

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. 9

Tuesday, January 31, 2006

Ninth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:06 o'clock P.M.

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

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

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the eighth Legislative Day of the 2006 proceedings is read in part.

Upon suggestion of Senator Algieri, and by unanimous consent, further reading of the Journal is dispensed with and the Journal approved as recorded.

COMMUNICATION

The Honorable President presents the following communication:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
OFFICE OF THE SENATE MINORITY LEADER**

January 31, 2006

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

Dear Mr. President:

Please be advised that I will be absent from the Senate session on Tuesday, January 31, 2006. I will be attending an out-of-state pharmaceutical conference in my capacity as President of the International Academy of Compounding Pharmacists. 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.

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 PLANTATIONS
STATE HOUSE**

January 31, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following reappointment to the Board of Governors for Higher Education:

Thomas J. Rockett, Ph.D. of East Greenwich

for a term expiring January 31, 2009.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Education.

Also:

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

January 27, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-12.9-8 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Underground Storage Tank Review Board:

Victor Allienello, Jr. of East Providence

for a term expiring January 31, 2009.

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

Sincerely,



Donald L. Carcieri
Governor

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

Also:

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

January 31, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-23-2 of the Rhode Island General Laws, I have made the following reappointment to the Coastal Resources Management Council:

**Bruce H. Dawson of North Kingstown
Public Member**

for a term expiring January 31, 2009.

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.

APPOINTMENTS

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

**SUPERIOR COURT OF RHODE ISLAND
PROVIDENCE**

January 31, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-4-5 of the Rhode Island General Laws, I have made the following reappointment as Clerk of the Superior Court for Providence and Bristol Counties:

Henry S. Kinch, Jr., of Pawtucket

for a term expiring February 1, 2011.

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

Sincerely,

Joseph F. Rodgers, Jr., Presiding Justice

Read and ordered to be placed on the Senate Committee on Judiciary.

Also:

**SUPERIOR COURT OF RHODE ISLAND
PROVIDENCE**

January 31, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-4-5 of the Rhode Island General Laws, I have made the following reappointment as Clerk of the Superior Court for Newport County:

Jane M. Anthony of Jamestown

for a term expiring February 1, 2011.

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

Sincerely,

Joseph F. Rodgers, Jr., Presiding Justice

Read and ordered to be placed on the Senate Committee on Judiciary.

Also:

**SUPERIOR COURT OF RHODE ISLAND
PROVIDENCE**

January 31, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-4-5 of the Rhode Island General Laws, I have made the following reappointment as Clerk of the Superior Court for Washington County:

Courtland R. Chapman of Westerly

for a term expiring February 1, 2011.

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

Sincerely,

Joseph F. Rodgers, Jr., Presiding Justice

Read and ordered to be placed on the Senate Committee on Judiciary.

Also:

**SUPERIOR COURT OF RHODE ISLAND
PROVIDENCE**

January 31, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-4-5 of the Rhode Island General Laws, I have made the following reappointment as Clerk of the Superior Court for Kent County:

David Perry of West Warwick

for a term expiring February 1, 2011.

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

Sincerely,

Joseph F. Rodgers, Jr., Presiding Justice

Read and ordered to be placed on the Senate Committee on Judiciary.

REPORTS OF COMMITTEES

TRANSFER OF BILLS

Senator Perry, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Health and Human Services to the Committee on Judiciary.

Senate Bill No. 2137**BY** Senators Blais, Damiani, Polisena**ENTITLED**, AN ACT RELATING TO MEDICAL MALPRACTICE (department of health to provide an analysis of medical malpractice insurance rates and to recommend improvements to the legislature)

Read and referred to the Committee on Judiciary

REPORTS OF COMMITTEES**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 measure:

Appointment of **Lenette Boisselle of Tiverton** to the Rhode Island Underground Storage Tank Review Board for a term expiring January 31, 2006.

Read and ordered to be placed on the Calendar.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 6700 SUB A**BY** O'Neill, Ginaitt, Church, Kilmartin, Jackson**ENTITLED**, AN ACT RELATING TO MOTOR VEHICLE OFFENSES (increase the penalties for refusing to submit to a chemical test, not less than 100 hours of community restitution)

Read and ordered to be placed on the Senate Committee on Judiciary.

Also:

House Resolution No. 6862**BY** Costantino, Shanley, Carter, Lewis, Lally**ENTITLED**, JOINT RESOLUTION RELATING TO RHODE ISLAND PUBLIC CORPORATION DEBT MANAGEMENT ACT JOINT RESOLUTIONS

Read and ordered to be placed on the Senate Committee on Finance.

NEW BUSINESS**Senate Resolution No. 2206** Resolution 49**BY** Senators Damiani, DaPonte, Montalbano J, Algieri, Paiva-Weed**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF KIMBERLY ANN HOULE.

Senator Damiani requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Damiani moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 2207 (Lieutenant Governor)

BY Senators Roberts, Paiva-Weed, Levesque C, Goodwin, Gibbs

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES CONGRESS AND PRESIDENT BUSH TO ADDRESS CONCERNS WITH THE MEDICARE PART D PROGRAM AND ADOPT THE SPECIFIC CHANGES AS LISTED.

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

Also:

Senate Bill No. 2208

BY Senators Pichardo, Levesque C, Perry, Ciccone, Connors

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- CHILD CARE -- STATE SUBSIDIES.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2209

BY Senators Pichardo, Connors, Lanzi, Goodwin, Levesque C

ENTITLED, AN ACT RELATING TO THE HEALTH CARE SERVICES - UTILIZATION REVIEW ACT.

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

Also:

Senate Bill No. 2210 (Lieutenant Governor)

BY Senators Gallo, Lanzi, Fogarty P, Walaska, Levesque C

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH CARE QUALITY PROGRAM

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

Also:

Senate Bill No. 2211 (Lieutenant Governor)

BY Senators Perry, Roberts, Fogarty P, Walaska, Tassoni

ENTITLED, AN ACT RELATING TO HEALTH INSURANCE - COVERAGE OF DEPENDENT CHILDREN.

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

Also:

Senate Bill No. 2212

BY Senators Raptakis, Sheehan, Walaska, Damiani, Polisena

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2213

BY Senators Perry, Bates, Goodwin, Levesque C, Connors

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT.

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2214

BY Senators Perry, Levesque C, Gibbs, Roberts

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INFORMED CONSENT FOR ABORTION.

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2215 (by request)

BY Senators Cote, Bates

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2216

BY Senators Gibbs, Perry, Levesque C, Sosnowski, Pichardo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- REPRODUCTIVE HEALTH CARE (prohibit state from interfering).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2217

BY Senators Perry, Goodwin, Gallo, Metts, Pichardo

ENTITLED, AN ACT RELATING TO INSURANCE -- COVERAGE FOR MENTAL ILLNESS AND SUBSTANCE ABUSE.

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

Also:

Senate Bill No. 2218 (Lieutenant Governor)

BY Senators Tassoni, Ciccone, Badeau, Algieri

ENTITLED, AN ACT RELATING TO TAXATION -- SMALL BUSINESS GUARANTY FEE CREDIT.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2219

BY Senators Felag, Badeau, Ciccone, McBurney, Doyle

ENTITLED, AN ACT RELATING TO TAXATION - PROPERTY TAX RELIEF.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2220

BY Senators Felag, Polisen, Walaska, Gallo, Fogarty P

ENTITLED, AN ACT RELATING TO PUBLIC ACCESS DEFIBRILLATION (mandated defibrillators in public high or middle schools and training in CPR).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2221

BY Senators Walaska, Raptakis, Bates

ENTITLED, AN ACT RELATING TO SALES AND USE TAXES (retention for expense in collection and remittance).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2222**BY** Senators DaPonte, Connors, Ciccone, Lanzi, Badeau**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - CREDIT POLICY (consumer credit policy).

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

Also:

Senate Bill No. 2223**BY** Senators Algieri, Polisena, Damiani, McCaffrey, Breene**ENTITLED**, AN ACT RELATING TO THE RHODE ISLAND SEXUAL PREDATORS ACT

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2224 (by request)**BY** Senators Cote, Bates**ENTITLED**, AN ACT RELATING TO COURTS -- JOINT AND SEVERAL LIABILITY

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2225**BY** Senators Tassoni, Montalbano J, Paiva-Weed, Algieri, Ciccone**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- IDENTITY THEFT PROTECTION (identity theft protection).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2226**BY** Senators Felag, Levesque C**ENTITLED**, AN ACT RELATING TO ELECTIONS - LOCAL CANVASSING AUTHORITY.

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2227**BY** Senators Perry, Goodwin, Gallo, Pichardo, Connors**ENTITLED**, AN ACT RELATING TO THE AMBER ALERT PROGRAM.

Read and referred to the Senate Committee on Judiciary

Also:

Senate Resolution No. 2228**BY** Senators Raptakis, Alves, Lenihan, Cote, Fogarty P**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE -- PROCEDURE TO FILL VACANCY IN OFFICE OF THE LIEUTENANT GOVERNOR, THE SECRETARY OF STATE, ATTORNEY GENERAL OR GENERAL TREASURER.

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

Also:

Senate Bill No. 2229**BY** Senators Perry, Goodwin, McCaffrey, Damiani, Polisena**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - RELIEF OF INJURED AND DECEASED FIREFIGHTERS AND POLICE OFFICERS.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2230**BY** Senators Walaska, Alves**ENTITLED**, AN ACT RELATING TO PUBLIC FINANCE - STATE BUDGET (require the Governor to submit performance objectives for each department or agency in the state budget)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2231**BY** Senators Walaska, Bates**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS (mortgage payments).

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

Also:

Senate Bill No. 2232**BY** Senators Lanzi, Gallo, Ciccone, Badeau, Connors**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY (report abuse of residents in nursing homes to police).

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

Also:

Senate Bill No. 2233**BY** Senators Perry, Gibbs, Metts, Pichardo, Connors**ENTITLED**, AN ACT RELATING TO WEAPONS (large capacity feeding device and definitions).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2234**BY** Senators Bates, Perry, Roberts, Gibbs, Sosnowski**ENTITLED**, AN ACT RELATING TO INSURANCE (repeal provisions that prohibit health coverage for induced abortions for policies covering state and municipal employees).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2235**BY** Senators Raptakis, Cote, Lenihan, Sheehan, McCaffrey**ENTITLED**, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2236**BY** Senator Alves**ENTITLED**, AN ACT RELATING TO COMMERCIAL LAWS- UNFAIR SALES PRACTICES

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2237**BY** Senators McCaffrey, Walaska**ENTITLED**, AN ACT RELATING TO SALES AND USE TAXES -- LIABILITY AND COMPUTATION -- FOOD (exempt food or beverages for take-out or to-go from sales and use tax).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2238**BY** Senators McCaffrey, Walaska**ENTITLED**, AN ACT RELATING TO SALES AND USE TAXES -- LIABILITY AND COMPUTATION (exempt books and reading material from sales tax).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2239

BY Senators McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO PERSONAL INCOME TAX -- VETERAN PENSIONS
(exempt pensions of veterans from RI personal income tax).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2240

BY Senators Perry, Gibbs, Bates, Pichardo, Lenihan

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY- STEM CELL RESEARCH (for individual receiving fertility treatments).

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

Also:

Senate Bill No. 2241

BY Senators Metts, Pichardo

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- APPRENTICESHIP PROGRAMS IN TRADE AND INDUSTRY.

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 2242

BY Senators Perry, Roberts, Sosnowski, Gibbs, Bates

ENTITLED, AN ACT RELATING TO PUBLIC ASSISTANCE ACT -- MEDICAL ASSISTANCE AND ABORTIONS (General Public Assistance Provided).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2243

BY Senator Alves

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (D'Agostino Marcello).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2244

BY Senators McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL ASSAULT (10 or more years younger).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2245 (by request)

BY Senator Bates

ENTITLED, AN ACT RELATING TO SUPERSEDEAS BONDS (\$50,000,000).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2246

BY Senators McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO ELECTIONS -- NOMINATION PAPERS (nomination papers).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2247

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO INSURANCE -- PRESCRIPTION DRUG PRACTICES

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

Also:

Senate Bill No. 2248

BY Senators McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO SALES AND USE TAXES - LIABILITY AND COMPUTATION (7% to 6%).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 2249

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- COMMUNITY OBLIGATIONS AND BANKING OFFENSES (payee identified not customer of a specific bank).

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

Also:

Senate Bill No. 2250

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO SOVEREIGN IMMUNITY.

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2251

BY Senators McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO ASSAULTS (adults with severe impairments).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 2252

BY Senators Lanzi, Gallo, Ciccone, Badeau, Connors

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - DUTIES OF DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.

Read and referred to the Senate Committee on Environment and Agriculture

CALENDAR

IN ORDER FOR TUESDAY, JANUARY 31, 2006:

1 2006-S 2059

BY Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE

Committee on Judiciary recommends passage.

Senator Sosnowski moves passage, seconded by Senator McCaffrey.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

2 2006-S 2065**BY Bates****ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT**

Committee on Judiciary recommends passage.

Senator Bates moves passage, seconded by Senators Damiani, Polisena, Gibbs, McCaffrey and Algieri.

The act is read and passed, by unanimous consent, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

3 2006-S 2068**BY Polisena****ENTITLED, AN ACT RELATING TO MOTOR VEHICLE OFFENSES**

Committee on Judiciary recommends passage.

Senator Polisena moves passage, seconded by Senators Damiani, Sosnowski, Algieri, Breene, Lenihan, McCaffrey, Paiva Weed, Tassoni, Roberts and Perry.

Senators Algieri, Perry, Ciccone, Polisena and Levesque discuss the act.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

4 2006-S 2070**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**

Committee on Judiciary recommends passage.

Senator Paiva Weed moves passage, seconded by Senator McCaffrey.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

ANNOUNCEMENTS

Senator Fogarty announces that the Committee on Commerce, Housing and Municipal Government will meet on Thursday, February 2, 2006, at 3:30 o'clock P.M. in Room 212 of the State House.

Senator Sosnowski announces that the Committee on Environment and Agriculture will meet on Thursday, February 2, 2006, at the rise of the Senate, in Room 211 of the State House.

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

RECESS

Upon motion of Senate DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Damiani, the Senate stands at recess at 4:35 o'clock P.M. in memory of Kimberly Ann Houles.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Thursday, February 2, 2006, at 4:09 o'clock P.M.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 6717 SUB A

BY Fox, Coderre E, Lally, Shanley

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (operators of motor scooters to have a valid operators license when on a highway)

Read and ordered to be placed on the Senate Committee on Commerce, Housing, and Municipal Government.

Also:

House Bill No. 6708

BY Long

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

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

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:10 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR DENNIS L. ALGIERE

We ask, you, Lord, to show us in this chamber our place, define our duties, direct our energies, and guide us as we work. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, FEBRUARY 7, 2006:

1 2006-H 6708

BY Long

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

Ordered to be placed on the Consent Calendar

Raymond T. Hoyas, Jr.
Secretary of the Senate

Appendix

CALENDAR

IN ORDER FOR THURSDAY, FEBRUARY 2, 2006:

1 2006-S 2112

BY DaPonte

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES

Committee on Labor recommends passage.

2 2006-H 6718

BY Lima

ENTITLED, AN ACT RELATING TO LABOR -- MINIMUM WAGES

Committee on Labor recommends passage in concurrence.

IN ORDER FOR TUESDAY, FEBRUARY 7, 2006:

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

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

Raymond T. Hoyas, Jr.
Secretary of the Senate