

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. 29

Wednesday, April 5, 2006

Twenty-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 4:04 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, Blais, 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, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 2: Senators Damiani and Ruggerio.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senators Polisen, Sosnowski, Goodwin, Alves, Paiva Weed, Issa, Fogarty and Roberts and by unanimous consent, the Honorable President, welcomes to the Chamber in honor of Health Centers Appreciation Day in the State of Rhode Island, special guests from Bayside Family Healthcare, Blackstone Valley Health Center, Block Island Health Services, Chad Brown Health Center, East Bay Community Action Program Health Center, Comprehensive Community Action Program Family Health Services, Northwest Health Center, Providence Community Health Centers, Thundermist Health Centers, Tri-Town Health Center and Wood River Health Services.

COMMUNICATION

The Honorable President presents the following communication:

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

March 21, 2006

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

Dear Mr. President:

Please be advised and let the records reflect that I will be absent from the chamber on Wednesday, April 05, 2006 and Thursday, April 6, 2006, as I will be out of the State on business.

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

Thank you for your attention to this matter.

Sincerely,

Dominick J. Ruggerio
State Senator – District 4

Read and ordered to be placed on file.

Also:

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

April 4, 2006

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

Dear Mr. President:

Please be advice and let the records reflect that I will be absent on Tuesday, April 04, 2006 and Wednesday, April 5, 2006, due to illness.

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

Thank you for your attention to this matter.

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**

April 5, 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, Wednesday, April 05, 2006, due to a work related issue. I apologize for the short notice.

Thank you.

Sincerely yours,

James E. Doyle, II
Senator – District 8
Pawtucket

Read and ordered to be placed on file.

Also:

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

April 4, 2006

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing, without prejudice, the March 29, 2005 appointment of David Iglizzi to the Rhode Island Resource Recovery Corporation.

Sincerely,



Donald L. Carcieri
Governor

Read and ordered to be placed on file.

Also:

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

April 4, 2006

TO THE HONORABLE, THE SENATE:

I am hereby withdrawing, without prejudice, the March 29, 2005 appointment of The Honorable Catherine Graziano to the Rhode Island Resource Recovery Corporation.

Sincerely,



Donald L. Carcieri
Governor

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**

March 23, 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:

Kenneth Aurecchia of Johnston

for a term expiring January 31, 2009.

To this appointment, I respectfully 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**

March 23, 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:

Soloman A. Soloman of East Providence

for a term expiring January 31, 2009.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Education.

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

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

Senate Bill No. 2960

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Kevin Michael Gaumont and Alison Carr).

Read and ordered to be placed on the Senate Consent Calendar

Also:

House Bill No. 7338 SUB A**BY** Murphy**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (to join Lucas Whitney McGee and Portia Taylor Johnson)

Read and ordered to be placed on the Senate Consent Calendar

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Perry, from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measure:

Appointment of Ronald A. Lebel of Portsmouth VICE Jane A. Hayward as Director of the Department of Human Services

Without objection, read and ordered to be placed on the Calendar for Thursday, April 6, 2006.

NEW BUSINESS**Senate Resolution No. 3001****BY** Senators Paiva-Weed, Perry, Goodwin, Alves, McBurney**ENTITLED**, SENATE RESOLUTION PROCLAIMING APRIL 5, 2006 TO BE HEALTH CENTERS APPRECIATION DAY IN THE STATE OF RHODE ISLAND.

Senator Paiva Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Paiva Weed moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 3002**BY** Senators Pichardo, Roberts, Sosnowski, Perry, Levesque C**ENTITLED**, SENATE RESOLUTION PROCLAIMING THE MONTH OF APRIL, 2006 TO BE "MINORITY HEALTH AND HEALTH DISPARITIES MONTH" IN THE STATE OF RHODE ISLAND.

Senator Pichardo requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Pichardo moves passage, seconded by the entire Senate.

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

CALENDAR

IN ORDER FOR WEDNESDAY, APRIL 5, 2006:

1 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.

Upon suggestion of Senator McCaffrey and without objection, ordered to be placed on the Calendar for Tuesday, April 11, 2006.

2 2006-S 2302**BY Bates****ENTITLED,** AN ACT RELATING TO CASUALTY INSURANCE RATING

Committee on Financial, Technology, Regulatory recommends passage.

Senator Bates moves passage, seconded by Senator Blais.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3 2006-S 2577**BY Breene****ENTITLED,** AN ACT RELATING TO RHODE ISLAND LIFE AND HEALTH
INSURANCE GUARANTY ASSOCIATION ACT

Committee on Financial, Technology, Regulatory recommends passage.

Senator Breene moves passage, seconded by Senator Blais.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi,

Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

4 2006-S 2581

BY Bates

ENTITLED, AN ACT RELATING TO SALES TAX OFFICIALS

Committee on Financial, Technology, Regulatory recommends passage.

Senator Bates moves passage, seconded by Senators Blais and Walaska.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5 2006-S 2585

BY Walaska

ENTITLED, AN ACT RELATING TO INSURANCE -- COMMERCIAL SPECIAL RISKS

Committee on Financial, Technology, Regulatory recommends passage.

Senator Walaska moves passage, seconded by Senator Blais.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6 2006-S 2589

BY Breene

ENTITLED, AN ACT RELATING TO INSURANCE PRODUCERS' BRANCHES -- LIFE INSURANCE COMPANIES' OFFICES

Committee on Financial, Technology, Regulatory recommends passage.

Senator Breene moves passage, seconded by Senators Blais and Walaska.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7 2006-S 2590

BY Bates

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF BUSINESS REGULATION

Committee on Financial, Technology, Regulatory recommends passage.

Senator Bates moves passage, seconded by Senators Blais, Walaska and Ciccone.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8 2006-S 2735

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE -- SURPLUS LINES

Committee on Financial, Technology, Regulatory recommends passage.

Senator Bates moves passage, seconded by Senators Blais and Walaska.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9 2006-S 2737

BY Walaska

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Financial, Technology, Regulatory recommends passage.

Senator Walaska moves passage, seconded by Senator Breene.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ANNOUNCEMENTS

Senator Goodwin announces that the Committee on Constitutional And Gaming Issues will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

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

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

Senator Felag announces that the Committee on Finance will meet tomorrow, at 3:00 o'clock P.M. in the Senate Lounge of the State House.

Senator Fogarty announces that the Committee on Commerce, Housing And Municipal Government will meet tomorrow, at 3:15 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.

RECESS

Upon suggestion of Senate DaPonte and by unanimous consent the Senate stands at recess at 4:28 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 Thursday, April 6, 2006, at 4:06 o'clock P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senator Sosnowski and by unanimous consent, the Honorable President, welcomes to the Chamber "A Lively Experiment", a group Chorus from the University of Rhode Island, and Mark Conley, Director, to lead in the National Anthem.

COMMUNICATION

The Honorable President presents the following communication:

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

April 6, 2006

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

Dear Mr. President:

Please be advice and let the records reflect that I will be absent on Thursday April 6, 2006, due to illness.

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

Thank you for your attention to this matter.

Sincerely,

Michael J. Damiani
State Senator – District 18

Read and ordered to be placed on file.

TRANSFER OF BILLS

Senator Walaska, in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Financial Services, and Regulatory Issues to the Committee on Finance:

Appointment of Nancy Merrill of East Greenwich vice James Leach to the Public Telecommunications Authority for a term expiring January 31, 2008.

Read and referred to the Committee on Finance.

REPORTS OF COMMITTEES**COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

Senator Sosnowski, from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measures:

Appointment of The Honorable Scott Avedisian of Warwick VICE Wayne Salisbury to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2006.

Read and ordered to be placed on the Calendar.

Also:

Appointment of George Mason of Little Compton VICE Judith Bailey (resigned) to the Agricultural Lands Preservation Commission for a term expiring January 1, 2010.

Read and ordered to be placed on the Calendar.

Also:

Reappointment of Arthur C. Barton, III of East Greenwich to the Clean Water Finance Agency for a term expiring March 1, 2008.

Read and ordered to be placed on the Calendar.

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. 2595 SUB A

BY Senators Lenihan

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- INDUSTRIAL RECREATIONAL BUILDING AUTHORITY {LC1810/1/A}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

Senate Bill No. 2654 as amended

BY Senators Ruggiero, DaPonte, Badeau, Goodwin, Connors

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS {LC1799/1}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

Senate Bill No. 2740 SUB A

BY Senators Lenihan, Badeau

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION (make extensive technical changes to the laws relating to the Rhode Island resource recovery corporation) {LC926/2/A}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

Senate Bill No. 2825 SUB A

BY Senators Paiva-Weed

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - FORT ADAMS FOUNDATION {LC2546/2/A}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

Senate Bill No. 2138 SUB B as amended

BY Senators Connors, Perry, Polisena, McCaffrey

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from certain boards and commissions in accord with the recent amendments to the state constitution) {LC406/1/B}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

Senate Bill No. 2141 SUB A as amended

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

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS (remove legislators and legislative appointees from various boards and commissions) {LC400/1/A}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

Senate Bill No. 2143 as amended

BY Senators Roberts, Walaska, Levesque C

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER RESOURCES BOARD

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

Senate Bill No. 2593 SUB A

BY Senators Paiva-Weed, Lenihan

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- EAST BAY ECONOMIC INITIATIVE (advisory body and that it would not exercise executive authority under the laws of this state) {LC1826/1/A}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

Senate Bill No. 2594 SUB A

BY Senators Cote, Lenihan

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION (require the pilotage commission to submit an annual report to the governor, the speaker of the house, the president of the senate, and the secretary of state) {LC1812/2/A}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

House Bill No. 7155 SUB A

BY Senators Coderre E, Crowley, Gallison, Anguilla

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION (require the pilotage commission to submit an annual report) {LC1814/1/A}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

House Bill No. 7157

BY Senators **Representative** Coderre E, Crowley, Gallison

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- MUNICIPAL EMPLOYEES BENEFITS {LC1824/1}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

House Bill No. 7176**BY Senators Representative** Coderre E, Crowley, Gallison, Anguilla**ENTITLED**, AN ACT RELATING TO HIGHWAYS -- MOUNT HOPE BRIDGE AUTHORITY (abolish the Mount Hope Bridge Authority) {LC1822/1}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

Also:

House Bill No. 7204 as amended**BY Senators** Coderre E, Lima, Williamson**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- INDUSTRIAL RECREATIONAL BUILDING AUTHORITY (consist of five members, appointed by the governor and subject to the advice and consent of the senate) {LC1811/1}

Read and ordered to be placed on the Calendar for Wednesday, April 12, 2006.

NEW BUSINESS**Senate Resolution No. 3003****BY Senator** Sosnowski**ENTITLED**, SENATE RESOLUTION CONGRATULATING ANDY TIBBITS ON THE COMPLETION OF A MINIATURE REPLICA OF THE TOWN OF SOUTH KINGSTOWN AND OFFICIALLY NAMING THE REPLICA "TIBBITSVILLE".

Senator Sosnowski requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sosnowski moves passage, seconded by Senator McCaffrey.

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 2960**BY Levesque C****ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES**2 2006-H 7338 SUB A****BY Murphy****ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

CALENDAR

IN ORDER FOR THURSDAY, APRIL 6, 2006:

1 Appointment of Ronald A. Lebel of Portsmouth VICE Jane A. Hayward as Director of the Department of Human Services .

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this appointment.

Senator Perry, seconded by Senators Levesque, Alves, Blais, McCaffrey, Paiva Weed and others moves that advice and consent of the Senate be given this appointment.

Senators Levesque, Blais, Gibbs, Alves and Paiva Weed discuss the appointment.

The advice and consent of the Senate is given this appointment, 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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Levesque and by unanimous consent, the Honorable President welcomes to the Chamber Ron Lebel and his wife Joanne Lebel of Portsmouth.

CALENDAR

2 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 Bates, and without objection, ordered to be placed on the Calendar for Tuesday, April 25, 2006.

3 2006-S 2171

BY Blais

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - INTEREST AND USURY

Committee on Judiciary recommends passage.

Senator Blais moves passage, seconded by Senators Breene and McCaffrey.

Senator Blais seconded by Senators Breene and McCaffrey, offers the following written motion to amend.

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

2006 -- S 2171

AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - INTEREST AND USURY

Mr. President:

I hereby move to amend 2006 -- S 2171, entitled "AN ACT RELATING TO COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS - INTEREST AND USURY", as follows:

On page 3, line 8, by deleting the language "five hundred thousand dollars (\$500,000)" and inserting in place thereof the language "one million dollars (\$1,000,000)".

Respectfully submitted,
SENATOR BLAIS

LC00262/2

The motion to amend prevails 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 Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Algieri

Senator Blais moves passage of the act, as amended, seconded by Senator McCaffrey.

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

YEAS- 31: The Honorable President Montalbano and Senators Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Issa

ABSTAINED- 1: Senator Algieri

4 2006-S 2179**BY McCaffrey****ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- LAW
APPLICABLE TO CONSTRUCTION CONTRACTS**

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senator Blais.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5 2006-S 2346**BY Sheehan****ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
CAUSES OF ACTION -- FIREFIGHTERS' IMMUNITY**

Committee on Judiciary recommends passage.

Senator Sheehan moves passage, seconded by Senator McCaffrey.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6 2006-S 2854**BY Revens****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLES REPARATIONS ACT**

Committee on Judiciary recommends passage.

Senator Revens moves passage, seconded by Senators Levesque, Raptakis, Sheehan, Roberts, Felag, Goodwin, Paiva Weed, Blais, Pichardo, Ciccone, Metts and Badeau.

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, Blais, Breene, Caprio, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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.

GUESTS

Upon suggestion of Senator Perry and by unanimous consent, the Honorable President, welcomes to the Chamber Ms. Joan Gelch of Providence.

Upon suggestion of Senator Issa and by unanimous consent, the Honorable President, welcomes to the Chamber Sol Solomon of East Providence

ANNOUNCEMENTS

Senator Bates announces that the Committee on Financial Services, Technology, & Regulatory Issues will meet today, at the rise of the Senate, in Room 211 of the State House.

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

Senator Felag announces that the Committee on Finance will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Alves, the Senate adjourns at 4:36 o'clock P.M.

GABRIEL REI
Deputy Clerk of the Senate

Appendix

INVOCATION

SENATOR ROGER R. BADEAU

Lord, with your guidance, may we be kind in our judgments, diligent in our wisdom, and humble in our power. Amen.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, APRIL 11, 2006:****1 Appointment of The Honorable Scott Avedisian of Warwick VICE Wayne Salisbury to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2006.**

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this appointment.

2 Appointment of George Mason of Little Compton VICE Judith Bailey (resigned) to the Agricultural Lands Preservation Commission for a term expiring January 1, 2010.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this appointment.

3 Reappointment of Arthur C. Barton, III of East Greenwich to the Clean Water Finance Agency for a term expiring March 1, 2008.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this reappointment.

4 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.

5 2006-S 2602 SUB A**BY Roberts****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF BUSINESS REGULATION**

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

6 2006-S 2465**BY Walaska****ENTITLED, AN ACT RELATING TO HIGHWAYS -- ABANDONMENT BY TOWNS**

Committee on Commerce, Housing & Municipal Government recommends passage.

IN ORDER FOR WEDNESDAY, APRIL 12, 2006:**1 2006-S 2138 SUB B as amended****BY Connors****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

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

2 2006-S 2141 SUB A as amended**BY Sosnowski****ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS**

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

3 2006-S 2143 as amended**BY Roberts****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER RESOURCES BOARD**

Committee on Government Oversight recommends passage as amended in concurrence.

4 2006-S 2593 SUB A**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- EAST BAY ECONOMIC INITIATIVE**

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

5 2006-S 2594 SUB A**BY Cote****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION**

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

6 2006-S 2595 SUB A**BY Lenihan****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- INDUSTRIAL RECREATIONAL BUILDING AUTHORITY**

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

7 2006-S 2654 as amended**BY Ruggiero****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS**

Committee on Government Oversight recommends passage as amended.

8 2006-S 2740 SUB A**BY Lenihan****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 passage of Substitute A in concurrence.

9 2006-S 2825 SUB A**BY Paiva-Weed****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - FORT ADAMS FOUNDATION**

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

10 2006-H 7155 SUB A**BY Coderre E****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION**

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

11 2006-H 7157**BY Coderre E****ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- MUNICIPAL EMPLOYEES BENEFITS**

Committee on Government Oversight recommends passage in concurrence.

12 2006-H 7176**BY Coderre E****ENTITLED, AN ACT RELATING TO HIGHWAYS -- MOUNT HOPE BRIDGE AUTHORITY**

Committee on Government Oversight recommends passage in concurrence.

13 2006-H 7204 as amended

BY Coderre E

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
INDUSTRIAL RECREATIONAL BUILDING AUTHORITY

Committee on Government Oversight recommends passage as amended in concurrence.

IN ORDER FOR TUESDAY, APRIL 25, 2006:

1 2006-S 2018

BY Bates

ENTITLED, AN ACT RELATING TO THE STATE AFFAIRS AND
GOVERNMENT - STATE LOTTERY

Committee on Constitutional & Gaming Issues recommends passage.

GABRIEL REI
Deputy Clerk of the Senate