

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.48

Thursday, June 1, 2006

Forty-eighth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:22 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 Ciccone, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Forty-sixth Legislative Day of the 2006 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Ruggerio and by unanimous consent, the Honorable President, welcomes to the Chamber the family of Senator Doyle, his wife Jackie and their newborn son, James E. Doyle III.

COMMUNICATION

The Honorable President presents the following communication:

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

May 31, 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 record reflect that I will be absent from Senate Session on Thursday June 1, 2006. I will be attending the funeral of Raymond C. Mason, a very close friend of mine.

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

Sincerely,

Michael J. Damiani
State Senator District-18

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**

May 31, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 35-10-1 of the Rhode Island General Laws, I have made the following reappointment to the State Investment Commission:

J. Michael Costello of Providence

for a term expiring March 1, 2009.

To this reappointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

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

Also:

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

May 31, 2006

TO THE HONORABLE, THE SENATE:

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

Christopher M. Anderson of Providence

VICE
Andrew Tate
(resigned)

for a term expiring April 1, 2008.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

NEW BUSINESS

Senate Resolution No. 3125

BY Senator Sosnowski

ENTITLED, SENATE RESOLUTION CONGRATULATING NANCY LENOCE-WALSH ON BEING NAMED "TEACHER OF THE YEAR" BY THE RICHMOND GRANGE AND FOR HER DEDICATED SERVICE TO THE CHILDREN AT THE WEST KINGSTON ELEMENTARY SCHOOL.

Read and ordered to be placed on the Senate Consent Calendar

Also:

Senate Resolution No. 3126

BY Senator Sosnowski

ENTITLED, SENATE RESOLUTION CONGRATULATING WALTER AND DOROTHY TAYLOR ON BEING NAMED THE "COMMUNITY CITIZENS OF THE YEAR" BY THE RICHMOND GRANGE.

Read and ordered to be placed on the Senate Consent Calendar

Also:

Senate Bill No. 3127

BY Senators Lenihan, Sheehan

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE LAND ACQUISITION, CONSTRUCTION, RENOVATIONS, ADDITIONS, IMPROVEMENTS AND/OR RELATED EQUIPMENT AND VEHICLES FOR PUBLIC SAFETY FACILITIES AND TO ISSUE NOT MORE THAN \$4,500,000 BONDS AND NOTES THEREFOR.

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

Also:

Senate Bill No. 3128

BY Senators Lenihan, Sheehan

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE NEW CONSTRUCTION, RENOVATIONS, ADDITIONS, IMPROVEMENTS AND/OR RELATED EQUIPMENT AT THE NORTH KINGSTOWN SENIOR CENTER COMPLEX, BEECHWOOD HOUSE, COMMUNITY CENTER AND TOWN BEACH AND TO ISSUE NOT MORE THAN \$4,000,000 BONDS AND NOTES THEREFOR.

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

Also:

Senate Bill No. 3129

BY Senators Sheehan, Lenihan

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE THE ACQUISITION OF FARMLAND AND OTHER REAL ESTATE AND/OR DEVELOPMENT RIGHTS THERETO AND TO ISSUE NOT MORE THAN \$4,000,000 BONDS AND NOTES THEREFOR.

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

Also:

Senate Bill No. 3130

BY Senators Lenihan, Sheehan

ENTITLED, AN ACT AUTHORIZING THE TOWN OF NORTH KINGSTOWN TO FINANCE A COMMUNITY SEPTIC SYSTEM LOAN PROGRAM AND TO ISSUE NOT MORE THAN \$2,000,000 NOTES THEREFOR.

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

Also:

Senate Bill No. 3131

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO SALES AND TAX - SOUTH KINGSTOWN ARTS DISTRICT.

Read and referred to the Senate Committee on Finance

Also:

Senate Resolution No. 3132

BY Senators Gallo, Roberts, Lanzi, Walaska, Fogarty P

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$150,000 FOR WORLD WAR II MEMORIAL.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3133

BY Senators Tassoni, Doyle, McBurney

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - SCHOOL BUS SAFETY.

Read and referred to the Senate Committee on Judiciary

Also:

Senate Resolution No. 3134

BY Senator Fogarty P

ENTITLED, SENATE RESOLUTION RECOGNIZING THE NAMING OF "DUCHARME POND" IN HONOR OF RONALD DUCHARME.

Senator Fogarty requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Fogarty moves passage, seconded by Senator Tassoni.

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

CALENDAR

Upon suggestion of Senator Ruggiero, and without objection, item's 1 and 2 on today's Calendar, are moved to the Consent Calendar.

Without objection so ordered.

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-H 7180 SUB A

BY Picard

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

2 2006-H 7469 SUB A

BY Singleton

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

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

4 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.

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

CALENDAR

IN ORDER FOR THURSDAY, JUNE 1, 2006:

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.

Senator Alves moves passage, seconded by Senators Goodwin, Levesque, Tassoni, DaPonte, Connors, Badeau, Ciccone and Ruggerio.

Senators Metts, Lenihan, Sheehan, Raptakis and Levesque discuss the act.

Senator Raptakis, seconded by Senator Sheehan, offers the following written motion to amend.

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

2006 -- H 7935 SUBSTITUTE A

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

Mr. President:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, 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", as follows:

On page 2, line 13, by deleting the language ", now, therefore be it" and inserting in place thereof the following:

"WHEREAS, Problem gambling is a public health issue affecting millions of Americans of all ages, races, and ethnic backgrounds and carries a significant societal and economic cost; and

WHEREAS, Problem gambling is treatable and treatment is effective in minimizing the harm to both individuals and society as a whole; and, now, therefore be it

RESOLVED, That an amount equal to one dollar (\$1.00) per every member of the population of the State of Rhode Island shall be given to the Rhode Island Council on Problem Gambling; and be it further resolved".

Respectfully submitted,
SENATOR RAPTAKIS,
LC02854/25

Senators Goodwin and Ciccone discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 6 Senators voting in the affirmative and 29 Senators voting in the negative as follows:

YEAS- 6: Senators Caprio, Lenihan, Polisen, Raptakis, Revens, Sheehan

NAYS- 29: The Honorable President Montalbano and Senators Algiere, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Lanzi, Levesque, McBurney, McCaffrey, Metts, Perry, Pichardo, Roberts, Ruggerio, Sosnowski, Tassoni, Walaska.

Senator Polisen, seconded by Senators Raptakis and Revens, offers the following written motion to amend.

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

2006 -- H 7935 SUBSTITUTE A

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

Mr. President:

I hereby move to amend 2006 -- H 7935 SUBSTITUTE A, 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", as follows:

By deleting all the language on page 1, line 1 through page 3, line 21 and inserting in place thereof the following:

"WHEREAS, The General Assembly has sought to empower the citizens of the state of Rhode Island with the right to determine by a vote of the people on the question whether to authorize the creation and operation of a resort casino in Rhode Island that would be competitive with resort casinos in other jurisdictions; and

WHEREAS, The Rhode Island Supreme Court has ruled that, without an amendment to the Constitution, a resort casino in Rhode Island cannot be privately owned and operated; and

WHEREAS, The right of the citizens of Rhode Island to vote on the question whether a privately owned and operated resort casino shall be permitted in this state remains a question of great public importance and the General Assembly believes that the resolution of the issue should rest with the citizenry and not the Courts, the Executive, or any other third-party; and

WHEREAS, It is in the interest of all sides in the public-policy debate, it is in the interest of legislative and judicial

economy, and it is in fairness to the citizens of this state that the constitutionality and authorization of a resort casino in Rhode Island, subject to voter approval with competitive bidding, to be privately owned and operated in association with the Narragansett Indian Tribe, be finally decided by the vote of the citizens of Rhode Island in a local and statewide referendum at the next statewide general election; and

WHEREAS, The General Assembly believes that a resort casino in Rhode Island will provide competition with resort casinos in nearby jurisdictions that is not currently being provided by existing video-lottery facilities in the state; and

WHEREAS, The General Assembly believes that a resort casino in Rhode Island will create jobs and other economic benefits; and

WHEREAS, The General Assembly believes that the property-tax burden on the citizens of this state has reached a level that requires relief, and therefore the General Assembly believes that if the citizens approve the Rhode Island resort casino, the tax proceeds from that resort casino should be dedicated to property-tax relief for the citizens of the state; and

WHEREAS, The majority of all members elected to each house of the general assembly are committed to granting to the electors of Rhode Island the right to vote on the establishment of a resort casino and games therein in Rhode Island, with such resort casino to be privately owned and operated in association with the Narragansett Indian Tribe, and to ensure that such resort casino and games therein being voted on be constitutional under the laws of Rhode Island; now, therefore, be it

RESOLVED, That a majority of all members elected to each house of the general assembly voting therefore, an amendment to Article VI of the Constitution of the state shall be proposed to the qualified electors of the state for their approval in accordance with the provisions of Article XIV of the Constitution, and upon such approval, new section 23, set forth below, be added to and included in Article VI of the Constitution; and that said proposition of amendment shall be submitted to the electors for their approval or rejection at the next statewide general election, and said proposition of amendment shall appear on the ballots as the first referendum question and shall be preceded by the following explanation and space to "approve" or "reject", all of which shall be in substantially the following form:

1. CONSTITUTIONAL AMENDMENT - RESORT CASINO

Approval of the amendment set forth below will authorize a resort casino in Rhode Island, with competitive bidding to be privately owned and privately operated in association with the Narragansett Indian Tribe, with tax proceeds from the casino being dedicated to property-tax relief.

APPROVE _____

REJECT _____

A new section 23 shall be added to and included in Article VI of the Constitution to read as follows:

Section 23. Resort Casino – Notwithstanding sections 15 and 22 of this Article, and provided that a majority of the electors have voted to approve this amendment, the establishment of a resort casino and games located therein, is authorized in a city or town subject to voter approval and competitive bidding. The resort casino shall be privately owned and privately operated by a business entity established pursuant to Rhode Island law by the Narragansett Indian Tribe and its chosen partner, which entity shall be: (i) legally distinct and separate from the Narragansett Indian Tribe; (ii) subject to the laws of the state of Rhode Island, including regulation and taxation; and (iii) required in its organizing documents to expressly waive any sovereign immunity relating to any and all matters of the resort casino, including compliance with and enforcement of the laws of the state of Rhode Island, and the regulation and taxation thereof. The per annum tax rate shall be established by the general assembly with all of such tax proceeds to be dedicated to property –tax relief, as prescribed by statute.

RESOLVED, That the voting places in the several cities and town shall be kept open during the hours required by law for voting therein for general officers of the state; and be it further

RESOLVED, That the secretary of state shall cause said proposition of amendment to be published as a part of this resolution in the newspapers of the state prior to the date of the said meetings of the said electors; and said proposition shall be inserted in the warrants or notices to be issued previous to said meetings of the electors for the purpose of warning the town, ward, or district meetings, and said propositions shall be read by the town, ward, or district clerks to the electors in the town, ward, or district meetings to be held as aforesaid; and be it further

RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be warned, and the list of voters shall be canvassed and made up, and the said town, ward, and district meetings shall be conducted in the same manner as now provided by law for the town, ward, and district meetings for the election of general officers of the state."

Respectfully submitted,
SENATOR POLISENA
LC02854/19

Senators Goodwin, Raptakis, Ciccone, Connors, Polisena, Sheehan and Lenihan discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 16 Senators voting in the affirmative and 17 Senators voting in the negative as follows:

YEAS- 16: Senators Algieri, Bates, Blais, Breene, Caprio, Cote, Gibbs, Issa, Lenihan, Pichardo, Polisena, Raptakis, Revens, Roberts, Sosnowski, Walaska.

NAYS- 17: Senators Alves, Badeau, Ciccone, Connors, DaPonte, Felag, Fogarty, Gallo, Goodwin, Lanzi, Levesque, McBurney, McCaffrey, Metts, Perry, Ruggerio, Tassoni, Walaska.

Senators Blais, Cote, Gibbs, DaPonte, Raptakis, Alves, Polisena, Sheehan and Ruggerio discuss the act.

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 23 Senators voting in the affirmative and 13 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 23: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Metts, Pichardo, Polisena, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 13: Senators Algieri, Bates, Blais, Breene, Caprio, Cote, Gibbs, Lenihan, Perry, Raptakis, Revens, Roberts, Sheehan.

ANSTAINED- 1: Senator Paiva Weed.

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 8, 2006.

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.

Senator Breene moves passage, seconded by Senator Blais.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

6 2006-S 2556**BY Gibbs****ENTITLED, AN ACT RELATING TO THE RHODE ISLAND RESOURCE RECOVERY CORPORATION**

Committee on Finance recommends passage.

Senator Gibbs moves passage, seconded by Senators Polisena, Sosnowski and Blais

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

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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.

Senator Blais moves passage, seconded by Senators Roberts, Connors, Ciccone, Paiva Weed and Polisena.

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

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8 2006-S 3049**BY Felag****ENTITLED, AN ACT RELATING TO TAXATION -- EXCISE ON MOTOR VEHICLES AND TRAILERS**

Committee on Finance recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, June 8, 2006.

9 2006-S 2450

BY Blais

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

Committee on Judiciary recommends passage.

Senator Blais moves passage, seconded by Senators Polisena, McCaffrey, Paiva Weed and Algieri.

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

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Issa, Lanzi, Levesque, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the top of the Calendar for Tuesday, June 6, 2006.

11 2006-S 2616

BY Blais

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM
ANATOMICAL GIFT ACT**

Committee on Judiciary recommends passage.

Senator Blais moves passage, seconded by Senators McCaffrey, Perry, Polisena, Ruggerio, Roberts and many others.

Senator Blais, seconded by Senator Badeau, offers the following written motion to amend.

FLOOR AMENDMENT

2006 -- S 2616

AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM ANATOMICAL GIFT ACT

Mr. President:

I hereby move to amend 2006 -- S 2616, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM ANATOMICAL GIFT ACT", as follows:

By deleting all the language following the enactment clause and inserting in place thereof the following:

"SECTION 1. Section 23-28.6-4 of the General Laws in Chapter 23-18.6 entitled "Uniform Anatomical Gift Act" is hereby amended to read as follows:

23-18.6-4. Authorization by medical examiner. Referral of death and authorization by medical examiner. – (a)

The medical examiner or his or her designee shall provide the federally designated organ procurement organization and other nonprofit federally registered eye and tissue banks, in a timely manner, all information necessary to facilitate organ and tissue donation including, but not limited to, names and available contact information of individuals whose deaths have been reported to the medical examiner's office and jurisdiction accepted.

~~(a)~~ (b) The medical examiner may release and permit the removal of a part from a body within that official's custody, for transplantation or therapy, if:

(1) The official has received a request for the part from a hospital, physician, surgeon, or procurement organization;

~~(2) The hospital staff "transplant team" has made a reasonable effort, taking into account the useful life of the part, to locate and examine the decedent's medical records and inform persons listed in section 23-18.6-3(a) of their option to make, or object to making, an anatomical gift; A donation has been authorized in accordance with section 23-18.6-2 or 23-18.6-3;~~

(3) The official does not know of a refusal or contrary indication by the decedent or objection by a person having ~~priority~~ authority to act as listed in section 23-18.6-3(a);

(4) The removal will be by a physician, surgeon, or technician; but in the case of eyes, by one of them or by an enucleator; (5) The removal will not interfere with any autopsy, investigation, procedure, or other additional activity as deemed necessary by the medical examiner required to arrive at a reasonable cause and manner of death;

(6) The removal will be in accordance with accepted medical standards; and

(7) Cosmetic restoration will be done, if appropriate.

(c) The medical examiner, or his or her designee, may permit the removal of the anatomical gift to occur at the

medical examiner's office.

(b) (d) A permanent record of the names of the decedent, the person making the request, the date and purpose of the request, the part requested, and the person to whom it was released should be made by the hospital/physician/technician (enucleator) and forwarded to the medical examiner for his or her records.

(e) (e) The medical examiner, or his or her designee, shall be present during the removal of the anatomical gift if in his or her judgment such attendance would, in the opinion of the medical examiner or his or her designee, facilitate a donation that would otherwise be denied.

(f) (f) The medical examiner, or his or her designee, may only deny removal of the anatomical gift after explaining in writing or verbally with subsequent written documentation to the federally designated organ procurement organization and other nonprofit federally registered eye and tissue banks, reasons for determining that those tissues or organs may be involved in the cause of death.

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,
SENATOR BLAIS
LC00260/2

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator Blais moves passage of the act, as amended, seconded by Senators Badeau, Roberts and Levesque.

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

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

NAYS- 0:

12 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.

Senator Polisenia moves passage, seconded by Senators Tassoni, Sosnowski and Bates.

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

NAYS- 0:

13 2006-H 7150**BY Long****ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- GENERAL
POWERS**

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Levesque and Paiva Weed.

Senator Paiva Weed, seconded by Senators Levesque, offers the following written motion to amend.

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

2006 -- H 7150

AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Mr. President:

I hereby move to amend 2006 -- H 7150, entitled "AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS", as follows:

By deleting all of the language following the enactment clause and inserting in place thereof the following:

"SECTION 1. Chapter 45-2 of the General Laws entitled "General Powers" is hereby amended by adding thereto the following section:

45-2-52. Town of Jamestown - Municipal Court. – (a) The town council of the town of Jamestown may establish

a municipal court and confer upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to hear and determine causes involving the violation of any ordinance, including, but not limited to, municipal code violations, animal regulation violations, minimum housing ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the Rhode Island Housing Maintenance and Occupancy Code; and, if but only if, jurisdiction is specifically conferred by a vote of the town council, traffic and parking violations; provided, however, that any defendant found guilty of any offense, excluding violations of the minimum housing ordinances or chapter 24.3 within the jurisdiction of the court, may within seven (7) days of the conviction, file and appeal from the conviction to the superior court and be entitled in the latter court to a trial de novo; and provided further, however, that any defendant found guilty of any violation of a minimum housing ordinance or of chapter 24.3, may within seven (7) days of conviction, file and appeal from the conviction to the second division of the district court and be entitled to a trial de novo in accordance with sections 8-8-3(a)(4) and 8-8-3.2.

(b) With respect to violations of either municipal ordinances dealing with minimum housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the town council may also confer upon the municipal court, in furtherance of the court's jurisdiction, the power to proceed according to equity:

(1) to restrain, prevent, enjoin, abate, or correct a violation;

(2) to order the repair, vacation, or demolition of any dwelling existing in violation; or

(3) to otherwise compel compliance with all of the provisions of those ordinances and statutes.

(c) The town council of the town of Jamestown is authorized and empowered to appoint a judge of the municipal court. The judge shall serve for a term of two (2) years, or concurrent with the term of each appointing council. The town council of the town is authorized and empowered to enact ordinances governing the personnel, operation, and procedure to be followed in the court and to establish a schedule of fees and costs, and to otherwise provide for the operation and management of the court. The municipal court may impose sentences not to exceed thirty (30) days in jail and impose fines not in excess of five hundred dollars (\$500), or both. The court is empowered to administer oaths, compel the attendance of witnesses, and punish persons for contempt, and to authorize and execute search warrants to the extent the warrants could be authorized and executed by a justice of the district court.

SECTION 2. This act shall take effect upon passage."

Respectfully submitted,
SENATOR PAIVA-WEED
LC01837/2

The motion to amend prevails upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

Senator Paiva Weed moves passage of the act, as amended, seconded by Senators Levesque and McCaffrey.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Montalbano

14 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.

Senator Tassoni moves passage, seconded by Senators Pichardo and Ruggerio.

The bill marked Substitute "A" is read and passed, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 23 Senators voting in the affirmative and 8 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 23: The Honorable President Montalbano and Senators Alves, Ciccone, Connors, DaPonte, Doyle, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 8: Senators Algieri, Bates, Blais, Breene, Cote, Lenihan, Revens, Roberts.

ABSTAINED- 1: Senator Walaska

15 2006-H 7228**BY Naughton****ENTITLED, AN ACT RELATING TO ASSAULTS**

Committee on Judiciary recommends passage in concurrence.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Thursday, June 8, 2006.

16 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.

Senator Alves moves passage, seconded by Senators Ruggerio and Breene.

The act is read and passed, by unanimous consent, in concurrence, 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, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

17 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.

Senator McCaffrey moves passage, seconded by Senator Levesque.

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

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Levesque, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

18 2006-H 7336 SUB A**BY Corvese****ENTITLED,** AN ACT RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT

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

Senator McCaffrey moves passage, seconded by Senator Levesque.

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

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

19 2006-H 7523**BY Watson****ENTITLED,** AN ACT RELATING TO COMMERCIAL TRANSACTION

Committee on Judiciary recommends passage in concurrence.

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

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

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

NAYS- 0:

20 2006-H 7679 SUB A as amended**BY Watson****ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES

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

Senator Blais moves passage, seconded by Senators Breene, Connors and Levesque.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

21 2006-H 7786

BY Corvese

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Blais, Connors, Walaska and Levesque.

The act is read and passed, by unanimous consent, in concurrence, 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, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

22 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.

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

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 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, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, 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 the Senate Lounge of the State House.

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

TRANSMITTAL

By unanimous consent, all Senate matters, all House matters that have been amended, along with (H-7167 A) and (H-7935 A) 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 6:25 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 Tuesday, June 6, 2006, at 4:03 o'clock P.M.

NEW BUSINESS

Senate Bill No. 3135

BY Senators Lanzi, Gallo, Roberts

ENTITLED, AN ACT AUTHORIZING THE CITY OF CRANSTON TO ISSUE NOT MORE THAN \$9,585,000 BONDS AND NOTES TO FINANCE THE RENOVATION, REHABILITATION, REPAIR, IMPROVEMENT, FURNISHING AND EQUIPPING OF THE HUGH B. BAIN, PARKVIEW AND WESTERN HILLS MIDDLE SCHOOLS {LC3375/1}

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

Also:

Senate Bill No. 3136

BY Senators Revens, McCaffrey, Walaska, Roberts, Raptakis

ENTITLED, AN ACT REVISING THE CHARTER OF THE CITY OF WARWICK, AND IN AMENDMENT OF CHAPTER 1852 OF THE PUBLIC LAWS, 1931,

ENTITLED "AN ACT TO ESTABLISH THE CITY OF WARWICK," AS AMENDED {LC3255/1}

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

Also:

Senate Bill No. 3137

BY Senators Revens, McCaffrey, Walaska, Roberts, Raptakis

ENTITLED, AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$9,000,000 FOR THE REPAIR AND IMPROVEMENT OF CITY BUILDINGS {LC3379/1}

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

Also:

Senate Resolution No. 3138

BY Senators Doyle, Walaska, Polisena

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY THE KOREAN CONFLICT VETERANS BONUS FOR RICHARD FIGUEIREDO, 68 VINTON STREET, PROVIDENCE, RI 02909 {LC3390/1}

Read and referred to the Senate Committee on Finance

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 8108

BY Mumford

ENTITLED, AN ACT PROVIDING FOR THE CONSTRUCTION OF ADDITIONS AND RENOVATIONS TO THE SCITUATE MIDDLE/HIGH SCHOOL COMPLEX AND AUTHORIZING FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$5,000,000 IN BONDS THEREFOR.

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

Also:

Senate Bill No. 2014 SUB B

BY Senators Tassoni, Doyle, McBurney

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- PERMIT SYSTEM FOR BREEDING OF CATS (establish a permit system to regulate the cat population in the state)

Read and ordered to be placed on the Consent Calendar for Tuesday, June 6, 2006.

REPORTS OF COMMITTEES**COMMITTEE ON EDUCATION**

Senator Issa, from the Committee on Education, reports back, with recommendation of passage of the following measures:

Senate Bill No. 2304 SUB A

BY Senator Issa

ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE (meetings convened in the development of a district's strategic plan would be exempt from the provisions of section 42-46-6)

Read and ordered to be placed on the Calendar for Wednesday, June 7, 2006.

Also:

House Bill No. 6854

BY Savage

ENTITLED, AN ACT RELATING TO EDUCATION -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS (description of a plan that would include measurable student academic goals)

Read and ordered to be placed on the Calendar for Tuesday, June 6, 2006.

Also:

House Bill No. 7515 (Elementary & Secondary Education)

BY Davey, Long

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

Read and ordered to be placed on the Calendar for Tuesday, June 6, 2006.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 8101

BY Voccola, Williams

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- PET WARRANTIES -- DOGS (create a new chapter extensively covering the sale of dogs, warranties, remedies and notices pertaining thereto).

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

Also:

House Bill No. 7893 as amended

BY Almeida

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

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

Also:

House Bill No. 7842 SUB A as amended

BY Ginaitt, Laroche, Brien T

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY (provide a mechanism for the documentation of pre-hospital exposure to patient-related infectious materials of emergency medical services workers)

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

REPORTS OF COMMITTEES

COMMITTEE ON JUDICIARY

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

House Bill No. 7986 SUB A

BY Coderre E, San Bento, Kilmartin, Dennigan, Rose

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

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Bill No. 2379 SUB A

BY Senators Raptakis, Polisena, Damiani, Sheehan, Caprio F

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - RHODE ISLAND PUBLIC TRANSIT AUTHORITY (require all RIdE buses to be installed with passenger security cameras and would require that all drivers of RIdE buses have a BCI criminal records check)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 2425 SUB A**BY** Senators Lanzi, Gibbs, Ciccone, Damiani, Paiva-Weed**ENTITLED**, AN ACT RELATING TO WEAPONS - PERSONS EXEMPT FROM RESTRICTIONS (exempt fire marshals assigned to the bomb squad and investigation unit from weapon restriction)

Read and ordered to be placed on the Calendar

Also:

House Bill No. 8007**BY** McNamara**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Karen Marie Kenney and Thomas Sneesby).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7532**BY** Lewiss, San Bento, Shanley, Corvese, Kennedy**ENTITLED**, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTIONS (establish a deadline for delivery of election materials to the board of elections and would allow for the storage of voting equipment upon the close of the polls).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7535**BY** Lewiss, McNamara, Crowley, Kennedy, Jackson**ENTITLED**, AN ACT RELATING TO ELECTIONS (seek to make ballots for blind, visually impaired and disabled voters easier to use).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7597**BY** Jackson, Lewiss, Scott**ENTITLED**, AN ACT RELATING TO FIDUCIARIES -- PROBATE CONFLICT OF INTEREST (doctrine of virtual representation).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7598

BY Jackson, Lewiss, Scott

ENTITLED, AN ACT RELATING TO COURTS -- TEMPORARY CUSTODIANS (clarify the probate court's discretion in ordering the sale of real or personal property under the control of a temporary custodian appointed by the probate court).

Read and ordered to be placed on the Calendar

Also:

House Bill No. 7644 (Attorney General)

BY Naughton, Williamson, Kennedy, Coderre E, Handy

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- DATING SERVICES (3 day rescission period for persons who enter into contracts with social referral services, and that a violation of the provisions of this chapter would be deemed a deceptive trade practice).

Read and ordered to be placed on the Calendar.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:04 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR FRANK A. CICCONE III

Lord, to Your servants in this chamber grant a sense of Your presence, not only during this hurried moment of prayer, but throughout the entire day, especially as we deliberate and vote on behalf of our constituents. Enable us to make our judgments Your judgments. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, JUNE 6, 2006:

- 1 Appointment of Patricia A. Doyle of Portsmouth VICE Laura DiSano (resigned) to the Rhode Island Higher Education Assistance Authority for a term expiring July 1, 2009.**

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

2 2006-S 2014 SUB B

BY Tassoni

ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- PERMIT SYSTEM FOR BREEDING OF CATS

Ordered to be placed on the Consent Calendar for passage of Substitute B in concurrence.

3 2006-S 3125

BY Sosnowski

ENTITLED, SENATE RESOLUTION CONGRATULATING NANCY LENOCE-WALSH ON BEING NAMED "TEACHER OF THE YEAR" BY THE RICHMOND GRANGE AND FOR HER DEDICATED SERVICE TO THE CHILDREN AT THE WEST KINGSTON ELEMENTARY SCHOOL

Ordered to be placed on the Consent Calendar

4 2006-S 3126

BY Sosnowski

ENTITLED, SENATE RESOLUTION CONGRATULATING WALTER AND DOROTHY TAYLOR ON BEING NAMED THE "COMMUNITY CITIZENS OF THE YEAR" BY THE RICHMOND GRANGE

Ordered to be placed on the Consent Calendar

5 2006-H 6779 SUB A

BY Corvese

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

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

6 2006-H 6885 as amended**BY Ajello****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
STATE PURCHASES

Committee on Government Oversight recommends passage as amended in concurrence.

7 2006-H 7951**BY Rice****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES --
AUTHORIZING THE TOWN OF MIDDLETOWN TO CONSTRUCT
AND MAINTAIN A STORMWATER CONTROL SYSTEM

Ordered to be placed on the Consent Calendar

8 2006-H 8062**BY Watson****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF EAST GREENWICH TO
IMPLEMENT A TAX INCREASE DEFERRAL PROGRAM FOR
SENIOR RESIDENT HOMEOWNERS

Ordered to be placed on the Consent Calendar

9 2006-H 8104**BY Malik****ENTITLED,** AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT
OF LOCAL TAXES - TOWN OF WARREN

Ordered to be placed on the Consent Calendar

10 2006-H 6854**BY Savage****ENTITLED,** AN ACT RELATING TO EDUCATION -- ESTABLISHMENT OF
CHARTER PUBLIC SCHOOLS

Committee on Education recommends passage in concurrence.

11 2006-H 7515**BY Davey****ENTITLED,** AN ACT RELATING TO EDUCATION -- ADULT EDUCATION
COMMISSION

Committee on Education recommends passage in concurrence.

Appendix

CALENDAR

IN ORDER FOR TUESDAY, JUNE 6, 2006:

1 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.

2 2006-S 3038 SUB A**BY Tassoni****ENTITLED,** AN ACT IN AMENDMENT OF CHAPTER 218 OF THE PUBLIC LAWS OF 1993 ENTITLED "AN ACT RELATING TO THE TOWN OF NORTH SMITHFIELD TO CREATE THE NORTH SMITHFIELD WATER AUTHORITY AND TO PROVIDE FOR ITS POWERS AND DUTIES"

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

3 2006-S 3093**BY Tassoni****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - RETIREMENT OF MUNICIPAL EMPLOYEES

Committee on Commerce, Housing & Municipal Government recommends passage.

4 2006-S 3099**BY Revens****ENTITLED,** AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$7,000,000 FOR THE REHABILITATION OF THE MICKEY STEVENS SPORTS COMPLEX

Committee on Commerce, Housing & Municipal Government recommends passage.

5 2006-S 3100**BY Revens****ENTITLED,** AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$25,000,000 FOR THE REPAIR AND RENOVATION OF SCHOOL FACILITIES

Committee on Commerce, Housing & Municipal Government recommends passage.

6 2006-S 2700

BY Badeau

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

Committee on Environment & Agriculture recommends passage.

7 2006-H 6752 as amended

BY Coderre E

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

Committee on Government Oversight recommends passage as amended in concurrence.

8 2006-H 7175 SUB B

BY Coderre E

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 the Substitute A and passage of Substitute B.

9 2006-H 7503 SUB A

BY Long

ENTITLED, AN ACT RELATING TO REFUSE DISPOSAL

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

10 2006-H 7955 SUB A

BY Jackson

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 in concurrence.

11 2006-H 7975

BY Coderre E

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage in concurrence.

IN ORDER FOR WEDNESDAY, JUNE 7, 2006:**1 2006-S 2304 SUB A****BY Issa****ENTITLED, AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND
STUDENT INVESTMENT INITIATIVE**

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

2 2006-S 2379 SUB A**BY Raptakis****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -
RHODE ISLAND PUBLIC TRANSIT AUTHORITY**

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

3 2006-S 2425 SUB A**BY Lanzi****ENTITLED, AN ACT RELATING TO WEAPONS - PERSONS EXEMPT FROM
RESTRICTIONS**

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

4 2006-H 7532**BY Lewiss****ENTITLED, AN ACT RELATING TO ELECTIONS -- CONDUCT OF ELECTIONS**

Committee on Judiciary recommends passage in concurrence.

5 2006-H 7535**BY Lewiss****ENTITLED, AN ACT RELATING TO ELECTIONS**

Committee on Judiciary recommends passage in concurrence.

6 2006-H 7597**BY Jackson****ENTITLED, AN ACT RELATING TO FIDUCIARIES -- PROBATE CONFLICT OF
INTEREST**

Committee on Judiciary recommends passage in concurrence.

7 2006-H 7598**BY Jackson****ENTITLED,** AN ACT RELATING TO COURTS -- TEMPORARY CUSTODIANS
Committee on Judiciary recommends passage in concurrence.**8 2006-H 7644****BY Naughton****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
DATING SERVICES

Committee on Judiciary recommends passage in concurrence.

9 2006-H 8007**BY McNamara****ENTITLED,** AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

IN ORDER FOR THURSDAY, JUNE 8, 2006:**1 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.

2 2006-S 3049**BY Felag****ENTITLED,** AN ACT RELATING TO TAXATION -- EXCISE ON MOTOR
VEHICLES AND TRAILERS

Committee on Finance recommends passage.

3 2006-H 7228**BY Naughton****ENTITLED,** AN ACT RELATING TO ASSAULTS

Committee on Judiciary recommends passage in concurrence.

Raymond T. Hoyas, Jr.
Secretary of the Senate