY Senators Connors, Bates, Sosnowski, Walaska

ENTITLED, SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF CHARLES EDWARD TAYLOR, THE WORLD'S FIRST AIRPLANE MECHANIC, AND PROCLAIMING MAY 24TH OF EACH YEAR AS "AVIATION MAINTENANCE TECHNICIAN DAY" IN THE STATE OF RHODE ISLAND.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 3115

BY Senators Connors, Bates, Sosnowski, Walaska

ENTITLED, SENATE RESOLUTION JOINING THE FEDERAL AVIATION ADMINISTRATION EASTERN REGION IN HONORING THE LIFE AND MEMORY OF CHARLES EDWARD TAYLOR, THE WORLD'S FIRST AIRPLANE MECHANIC, AND PROCLAIMING MAY 24TH OF EACH YEAR AS "AVIATION MAINTENANCE TECHNICIAN DAY" IN THE STATE OF RHODE ISLAND.

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by the entire Senate.

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

CONSENT CALENDAR

In order for the day is taken up as follows:

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

1 2006-S 2627 SUB A**BY Perry****ENTITLED,** SENATE RESOLUTION RESPECTFULLY URGING THE DEPARTMENT OF ADMINISTRATION TO USE ENVIRONMENTALLY-SAFE AND HEALTH-FRIENDLY CLEANING PRODUCTS IN STATE FACILITIES AND WORKPLACES**CALENDAR****IN ORDER FOR TUESDAY, MAY 23, 2006:****1 2006-S 2772 SUB A as amended****BY Doyle****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES - TAXATION AND TOBACCO - DELIVERY AND SALE OF TOBACCO PRODUCTS

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

Upon suggestion of Senator Ruggerio, ordered to be placed at the bottom of the Calendar for Wednesday, May 24, 2006.

2 2006-S 2335 SUB A as amended**BY Tassoni****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Commerce, Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A as amended.

Senator Tassoni moves passage, seconded by Senators Caprio, Paiva Weed, Ruggerio and Ciccone.

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

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Pichardo, Polisena, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3 2006-S 2682 SUB A

BY Fogarty P

ENTITLED, AN ACT RELATING TO PASCOAG UTILITY DISTRICT

Committee on Commerce, Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A.

Senator Fogarty moves passage, seconded by Senator Caprio.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4 2006-S 2689

BY Cote

**ENTITLED, AN ACT RELATING TO REAL ESTATE APPRAISER
CERTIFICATION**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Cote moves passage, seconded by Senator Metts.

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Lenihan

5 2006-S 2868

BY Sosnowski

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY
CODE**

Committee on Commerce, Housing & Municipal Government recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Wednesday, May 24, 2006.

6 2006-S 3068

BY Montalbano J

ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Caprio moves passage, seconded by Senators McCaffrey and Connors.

The act is read and passed, by unanimous consent, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7 2006-S 3075

BY Lenihan

ENTITLED, AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO IMPLEMENT A TAX INCREASE DEFERRAL PROGRAM FOR SENIOR RESIDENT HOMEOWNERS

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Lenihan moves passage, seconded by Senator Raptakis.

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, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8 2006-S 3076

BY Breene

ENTITLED, AN ACT RELATING TO THE TOWN OF RICHMOND

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Breene moves passage, seconded by Senator Algieri.

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, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9 2006-S 3090

BY Issa

ENTITLED, AN ACT EXEMPTING FROM TAXATION ALL OF THE REAL, PERSONAL AND MIXED PROPERTY OF THE LEARNING COMMUNITY SCHOOL, INC.

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Issa moves passage, seconded by Senators Tassoni, Caprio, Roberts and Metts.

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, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

10 2006-S 3070

BY Montalbano J

ENTITLED, AN ACT RELATING TO TAXATION -- MOTOR VEHICLE AND TRAILER EXCISE TAX ELIMINATION ACT OF 1998

Committee on Finance recommends passage.

Senator Alves moves passage, seconded by Senators Connors and Felag.

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, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

11 2006-S 2768

BY Ciccone

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES

Committee on Judiciary recommends passage.

Senator Ciccone moves passage, seconded by Senators Connors, Lanzi, Badeau and Ruggerio.

Senator Ciccone seconded by Senators Lanzi, Badeau and Connors, offers the following written motion to amend.

F L O O R A M E N D M E N T

2006 -- S 2768

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTING RADIO FREQUENCY
IDENTIFICATION DEVICES

Mr. President:

I hereby move to amend 2006 -- S 2768, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES", as follows:

On page 2, between lines 5 and 6, by adding the following language:

"(c) Nothing contained herein shall prohibit the use of RFIDs by a state or local government for the purpose of tracking the location of equipment or vehicles owned by the state or local government, provided that the RFID device shall not contain or transmit information that directly pertains to any individual."

Respectfully submitted,
SENATOR CICCONE
LC02254/2

The motion to amend prevails 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, Damiani, Felag, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Ciccone moves passage of the act, as amended, seconded by Senators Lanzi, Badeau and Connors.

Senators Algieri and Ciccone discuss the act.

The act is read and passed, by unanimous consent, as amended, 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, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12 2006-S 2588 SUB A

BY Bates

**ENTITLED, AN ACT RELATING TO INSURANCE -- ERRORS AND
OMISSIONS INSURANCE FOR RESIDENT PRODUCERS**

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

Senator Bates moves passage, seconded by Senator Breene.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, 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, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

13 2006-H 7210

BY Costantino

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION

Committee on Finance recommends passage in concurrence.

Senator Alves moves passage, seconded by Senators Felag.

The act is read and passed, by unanimous consent, 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, Damiani, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, Levesque,

McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

FROM THE DESK

Upon suggestion of Senator Ruggerio, seconded by Senator Tassoni, and without objection, the following item is removed from the desk and placed before the body:

House Bill No. 8042

BY Costantino, Sullivan, Dennigan, Church, Naughton

ENTITLED, AN ACT RELATING TO BIOTECHNOLOGY INVESTMENT TAX CREDIT (allow an extended carry over period for biotechnology investment tax credits subject to specified criteria).

Upon suggestion of Senator Ruggerio, and without objection, read and ordered to be transmitted in concurrence to His Excellency, the Governor.

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:

House Bill No. 7689 (Attorney General)

BY Kilmartin, Moran

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- PRECIOUS METALS (require that consignment shops that buy and sell precious metals obtain a license from the state attorney general).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7910

BY Anguilla, Caprio D, Rice, Flaherty, Lally

ENTITLED, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT (provide a mechanism by which sole proprietorships can convert into a limited liability company).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8076**BY** Menard, Moran, Singleton**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE ACQUISITION, PRESERVATION, IMPROVEMENT AND RESTORATION OF OPEN SPACE IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$5,000,000 BONDS AND/OR NOTES THEREFOR.

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7909 as amended**BY** Anguilla, Caprio D, Rice, Flaherty, Lally**ENTITLED**, AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT AND RHODE ISLAND LIMITED LIABILITY COMPANY ACT (clarify provisions relating to indemnification of directors by a business corporation and also provisions relating to distributions to shareholder of a business corporation).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6879**BY** Pacheco, Winfield, Gorham**ENTITLED**, AN ACT RELATING TO PROPERTY -- TAX CLASSIFICATION IN THE WEST GLOCESTER FIRE DISTRICT (adopt and implement a system of property tax classification)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7927**BY** Sullivan, Murphy, Moffitt, Landroche, Williamson**ENTITLED**, AN ACT RELATING TO AN AMENDMENT OF CHAPTER 330 OF THE PUBLIC LAWS OF 1997"AN ACT TO CREATE A SEWER AUTHORITY FOR THE TOWN OF COVENTRY AND TO AUTHORIZE SAID TOWN TO PLAN, CONSTRUCT, FINANCE, OPERATE AND MAINTAIN SEWAGE WORKS" (amend Coventry's sewer system enabling legislation to permit the town to issue bonds and notes secured solely by sewer system revenues to the Rhode Island Clean Water Finance Agency).

Read and ordered to be placed on the Calendar.

TRANSMITTAL

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

ANNOUNCEMENTS

Senator Bates announces that the Committee on Financial Services, Technology and Regulatory Issues will meet today, at the rise 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 Lenihan announces that the Committee on Government Oversight will meet tomorrow, at 3:00 o'clock P.M. in Room 212 of the State House.

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

RECESS

Upon suggestion of Senate Ruggerio, and by unanimous consent the Senate stands at recess at 4:40 o'clock P.M. until the call of the chair and that the desk shall remain open to receive new business.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Wednesday, May 24, 2006, at 4:20 o'clock P.M.

REPORTS OF COMMITTEES**COMMITTEE ON JUDICIARY**

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

House Bill No. 7947**BY** Gallison**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Vanessa Amaral and Stephen F. Everett).

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 7937**BY** Ajello**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE (join Timothy Scott Hay and Kendra Jane Dayton).

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 3107

BY Senator Ruggiero

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Jennica Pratt and Jason Richards).

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 2188 as amended

BY Senators Walaska, Ruggiero, Bates, Doyle, Fogarty P

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- PUBLIC UTILITIES (illegal for any wireless telephone company to distribute, publish and/or disclose a subscriber's name or number without the subscriber's consent)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3053

BY Senators Sheehan, Lenihan, McCaffrey, Sosnowski, Ciccone

ENTITLED, AN ACT RELATING TO GENERAL POWERS (would create a Municipal Court in the town of North Kingstown upon acceptance by electors).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3091

BY Senator Polisena

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- MUNICIPAL COURTS.

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2188 as amended

BY Senators Walaska, Ruggiero, Bates, Doyle, Fogarty P

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- PUBLIC UTILITIES (illegal for any wireless telephone company to distribute, publish and/or disclose a subscriber's name or number without the subscriber's consent)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2347 SUB A**BY** Senators Tassoni, Doyle, McBurney**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- STATE LOTTERY (require the lottery director to withhold video lottery terminal winnings for the payment of child support arrearages)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2784**BY** Senators McCaffrey, Sosnowski, Walaska**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS.

Read and ordered to be placed on the Calendar

COMMITTEE ON FINANCIAL SERVICES, TECHNOLOGY AND REGULATORY ISSUES

Senator Walaska, from the Committee on Financial Services, Technology and Regulatory Issues, reports back, with recommendation of passage of the following measures:

Senate Bill No. 2303 as amended**BY** Senators Bates, Walaska, Cote, Caprio F**ENTITLED**, AN ACT RELATING TO INSURANCE -- FEDERAL RIOT REINSURANCE REIMBURSEMENT FUND (expand basic property insurance).

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

Senate Bill No. 2905 SUB A as amended**BY** Senators Walaska, Sosnowski, Paiva-Weed, Tassoni, Montalbano J**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (provide for least-cost procurement for gas and electric supply)

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

House Bill No. 6837**BY** Kennedy, Lewiss**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS (provide that certain overdraft restrictions be eliminated from the statutory framework allowing credit unions to offer demand deposits)

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

House Bill No. 7346

BY Corvese, Lewiss, San Bento, Gallison

ENTITLED, AN ACT RELATING TO UNIFORM COMMERCIAL CODE -- SECURED TRANSACTIONS (clarify ambiguities with respect to continuation statements and to preserve the six month window for continuing financing statements).

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

House Bill No. 7348

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE (borrowing among the three separate accounts).

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

House Bill No. 7353

BY Kennedy, Lewiss, San Bento

ENTITLED, AN ACT RELATING TO INSURANCE (allow for a safe driver point system based on either a flat dollar rate or a percentage rate for motor vehicle accidents and/or motor vehicle convictions).

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

House Bill No. 7470 (Business Regulation)

BY Singleton

ENTITLED, AN ACT RELATING TO INSURANCE PRODUCERS' BRANCHES -- LIFE INSURANCE COMPANIES' OFFICES (revise Rhode Island producer licensing statutes).

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

House Bill No. 7651

BY Kennedy

ENTITLED, AN ACT RELATING TO INSURANCE -- COMMERCIAL SPECIAL RISKS (modify the criteria required when classifying commercial special risks).

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

House Bill No. 7659 (Business Regulation)

BY Watson

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF BUSINESS REGULATION (establish that the dept of business regulation has the authority to enforce statutes governing licenses even though the statutes granting the licenses do not appear in title 27).

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

Also:

House Bill No. 7574

BY Corvese

ENTITLED, AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE (amend article 7 of the uniform commercial code regarding documents of title and would also make various technical amendments to the uniform commercial code).

Read and ordered to be placed on the Calendar for Thursday, May 25, 2006

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:21 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JOHN F. MCBURNEY III

Lord, as we continue your work here in this chamber, let us be reminded of the words spoken long ago by Abraham Lincoln that still ring true today. "Determine the thing that can be done and shall be done, and then we shall find a way." Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MAY 24, 2006:

1 2006-S 3107

BY Ruggerio

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

2 2006-H 7937

BY Ajello

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Committee on Judiciary recommends passage in concurrence.

3 2006-H 7947

BY Gallison

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MAY 24, 2006:****1 2006-S 2868****BY Sosnowski****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- FIRE SAFETY
CODE**

Committee on Commerce, Housing & Municipal Government recommends passage.

2 2006-S 2402**BY Breene****ENTITLED, AN ACT RELATING TO THE DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT**

Committee on Judiciary recommends passage.

3 2006-S 2534**BY Blais****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
STATE PURCHASES**

Committee on Finance recommends passage.

4 2006-S 2415 SUB A**BY Goodwin****ENTITLED, AN ACT RELATING TO LICENSING OF HEALTH CARE FACILITIE**

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

5 2006-S 2083 SUB A**BY Raptakis****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES --
REGULATION OF SALES**

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

6 2006-S 3046**BY DaPonte****ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY -- NAMING
ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER
STATE CONSTRUCTIONS**

Committee on Constitutional & Gaming Issues recommends passage.

7 2006-S 2106 SUB A as amended

BY Ciccone

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A as amended.

8 2006-S 2330 SUB A

BY Levesque C

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR FAMILIES

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

9 2006-S 2619 SUB A

BY Breene

ENTITLED, AN ACT RELATING TO NONPROFIT HOSPITAL

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

10 2006-S 2760 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- SAFE PATIENT HANDLING LEGISLATION

Committee on Health & Human Services recommends indefinite postponement of the original bill and passage of Substitute A.

11 2006-S 2772 SUB A as amended

BY Doyle

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TAXATION AND TOBACCO - DELIVERY AND SALE OF TOBACCO PRODUCTS

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

12 2006-S 2730 SUB A

BY Montalbano J

ENTITLED, AN ACT RELATING TO EDUCATION - THE RHODE ISLAND PUBLIC TELECOMMUNICATIONS AUTHORITY

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

13 2006-S 2903 SUB A**BY Walaska****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

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

14 2006-S 2904 SUB A**BY Sosnowski****ENTITLED, AN ACT RELATING TO RENEWABLE ENERGY**

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

15 2006-S 2906 SUB A**BY Walaska****ENTITLED, AN ACT RELATING TO AFFORDABLE ENERGY**

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

16 2006-S 2163 SUB A**BY Polisena****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION**

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

17 2006-S 2227 as amended**BY Perry****ENTITLED, AN ACT RELATING TO THE AMBER ALERT PROGRAM**

Committee on Judiciary recommends passage as amended.

18 2006-S 2267 SUB A**BY Bates****ENTITLED, AN ACT RELATING TO PROPERTY - BY POSSESSION AND PRESCRIPTION**

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

19 2006-S 2616**BY Blais****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM ANATOMICAL GIFT ACT**

Committee on Judiciary recommends passage.

20 2006-S 2797 SUB A

BY McCaffrey

**ENTITLED, AN ACT RELATING TO ELECTIONS - CAMPAIGN
EXPENDITURES**

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

21 2006-S 2972

BY Revens

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - PUBLIC
UTILITIES**

Committee on Judiciary recommends passage.

22 2006-S 3071 as amended

BY Montalbano J

ENTITLED, AN ACT RELATING TO PROPERTY -- MECHANICS' LIENS

Committee on Judiciary recommends passage as amended.

23 2006-H 7167 SUB A

BY Moura

**ENTITLED, AN ACT RELATING TO INSURANCE - UNFAIR COMPETITION
AND PRACTICES**

Committee on Commerce, Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

24 2006-H 7168

BY Moura

**ENTITLED, AN ACT RELATING TO MOTOR VEHICLE DAMAGE
APPRAISERS**

Committee on Commerce, Housing & Municipal Government recommends passage in concurrence.

25 2006-H 7169 as amended

BY Moura

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
AUTOMOBILE BODY REPAIR SHOPS**

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

26 2006-H 7170 SUB A**BY Moura****ENTITLED, AN ACT RELATING TO AUTOMOBILE BODY REPAIR SHOPS**

Committee on Commerce, Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

27 2006-H 6819 SUB A as amended**BY Gallison****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION**

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

28 2006-H 7791 SUB B**BY Long****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION**

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

IN ORDER FOR THURSDAY, MAY 25, 2006:**1 2006-S 2303 as amended****BY Bates****ENTITLED, AN ACT RELATING TO INSURANCE -- FEDERAL RIOT REINSURANCE REIMBURSEMENT FUND**

Committee on Financial, Technology, Regulatory recommends passage as amended.

2 2006-S 2905 SUB A as amended**BY Walaska****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS**

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

3 2006-S 2188 as amended**BY Walaska****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- PUBLIC UTILITIES**

Committee on Judiciary recommends passage as amended.

4 2006-S 2347 SUB A**BY Tassoni****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
STATE LOTTERY

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

5 2006-S 2400**BY Montalbano J****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS --
SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

6 2006-S 2784**BY McCaffrey****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS

Committee on Judiciary recommends passage.

7 2006-S 3053**BY Sheehan****ENTITLED,** AN ACT RELATING TO GENERAL POWERS

Committee on Judiciary recommends passage.

8 2006-S 3091**BY Polisena****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
MUNICIPAL COURTS

Committee on Judiciary recommends passage.

9 2006-H 6879**BY Pacheco****ENTITLED,** AN ACT RELATING TO PROPERTY -- TAX CLASSIFICATION IN
THE WEST GLOCESTER FIRE DISTRICT

Committee on Commerce, Housing & Municipal Government recommends passage in concurrence.

10 2006-H 7689**BY Kilmartin****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- PRECIOUS
METALS

Committee on Commerce, Housing & Municipal Government recommends passage in concurrence.

11 2006-H 7909 as amended**BY Anguilla****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT AND RHODE ISLAND LIMITED LIABILITY COMPANY ACT

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

12 2006-H 7910**BY Anguilla****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED LIABILITY COMPANY ACT

Committee on Commerce, Housing & Municipal Government recommends passage in concurrence.

13 2006-H 7927**BY Sullivan****ENTITLED,** AN ACT RELATING TO AN AMENDMENT OF CHAPTER 330 OF THE PUBLIC LAWS OF 1997 ENTITLED "AN ACT TO CREATE A SEWER AUTHORITY FOR THE TOWN OF COVENTRY AND TO AUTHORIZE SAID TOWN TO PLAN, CONSTRUCT, FINANCE, OPERATE AND MAINTAIN SEWAGE WORKS"

Committee on Commerce, Housing & Municipal Government recommends passage in concurrence.

14 2006-H 8076**BY Menard****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF CUMBERLAND TO FINANCE THE ACQUISITION, PRESERVATION, IMPROVEMENT AND RESTORATION OF OPEN SPACE IN THE TOWN BY THE ISSUANCE OF NOT MORE THAN \$5,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Commerce, Housing & Municipal Government recommends passage in concurrence.

15 2006-H 6837**BY Kennedy****ENTITLED,** AN ACT RELATING TO FINANCIAL INSTITUTIONS

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

16 2006-H 7346**BY Corvese****ENTITLED,** AN ACT RELATING TO UNIFORM COMMERCIAL CODE --
SECURED TRANSACTIONS

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

17 2006-H 7348**BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

18 2006-H 7353**BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

19 2006-H 7470**BY Singleton****ENTITLED,** AN ACT RELATING TO INSURANCE PRODUCERS' BRANCHES --
LIFE INSURANCE COMPANIES' OFFICES

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

20 2006-H 7574**BY Corvese****ENTITLED,** AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

21 2006-H 7651**BY Kennedy****ENTITLED,** AN ACT RELATING TO INSURANCE -- COMMERCIAL SPECIAL
RISKS

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

22 2006-H 7659**BY Watson****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF BUSINESS REGULATION

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

Raymond T. Hoyas, Jr.
Secretary of the Senate