

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.46

Tuesday, May 30, 2006

Forty-sixth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:17 o'clock P.M.

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

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

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty-fourth and Forty-fifth Legislative Day of the 2006 proceedings are read in part.

Upon suggestion of Senator Revens, and by unanimous consent, further reading of the Journals are dispensed with and the Journals approved as recorded.

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No. 7935 SUB A

BY Williamson, Moura, Williams, Malik, Palumbo

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE

Read and ordered to the Committee on Constitutional and Gaming Issues on May 26, 2006.

NEW BUSINESS**Senate Bill No. 3122**

BY Senators Ruggerio, Montalbano J, Paiva-Weed, Alves, Felag

ENTITLED, AN ACT RELATING TO DAYS OF SPECIAL OBSERVANCE -- GOLD STAR PARENTS DAY.

Read and ordered to the Committee on Finance.

REPORTS OF COMMITTEES**COMMITTEE ON FINANCE**

Senator Alves, from the Committee on Finance, reports back, with recommendation of passage of the following measures:

Senate Bill No. 2520 SUB A (Administration)

BY Senator Breene

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- POST AUDIT OF ACCOUNTS (audits discretionary)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2556

BY Senators Gibbs, Breene, Walaska, Levesque C, Roberts

ENTITLED, AN ACT RELATING TO THE RHODE ISLAND RESOURCE RECOVERY CORPORATION (credit for recycled material which was recycled by facilities other than the RI Resource Recovery Corp when the Corp calculates the rate the municipality must pay for disposal of its solid waste).

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2717 SUB B as amended (Administration)

BY Senators Blais, Breene

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES (loan program for those state employees affected by the additional income tax liability due to the extension of health insurance coverage to a non-dependent domestic partner)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 3049

BY Senator Felag

ENTITLED, AN ACT RELATING TO TAXATION -- EXCISE ON MOTOR VEHICLES AND TRAILERS (would allow the town of Warren to exempt from the state excise tax, in an amount not to exceed one hundred dollars, vehicles primarily fueled by certain alternative fuels).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7365

BY Murphy, Williamson, Landroche

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

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7679 SUB A as amended (Administration)

BY Watson

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES (implement a loan program for those state employees affected by the additional income tax liability due to the extension of health insurance coverage to a non-dependent domestic partner)

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

Senate Bill No. 2450 (State Police)**BY** Senator Blais**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (gives law enforcement officials authority to obtain noncontent information from internet service providers with subpoena).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 6768 SUB A**BY** Gemma, Jacquard, Lima, Schadone, O'Neill**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLES REPARATIONS ACT (require law enforcement agencies who issue tickets for lack of financial responsibility to withhold submission to the traffic tribunal for 24 hours to allow motorist opportunity to submit evidence of financial responsibility)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7150**BY** Long**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS (municipal court in Jamestown).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7228 (Attorney General)**BY** Naughton, Dennigan, Faria, Rose, Lima**ENTITLED**, AN ACT RELATING TO ASSAULTS (abuse and neglect of adults with severe impairments)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7308 as amended

BY Shanley, San Bento, Lewiss, Schadone

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS - ADOPTION OF CHILDREN (immunity to administrators, executors and trustees).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7336 SUB A

BY Corvese, Lewiss, San Bento, Gallison

ENTITLED, AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT (several changes to the Uniform Interstate Family Support Act clarifying notice, controlling jurisdiction and therefrom custody orders)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7523 (State Police)

BY Watson, Long

ENTITLED, AN ACT RELATING TO COMMERCIAL TRANSACTION (add the violation of the laws of the United States as a violation of this section).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7786

BY Corvese

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS (provide for the uniform interstate enforcement of domestic violence protection orders).

Read and ordered to be placed on the Calendar.

Also:

Appointment of Alton W. Wiley, Jr. of North Providence to the Commission for Human Rights for a term expiring July 1, 2010.

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Charles A. Lombardi of North Providence to the Personnel Appeal Board for a term expiring April 1, 2011.

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Paul M. DePace of East Greenwich to the State Building Codes Standards Committee for a term expiring May 1 2006.

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Monica Horan of Lincoln VICE Raymond Marcaccio to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2008.

Read and ordered to be placed on the Calendar.

Also:

Appointment of Joseph J. Roszkowski of Cumberland VICE Monica Horan to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2009.

Read and ordered to be placed on the Calendar.

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon suggestion of Senator Ruggiero, and without objection, item 1, (2006-H 7200) is placed on the Consent Calendar for Wednesday May 31, 2006.

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

IN ORDER FOR TUESDAY, MAY 30, 2006:

2 2006-H 6967

BY Fox

ENTITLED, AN ACT RELATING TO PARKING FACILITIES AND PRIVILEGES

3 2006-H 7024

BY Sullivan

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

4 2006-H 7068**BY Ginaitt****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**5 2006-H 7132****BY Crowley****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY -- JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS**6 2006-H 7863****BY Giannini****ENTITLED,** AN ACT RELATING TO DAYS OF SPECIAL OBSERVANCE**7 2006-H 7906 SUB A as amended****BY Lima****ENTITLED,** AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- PERMIT PROGRAM FOR CATS**8 2006-H 8012****BY Ajello****ENTITLED,** AN ACT RELATING TO EDUCATION**9 2006-H 8045****BY Melo****ENTITLED,** AN ACT RELATING TO THE GENERAL ASSEMBLY -- NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS**10 2006-H 8148****BY Kilmartin****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE**11 2006-H 8149****BY Watson****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

CALENDAR

IN ORDER FOR TUESDAY, MAY 30, 2006:

1 2006-S 2227 as amended

BY Perry

ENTITLED, AN ACT RELATING TO THE AMBER ALERT PROGRAM

Committee on Judiciary recommends passage as amended.

Senator Perry moves passage, seconded by Senators Gallo, Blais, Damiani, Polisena, Pichardo and Roberts.

Senator Blais, seconded by Senators Perry and Damiani, offers the following written motion to amend.

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

2006 -- S 2227 As Amended

AN ACT RELATING TO THE AMBER ALERT PROGRAM

Mr. President:

I hereby move to amend 2006 -- S 2227 As Amended, entitled "AN ACT RELATING TO THE AMBER ALERT PROGRAM", as follows:

On page 1, line 19 by deleting the word and number "sixty (60)" and inserting in place thereof the words and number "fifty-five (55)".

Respectfully submitted,
SENATOR BLAIS
LC01318/2

The motion to amend prevails 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, 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, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

Senator Issa discusses the act.

The act is read and passed, by unanimous consent, as amended, 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, 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, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

2 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.

Senator McCaffrey moves passage, seconded by Senators Polisena, Damiani, Metts, Ruggerio, Perry and Lenihan.

Senator McCaffrey, seconded by Senators Polisena, Metts 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 2797 SUBSTITUTE A

AN ACT RELATING TO ELECTIONS - CAMPAIGN EXPENDITURES

Mr. President:

I hereby move to amend 2006 -- S 2797 SUBSTITUTE A, entitled "AN ACT RELATING TO ELECTIONS - CAMPAIGN EXPENDITURES", as follows:

(1) On page 19, by deleting all the language on line 9 and inserting in place thereof the following:

SECTION 3. Sections 17-25.1-1, 17-25.1-2, 17-25.1-3, 17-25.1-4, 17-25.1-5 and 17-25.1-6 of the General Laws in Chapter 17-25.1 entitled "Gambling Referenda" are hereby repealed.

~~**17-25.1-1. Registration of political action committees — Limits on financial contributions.** (a) Any "political action committee", as defined in chapter 25 of title 17, advocating the approval or rejection of any gambling questions shall, in addition to the requirements of chapter 25 of title 17, register with the secretary of state by submitting upon the appropriate form its name, and the names and addresses of the chairperson and its treasurer who shall be eligible voters in the referendum election in question. A "gambling question" is defined as any referendum that relates to a proposal to institute gambling in any form.~~

~~(b) No individual, partnership, committee, association, corporation, or any other organization shall contribute to any political action committee in excess of one thousand dollars (\$1,000) in aggregate for advocating the approval or rejection of any gambling question.~~

~~**17-25.1-2. Penalties for violation.**— Any person who willfully and knowingly violates the provisions of this chapter shall, upon conviction, be guilty of a felony and shall be imprisoned for a term not exceeding two (2) years, or fined not more than five thousand dollars (\$5,000), or both.~~

~~**17-25.1-3. Registration of advocates.**— (a) Every "person," as defined in chapter 25 of this title, advocating the approval or rejection of any gambling question, shall, in addition to any applicable requirement of chapter 25 and 25.1 of this title, register with the secretary of state and the board of elections by submitting upon the appropriate form its name, and the name and address of each member of its board or directors, partner(s), or officer(s), or, if an individual, such individual's name and address as well as any person providing funding of five hundred dollars (\$500) or more to the organization. A "gambling question" is defined as any referendum that relates to a proposal to institute a casino within the state or to otherwise expand gambling in any form.~~

~~(b) Before making an expenditure to advocate the approval or rejection of any gambling question, a person must register with the secretary of state and the board of elections and file a registration statement.~~

~~(c) A registration statement must contain the following information:~~

~~(1) The name and address of the person or entity.~~

~~(2) The name and address of the designated treasurer and deputy treasurer, if a deputy treasurer is appointed.~~

~~(3) The name, address and title of all other principle officers, directors, partners of the entity or committee.~~

~~(4) The name and address of a depository institution in the state of Rhode Island in which a single checking account has been established for the funds of the person or entity.~~

~~(5) The name and address of any person or entity providing five hundred dollars (\$500) or more, directly or indirectly, to a person or entity registering and reporting pursuant to this section.~~

~~(6) Whether or not the person or entity has any direct or indirect affiliation with any entity or person that operates or owns any type or kind of gambling facility or entity in any jurisdiction within or outside of the state and, if so, the name of such facility or entity.~~

~~(d) Every "person" as defined in chapter 25 of this title, shall supplement its registration form if there is a change in the name or address of any member of its board of directors, partners or officers, or if there is a change in an individual's name or address. Failure to notify the board of elections of changes may be considered by the board of elections in assessing~~

~~civil penalties for late or incomplete reports filed by any person or entity.~~

~~**17-25.1 4. Reports.** — Every "person" as defined in chapter 25 of this title, spending a cumulative total of five hundred dollars (\$500) or more for the purpose of advocating the approval or rejection of any gambling question, shall report each such expenditure to the board of elections on a form prescribed by the board of elections not later than ten (10) days after each expenditure is made. The report must include the name, address, principal occupation, employer of the person filing the report, the name and address of the person or entity receiving the expenditure, the amount of each expenditure, and the total amount of expenditures made, at that date, by that person or entity during the calendar year. "Expenditures" shall include the furnishing of or payment for any media advertising services or products, including, but not limited to, newspapers, radio stations, television stations or electronic mail, general advertising, in brochures, pamphlets and the like, advertising agency services, accounting services, billboards, printing, secretarial services, public opinion polls, or research and professional campaign consultation or management, media production, or computer services, which advocate a position on a gambling question.~~

~~**17-25.1 5. Disclosure of advertising activities.** — Every "person" as defined in chapter 25 of this title, who makes an expenditure for a mass mailing, for distribution of campaign literature of any sort, for a television, radio, newspaper, or magazine advertisement, or any other communication that advocates the approval or rejection of any gambling question shall:~~

~~(1) Comply with section 17-25.1 4; and~~

~~(2) Place the following statement in the mailing, literature, advertisement or other communication so that it is readily and easily discernible:~~

~~"This NOTICE TO VOTERS is required by Rhode Island law. (I/we) certify that this (mailing/literature/advertisement) is paid for and approved by (name of person)."~~

~~**17-25.1 6. Severability.** — If any provision of this chapter or the application thereof shall for any reason be judged invalid, that judgment shall not affect, impair, or invalidate the remainder of the law, but shall be confined in its effect to the provision or application directly involved in the controversy giving rise to the judgment.~~

SECTION 4. Chapter 17-25.1 of the General Laws entitled "Gambling Referenda" is hereby amended by adding thereto the following section:

17-25.1-1.1. Gambling referenda -- Ballot question advocates. — Any "ballot question advocate", as defined in chapter 25.2 of title 17, advocating the passage or defeat of any gambling question shall, in addition to complying with and being subject to the provisions of chapter 25.2 of title 17, include in its reports filed under said chapter the following: (i) the name, address and, if applicable, the place of employment of every person making a contribution or contributions that in the

aggregate exceed one thousand eight hundred dollars (\$1,800) per election cycle to such ballot question advocate; and (ii) whether or not such contributor has any direct or indirect affiliation with any entity or person that operates or owns any type or kind of gambling facility or entity in any jurisdiction and, if so, the name of such facility or entity. "Gambling question" means any referendum that relates to a proposal to institute a casino within the state or to otherwise expand gambling in any form.

SECTION 5. This act shall take effect upon passage."

Respectfully submitted,
SENATOR MCCAFFREY
LC001752/4

The motion to amend prevails upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan, Levesque, McBurney, McCaffrey, Metts, Pichardo, Polisen, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator McCaffrey moves passage of the act, as amended, seconded by Senators Metts and Ruggerio.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative and 2 Senators abstaining as follows:

YEAS- 35: 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, Lenihan, Levesque, McBurney, McCaffrey, Metts, Perry, Pichardo, Polisen, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ANSTAINED- 2: Senators Lanzi and Paiva Weed.

3 2006-S 2989 SUB A

BY Sosnowski

**ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY -
INTERSTATE PEST CONTROL COMPACT**

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

Senator Sosnowski moves passage, seconded by Senator Polisen.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4 2006-S 3045

BY Paiva-Weed

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO EXAMINE ALL ASPECTS OF PUBLIC EDUCATION FUNDING AND ITS IMPACT UPON STATE AND LOCAL FINANCES AND TAXATION

Committee on Constitutional & Gaming Issues recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, June 1, 2006.

5 2006-S 3113

BY Sosnowski

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE ACT

Committee on Environment & Agriculture recommends passage.

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

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, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6 2006-H 6828 SUB A as amended

BY Naughton

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

Committee on Environment & Agriculture recommends indefinite postponement of the

original bill and passage of Substitute A as amended in concurrence.

Senator Sosnowski moves passage, seconded by Senator Breene.

The bill marked Substitute "A" is read and passed, as amended, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

7 2006-H 7051 SUB B

BY Lewiss

**ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES --
REGULATION OF SALES**

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

Senator Tassoni moves passage, seconded by Senators Felag and Roberts.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, 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, Damiani, DaPonte, Doyle, Felag, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8 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.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, June 1, 2006.

9 2006-H 7185 SUB A**BY Picard****ENTITLED, AN ACT RELATING TO HUNTING AND HUNTING SAFETY**

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

Senator Sosnowski moves passage, seconded by Senators Blais, Breene and Cote.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

10 2006-H 7343 SUB A**BY Shanley****ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY**

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

Senator Sosnowski moves passage, seconded by Senator Breene.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

11 2006-H 7609 SUB A**BY Long****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION --
INSPECTIONS OF DAMS AND RESERVOIRS**

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

Senator Blais moves passage, seconded by Senators Sosnowski, Polisena, Tassoni and Algieri.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, 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, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12 2006-H 7900

BY Ginaitt

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
GASOLINE SPECIFICATIONS

Committee on Environment & Agriculture recommends passage in concurrence.

Senator Sosnowski moves passage, seconded by Senators Polisena and Ruggerio.

The act is read and passed, by unanimous consent, in concurrence, 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, Damiani, DaPonte, Doyle, Felag, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ANNOUNCEMENTS

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

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

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet today, at the rise of the Senate, in Room 313 of the State House.

TRANSMITTAL

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

POINT OF PERSONAL PRIVILEGE

Senator Sheehan recognized on a point of personal privilege, addresses the body relating to a recent newspaper article.

RECESS

Upon suggestion of Senate DaPonte, and by unanimous consent the Senate stands at recess at 4:43 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 31, 2006, at 4:17 o'clock P.M.

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 measures:

House Bill No. 7180 SUB A**BY** Picard**ENTITLED**, AN ACT RELATING TO INSURANCE - FEDERAL RIOT REINSURANCE REIMBURSEMENT FUND (dwelling coverage)

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 7469 SUB A (Business Regulation)**BY** Singleton**ENTITLED**, AN ACT RELATING TO INSURANCE -- ERRORS AND OMISSIONS INSURANCE FOR RESIDENT PRODUCERS (require all resident insurance producers to obtain error and omission insurance)

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 7615 SUB A**BY** Anguilla, McHugh, Scott, Gallison, Pacheco**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES -- COUNCILS AND GOVERNING BODIES (removed the requirement that the plan of operation be approved by the insurance administrator)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7610 SUB A as amended

BY Handy, Ginaitt, Long, Lewiss, Fox

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- ENERGY AND CONSUMER SAVINGS ACT OF 2006 (establish minimum energy and consumer savings by setting efficiency standards for certain products sold in the state)

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON JUDICIARY

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

Senate Bill No. 2155 SUB A (Lieutenant Governor)

BY Senators Sheehan, Tassoni, Lenihan, Paiva-Weed, Algieri

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- EMINENT DOMAIN (define, limit and restrict the use of eminent domain for economic development purposes)

Read and ordered to be placed on the Calendar

COMMITTEE ON CONSTITUTIONAL AND GAMING ISSUES

Senator Goodwin, from the Committee on Constitutional and Gaming Issues, reports back, with recommendation of passage of the following measures:

House Resolution No. 7935 SUB A

BY Williamson, Moura, Williams, Malik, Palumbo

ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE

Read and ordered to be placed on the Calendar for Thursday, June 1, 2006.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Ruggerio, the Senate adjourns at 4:17 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JOHN C. REVENS

Lord of truth, establish in us the knowledge of Your will. Make known to us any truths and insights, which will enable us to serve You, and therefore, our constituents, wisely and well. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MAY 31, 2006:

1 Appointment of Alton W. Wiley, Jr. of North Providence to the Commission for Human Rights for a term expiring July 1, 2010.

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

2 Reappointment of Charles A. Lombardi of North Providence to the Personnel Appeal Board for a term expiring April 1, 2011.

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

3 Reappointment of Paul M. DePace of East Greenwich to the State Building Codes Standards Committee for a term expiring May 1 2006.

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

4 2006-H 7200

BY Lewiss

ENTITLED, AN ACT RELATING TO AIRPORTS AND LANDING FIELDS

Ordered to be placed on the Consent Calendar

IN ORDER FOR THURSDAY, JUNE 1, 2006:

1 2006-H 7180 SUB A

BY Picard

ENTITLED, AN ACT RELATING TO INSURANCE - FEDERAL RIOT REINSURANCE REIMBURSEMENT FUND

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

2 2006-H 7469 SUB A

BY Singleton

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 in concurrence.

3 2006-H 7610 SUB A as amended

BY Handy

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
ENERGY AND CONSUMER SAVINGS ACT OF 2006

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

4 2006-H 7615 SUB A

BY Anguilla

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- COUNCILS AND
GOVERNING BODIES

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

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MAY 31, 2006:****1 Appointment of Ellen R. Nelson VICE A. Kathryn Power (resigned) as Director of the Department of Mental Health, Retardation and Hospitals .**

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

2 2006-S 2616**BY Blais****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM ANATOMICAL GIFT ACT

Committee on Judiciary recommends passage.

3 2006-S 3098**BY Felag****ENTITLED,** AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES - TOWN OF WARREN

Committee on Commerce, Housing & Municipal Government recommends passage.

4 2006-S 3102**BY Sosnowski****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE CAPITAL TRANSPORTATION IMPROVEMENT PROJECTS AND TO ISSUE NOT MORE THAN \$400,000 BONDS THEREFOR

Committee on Commerce, Housing & Municipal Government recommends passage.

5 2006-S 3103**BY Sosnowski****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE ACQUISITION OF LAND FOR OPEN SPACE, RECREATION AND AGRICULTURAL PURPOSES AND TO ISSUE NOT MORE THAN \$3,000,000 BONDS THEREFOR

Committee on Commerce, Housing & Municipal Government recommends passage.

6 2006-S 3104**BY Sosnowski****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE NEIGHBORHOOD GUILD IMPROVEMENTS AND TO ISSUE NOT MORE THAN \$1,000,000 BONDS THEREFOR

Committee on Commerce, Housing & Municipal Government recommends passage.

7 2006-S 3106**BY Sosnowski**

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE ACQUISITION OF LAND AND/OR CONSTRUCTION OF A COMMUNITY GYMNASIUM AND TO ISSUE NOT MORE THAN \$1,600,000 BONDS THEREFOR

Committee on Commerce, Housing & Municipal Government recommends passage.

8 2006-S 2178 SUB A**BY Gibbs**

ENTITLED, AN ACT RELATING TO HEATH INSURANCE

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

9 2006-S 2628 SUB A**BY Perry**

ENTITLED, AN ACT RELATING TO MEDICAL ASSISTANCE - LONG-TERM CARE SERVICE AND FINANCE REFORM

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

10 2006-S 2756 SUB A as amended**BY Damiani**

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY

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

11 2006-S 2757 SUB A as amended**BY Levesque C**

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- COORDINATED HEALTH PLANNING ACT OF 2006

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

12 2006-S 2943 SUB A**BY Connors**

ENTITLED, AN ACT RELATING TO INSURANCE - NONPROFIT HOSPITAL SERVICE CORPORATIONS

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

13 2006-H 7103 SUB B**BY Giannini****ENTITLED, AN ACT RELATING TO ORTHOTICS AND PROSTHETICS**

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

14 2006-H 7305 SUB A**BY San Bento****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
LICENSING AND MONITORING OF CHILD CARE PROVIDERS**

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

15 2006-H 7311 SUB B as amended**BY Ginaitt****ENTITLED, AN ACT RELATING TO NURSES**

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

16 2006-H 7648 SUB A**BY Lewiss****ENTITLED, AN ACT RELATING TO POST-PAYMENT AUDIT RESTRICTIONS**

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

IN ORDER FOR THURSDAY, JUNE 1, 2006:**1 Appointment of Joseph J. Roszkowski of Cumberland VICE Monica Horan to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2009.**

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

2 Reappointment of Monica Horan of Lincoln VICE Raymond Marcaccio to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2008.

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

3 2006-H 7935 SUB A**BY Williamson****ENTITLED, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT
TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE
CONSTITUTION OF THE STATE TO PERMIT A RESORT CASINO**

IN WEST WARWICK, RHODE ISLAND, TO BE PRIVATELY OWNED AND OPERATED IN ASSOCIATION WITH THE NARRAGANSETT INDIAN TRIBE

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

4 2006-S 3045

BY Paiva-Weed

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO EXAMINE ALL ASPECTS OF PUBLIC EDUCATION FUNDING AND ITS IMPACT UPON STATE AND LOCAL FINANCES AND TAXATION

Committee on Constitutional & Gaming Issues recommends passage.

5 2006-S 2520 SUB A

BY Breene

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE -- POST AUDIT OF ACCOUNTS

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

6 2006-S 2556

BY Gibbs

ENTITLED, AN ACT RELATING TO THE RHODE ISLAND RESOURCE RECOVERY CORPORATION

Committee on Finance recommends passage.

7 2006-S 2717 SUB B as amended

BY Blais

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES

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

8 2006-S 3049

BY Felag

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

Committee on Finance recommends passage.

9 2006-S 2450**BY Blais****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS**

Committee on Judiciary recommends passage.

10 2006-S 2155 SUB A**BY Sheehan****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
EMINENT DOMAIN**

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

11 2006-H 6768 SUB A**BY Gemma****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLES REPARATIONS ACT**

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

12 2006-H 7150**BY Long****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL
POWERS**

Committee on Judiciary recommends passage in concurrence.

13 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.

14 2006-H 7228**BY Naughton****ENTITLED, AN ACT RELATING TO ASSAULTS**

Committee on Judiciary recommends passage in concurrence.

15 2006-H 7365**BY Murphy****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DISTRESSED AREAS ECONOMIC REVITALIZATION ACT

Committee on Finance recommends passage in concurrence.

16 2006-H 7308 as amended**BY Shanley****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS - ADOPTION OF
CHILDREN

Committee on Judiciary recommends passage as amended in concurrence.

17 2006-H 7336 SUB A**BY Corvese****ENTITLED,** AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY
SUPPORT ACTCommittee on Judiciary recommends indefinite postponement of the original bill and
passage of Substitute A in concurrence.**18 2006-H 7523****BY Watson****ENTITLED,** AN ACT RELATING TO COMMERCIAL TRANSACTION

Committee on Judiciary recommends passage in concurrence.

19 2006-H 7679 SUB A as amended**BY Watson****ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEESCommittee on Finance recommends indefinite postponement of the original bill and
passage of Substitute A as amended.**20 2006-H 7786****BY Corvese****ENTITLED,** AN ACT RELATING TO DOMESTIC RELATIONS

Committee on Judiciary recommends passage in concurrence.

Raymond T. Hoyas, Jr.
Secretary of the Senate