

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. 54

Thursday, June 15, 2006

Fifty-fourth 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 37 Senators present and 1 Senator absent as follows:

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

ABSENT – 1: Alves

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

NEW BUSINESS

Senate Bill No. 3170

BY Senators Roberts, Perry, Tassoni, Pichardo, Gibbs

ENTITLED, AN ACT RELATING TO INSURANCE - THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART II - TRANSPARENCY OF INFORMATION ON HEALTH CARE QUALITY AND COST.

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

Also:

Senate Bill No. 3171

BY Senators Fogarty P, Sosnowski, Breene, Bates, Blais

ENTITLED, AN ACT RELATING TO SUBDIVISION OF LAND -- FARMS.

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Resolution No. 3172

BY Senators Tassoni, Perry, Roberts, Gibbs

ENTITLED, JOINT RESOLUTION THE RHODE ISLAND HEALTH CARE AFFORDABILITY ACT OF 2006 - PART V.

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

Also:

Senate Bill No. 3173

BY Senators DaPonte, Damiani

ENTITLED, AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE TO FINANCE THE REPAIRS, RENOVATIONS, AND IMPROVEMENTS TO CITY ROADS AND DRAINAGE SYSTEMS AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR.

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

Also:

Senate Bill No. 3174

BY Senators Felag, Gibbs

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - RHODE ISLAND HOUSING AND MORTGAGE FINANCE CORPORATION.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3175

BY Senator Ciccone

ENTITLED, AN ACT RELATING TO THE PUBLIC RECORDS - ADMINISTRATION.

Read and referred to the Senate Committee on Finance

Senate Bill No. 3176

BY Tassoni

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORDS - DEPARTMENT OF TRANSPORTATION {LC3511/1}

Read and referred to the Senate Committee on Finance

CONSENT CALENDAR

In order for the day is taken up as follows:

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

1 2006-S 2177 SUB B

BY Ciccone

ENTITLED, AN ACT RELATING TO ORTHOTICS AND PROSTHETICS

2 2006-S 2185 as amended

BY McCaffrey

ENTITLED, AN ACT RELATING TO ASSAULTS

3 2006-S 2278 SUB A

BY Caprio F

ENTITLED, AN ACT RELATING TO FIDUCIARIES -- POWERS OF FIDUCIARIES

4 2006-S 2349 SUB A

BY Caprio F

ENTITLED, AN ACT RELATING TO FIDUCIARIES - POWERS OF FIDUCIARIES

5 2006-S 2456 SUB A

BY McCaffrey

ENTITLED, AN ACT RELATING TO STATE BUILDING CODE

6 2006-S 2606 SUB B

BY Polisena

ENTITLED, AN ACT RELATING TO NURSES

7 2006-S 2713 SUB A

BY Perry

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT - INSURANCE BENEFITS - PERSONAL INCOME TAX

8 2006-S 2726 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO UNIFORM COMMERCIAL CODE -- SECURED TRANSACTIONS

9 2006-S 2801 SUB A

BY DaPonte

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS - ADOPTION OF CHILDREN

10 2006-S 2938 SUB A**BY Caprio F****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND PARTNERSHIPS - RHODE ISLAND BUSINESS CORPORATION ACT AND RHODE ISLAND LIMITED LIABILITY COMPANY ACT**CALENDAR****IN ORDER FOR THURSDAY, JUNE 15, 2006:****2 2006-S 3050 SUB A as amended****BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY TAXES

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

Upon suggestion of Senator Paiva Weed, and without objection, ordered to be placed on the Calendar for Tuesday, June 20, 2006.

3 2006-S 3079**BY Roberts****ENTITLED,** AN ACT RELATING TO VETERANS -- BURIAL OF VETERANS

Committee on Finance recommends passage.

Senator Roberts moves passage, seconded by Senators Perry, Tassoni, Issa, Levesque, Algieri, Damiani, Breene, Blais, Lenihan, Metts, Ciccone and several others.

The act is read and passed, 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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Perry, Pichardo, Polisena, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4 2006-S 3131**BY Sosnowski****ENTITLED,** AN ACT RELATING TO SALES AND TAX - SOUTH KINGSTOWN ARTS DISTRICT

Committee on Finance recommends passage.

Senator Sosnowski moves passage, seconded by Senators Sheehan and Felag.

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, 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, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

1 2006-S 3049

BY Felag

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

Committee on Finance recommends passage.

Senator Felag moves passage, seconded by Senators Revens, Damiani and Tassoni.

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

NAYS- 0:

5 2006-S 3156

BY Tassoni

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SMITHFIELD TO ISSUE NOT EXCEEDING \$35,205,000 GENERAL OBLIGATION BONDS OR NOTES FOR THE PURPOSES OF SCHOOL CONSTRUCTION AND RENOVATION

Committee on Finance recommends passage.

Senator Tassoni moves passage, seconded by Senators Doyle and Fogarty.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: The Honorable President Montalbano and Senators Algieri, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan,

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

NAYS- 0:

6 2006-S 3157

BY Alves

ENTITLED, AN ACT RELATING TO BIOTECHNOLOGY INVESTMENT TAX CREDIT

Committee on Finance recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be placed on the Calendar for Tuesday, June 20, 2006.

7 2006-S 2851 SUB A as amended

BY Pichardo

ENTITLED, AN ACT RELATING TO PROPERTY -- RHODE ISLAND HOME LOAN PROTECTION ACT

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

Senator Pichardo moves passage, seconded by Senators Issa, Levesque, Walaska, Badeau, Metts, Cote, Damiani, Goodwin, Perry, Doyle, Gallo, Algieri, McBurney, Roberts, Sheehan, Paiva Weed and Ruggerio.

Senators Paiva Weed discusses the act.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

8 2006-S 3080

BY Walaska

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CREDIT UNIONS

Committee on Financial, Technology, Regulatory recommends passage.

Upon suggestion of Senator Ruggerio, and without objection, ordered to be recommitted to the committee on Financial Services, Technology and Regulatory Issues.

10 2006-H 6967

BY Fox

ENTITLED, AN ACT RELATING TO PARKING FACILITIES AND PRIVILEGES

Committee on Constitutional & Gaming Issues recommends passage in concurrence.

Senator Ciccone moves passage, seconded by Senator Gallo.

Senator Ciccone, seconded by Senators Gallo, Metts and Pichardo, offers the following written motion to amend.

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

2006 -- H 6967

AN ACT RELATING TO PARKING FACILITIES AND PRIVILEGES

Mr. President:

I hereby move to amend 2006 -- H 6967, entitled "AN ACT RELATING TO PARKING FACILITIES AND PRIVILEGES", as follows:

1. On page 2, line 23, by deleting the language "applicants," and inserting in place thereof the word "applicant's"
2. On page 2, line 24, by deleting the word "applicants" and inserting in place thereof the word "applicant's".

Respectfully submitted,
SENATOR CICCONE
LC01032/2

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

NAYS- 0:

Senator Ciccone moves passage of the act, as amended, seconded by Senators Gallo, Metts and Pichardo.

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, 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, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

11 2006-H 7138 SUB B

BY Coderre E

**ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
COURTS**

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

Senator Paiva Weed moves passage, seconded by Senators Metts, Gallo and Ruggerio.

The bill marked Substitute "B" 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, 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, Polisen, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12 2006-H 7432 as amended

BY Lima

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

Committee on Judiciary recommends passage as amended in concurrence.

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

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

NAYS- 0:

13 2006-H 7604 SUB A**BY Lally****ENTITLED, AN ACT RELATING TO VETERANS -- BURIAL OF VETERANS**

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

Senator Roberts moves passage, seconded by Senators Ciccone, Metts, Damiani, Felag and many others.

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

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

NAYS- 0:

NOW PRESIDING

The Honorable President yields the rostrum to the Honorable John C. Revens Jr., President Pro Tempore at 4:41 o'clock P.M.

CALENDAR**14 2006-H 7653****BY Lewiss****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CREDIT UNIONS**

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

Senator Connors moves passage, seconded by Senators Polisena, Badeau, Ciccone and several others.

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 and 2 Senators abstaining as follows:

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

NAYS- 0:

ABSTAINED- 2: Senators Walaska and DaPonte.

15 2006-H 8074**BY Ehrhardt****ENTITLED, AN ACT RELATING TO GENERAL POWERS**

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senators Sheehan, Lenihan and others.

The act is read and passed, in concurrence, upon a roll call vote with 32 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 32: Senators Algieri, Badeau, Bates, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisen, Raptakis, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Revens

16 2006-H 8117**BY Pacheco****ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGE**

Committee on Judiciary recommends passage in concurrence.

Senator McCaffrey moves passage, seconded by Senator Paiva Weed

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

YEAS- 35: Senators Algieri, 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, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9 2006-S 2092 SUB A**BY Metts****ENTITLED, AN ACT RELATING TO TAX SALES**

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

Senator Metts moves passage, seconded by Senators Badeau, Ciccone, Blais, Sosnowski, Damiani, Lenihan, Gibbs, Polisen, McCaffrey, Paiva Weed, Doyle, Roberts, Sheehan, and many others.

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

FLOOR AMENDMENT

2006 -- S 2092 SUBSTITUTE A

AN ACT RELATING TO TAX SALES

Mr. President:

I hereby move to amend 2006 -- S 2092 SUBSTITUTE A, entitled "AN ACT RELATING TO TAX SALES", as follows:

(1) On page 3, line 29, by deleting the language "(RIHMFC)" after the word "Corporation".

(2) On page 3, line 29, by deleting the language "RIHMFC" after the word "notify", and inserting in place thereof the language "the Rhode Island Housing and Mortgage Finance Corporation".

Respectfully submitted,
SENATOR METTS
LC00643/7

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: Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Metts moves passage of the act, as amended, seconded by Senators Blais, Pichardo, Polisena, Damiani and Sheehan.

Senators Blais, McCaffrey and Levesque discuss the act.

The act is read and passed, as amended, upon a roll call vote with 30 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 30: Senators Algieri, Badeau, Bates, Breene, Caprio, Ciccone, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 1: Blais

ANNOUNCEMENTS

Senator Felag announces that the Committee on Finance will meet on Monday, June 19, 2006, at 2:00 o'clock P.M. in Room 211 of the State House.

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 Levesque announces that the Committee on Health and Human Services will meet on Monday, June 19, 2006, at 4:00 o'clock P.M. in Room 212 of the State House.

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

SUSPENSION OF THE RULES

Upon suggestion of Senator Ruggerio, seconded by Senators Paiva Weed and Algieri, the rules of the Senate are suspended, by unanimous consent, upon a roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: Senators Algieri, Bates, Blais, Breene, Caprio, Ciccone, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

TRANSMITTAL

By unanimous consent, (06-H 7287 Sub B as amended) and all Senate matters, with the exception of (06-S 2713 Sub 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 5:06 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 20, 2006, at 4:35 o'clock P.M.

REPORTS OF COMMITTEES COMMITTEE ON EDUCATION

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

Reappointment of William J. Allen (Representing General Public) of Cumberland to the Library Board of Rhode Island for a term expiring December 31, 2008

Read and ordered to be placed on the Consent Calendar.

Also:

Reappointment of Ann Clanton of Warwick to the Rhode Island State Council on the Arts for a term expiring March 1, 2009

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON FINANCIAL SERVICES, TECHNOLOGY AND REGULATORY ISSUES

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

Appointment of Saul Kaplan of Providence VICE Michael McMahon as Executive Director of the Economic Development Corporation

Read and ordered to be placed on the Calendar.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 8252

BY Fox

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ODC, INC.

Read and ordered to be placed on the Consent Calendar.

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**

June 19, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 39-18-1 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Public Transit Authority:

Carol Pratt of Warwick

VICE
William C. Kennedy

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 Judiciary.

Also:

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

June 15, 2006

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.2-23 of the Rhode Island General Laws, I have made the following reappointment to the Fire Education and Training Coordinating Board:

Joseph Bertholic of Pascoag
(Representing State Firemen's League)

for a term expiring January 31, 2007.

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

Sincerely,



Donald L. Carcieri
Governor

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

NEW BUSINESS

Senate Resolution No. 3177

BY Senator Ciccone

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3178**BY** Senators Ciccone, Fogarty P, Cote**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF NORTH SMITHFIELD TO FINANCE THE ACQUISITION OF LAND AND OTHER PROPERTY FOR, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF, A NEW ELEMENTARY SCHOOL AND SCHOOL FACILITIES IN THE TOWN (INCLUDING DEMOLITION OF EXISTING SCHOOLS AND SCHOOL FACILITIES) IN ACCORDANCE WITH PHASE II OF THE COMPREHENSIVE SCHOOL FACILITIES MASTER PLAN BY THE ISSUANCE OF NOT MORE THAN \$22,000,000 BONDS AND/OR NOTES THEREFOR.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3179**BY** Senators Ciccone, Fogarty P, Cote**ENTITLED**, AN ACT RELATING TO THE TOWN OF NORTH SMITHFIELD.

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

Also:

Senate Bill No. 3180**BY** Senators Alves**ENTITLED**, AN ACT RELATING TO MEDICAL ASSISTANCE -- PRESCRIPTION DRUGS.

Read and referred to the Senate Committee on Finance

REPORTS OF COMMITTEES**COMMITTEE ON JUDICIARY**

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

Appointment of Thomas Verdi of Providence VICE Arthur C. Jones to the Parole Board for a term expiring January 31, 2008

Read and ordered to be placed on the Consent Calendar.

Also:

Appointment of Richard D. Worrell of Providence VICE Thomas Perkins, Jr. to the Narragansett Bay Commission for a term expiring April 1, 2008

Read and ordered to be placed on the Consent Calendar.

ADJOURNMENT

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

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SNATOR DAVID E. BATES**

Lord, today we express to You our gratitude and especially thank You for the many friendships we have formed and for the fruits of our efforts. As we depart from this chamber today, grant us your peace and grace. Enable us to enjoy the days ahead, ever mindful of Your presence in our lives. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, JUNE 20, 2006:

1 Appointment of Stanely A. Davies (Public Member) of Cranston to the Fire Education and Training Coordinating Board for a term expiring January 31, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this appointment.

2 Reappointment of Chief Edward W. McCarthy, Jr. (Representing Full Time Fire Chief) of Middletown to the Fire Education and Training Coordinating Board for a term expiring January 31, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

3 Reappointment of Chief David Sayles (Representing Volunteer Fire Chief) of Westerly to the Fire Education and Training Coordinating Board for a term expiring January 31, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

4 Reappointment of Robert E. Cusack of Rumford to the Historical Preservation and Heritage Commission for a term expiring June 1, 2008.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

5 Reappointment of Robert H. Goff, Jr. of Providence to the Historical Preservation and Heritage Commission for a term expiring June 1, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

6 Reappointment of John K. Grosvenor of Newport to the Historical Preservation and Heritage Commission for a term expiring June 1, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

7 Reappointment of Karst R. Hoogeboom of Cumberland to the Historical Preservation and Heritage Commission for a term expiring June 1, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

8 Appointment of Jean Rondeau of Woonsocket VICE Daniel Snyder to the Historical Preservation and Heritage Commission for a term expiring June 1, 2008.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this appointment.

9 Appointment of Thomas Kravitz (Local Planner) of Burrillville VICE Kevin Flynn to the Rhode Island Housing Resources Commission for a term expiring January 31, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this appointment.

10 Appointment of Bonnie Sekeres (Senior Housing Advocate Seat) of of Barrington VICE Susan Sweet to the Rhode Island Housing Resources Commission for a term expiring January 31, 2009.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this appointment.

11 Reappointment of David Hammarstrom (Representative of Insurers) of Providence to the Rhode Island Housing Resources Commission for a term expiring January 31, 2009..

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

12 Appointment of Dr. William B. Sweeney of Bristol VICE Donald E. Harris to the Rhode Island Industrial Recreational Building Authority for a term expiring February 1, 2011.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this appointment.

13 Reappointment of Charles Maynard of East Greenwich VICE (Representing affordable housing advocates) to the State Housing Appeals Board for a term expiring July 1, 2008.

Committee on Commerce, Housing & Municipal Government recommends that the Senate give its Advice and Consent to this reappointment.

14 Reappointment of Daniel W. Varin (Public Member) of Providence to the Water Resources Board for a term expiring March 1, 2009.

Committee on Environment & Agriculture recommends that the Senate give its

Advice and Consent to this reappointment.

15 Appointment of Joe Baer of Providence VICE Elizabeth Gowell to the Rhode Island Rivers Council for a term expiring July 1, 2008.

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

16 Appointment of Scott D. Lajoie of Warwick to the Rhode Island Clean Water Finance Agency for a term to expire March 1, 2008.

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

17 Reappointment of Stephen Medeiros of Coventry to the Marine Fisheries Council for a term expiring April 1, 2010.

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

18 Reappointment of David Preble of Narragansett to the Marine Fisheries Council for a term expiring April 1, 2010.

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

19 Appointment of Margaret Kerr (representing environmental science) of North Kingstown to the Rhode Island Rivers Council for a term to expire January 1, 2009.

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

20 Appointment of Ian Y. Morrison (Public Water Systems Member) of Bristol VICE Timothy J. Brown to the Water Resources Board for a term expiring March 1, 2009.

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

21 2006-H 8002

BY Ginaitt

ENTITLED, AN ACT AUTHORIZING THE CITY OF WARWICK TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$2,000,000 FOR OPEN SPACE PURPOSES

Ordered to be placed on the Consent Calendar

IN ORDER FOR WEDNESDAY, JUNE 21, 2006:**1 Reappointment of William J. Allen (Representing General Public) of Cumberland to the Library Board of Rhode Island for a term expiring December 31, 2008.**

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

2 Reappointment of Ann Clanton of Warwick to the Rhode Island State Council on the Arts for a term expiring March 1, 2009.

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

3 Appointment of Thomas Verdi of Providence VICE Arthur C. Jones to the Parole Board for a term expiring January 31, 2008.

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

4 Appointment of Richard D. Worrell of Providence VICE Thomas Perkins, Jr. to the Narragansett Bay Commission for a term expiring April 1, 2008.

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

5 2006-S 3186**BY Roberts**

ENTITLED, SENATE RESOLUTION PROCLAIMING AUGUST 14, 2006 TO BE "OLD ANTARCTIC EXPLORERS ASSOCIATION DAY" IN THE STATE OF RHODE ISLAND

Ordered to be placed on the Consent Calendar

6 2006-H 8252**BY Fox**

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF ODC, INC.

Ordered to be placed on the Consent Calendar

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

CALENDAR

IN ORDER FOR TUESDAY, JUNE 20, 2006:

1 Appointment of Saul Kaplan of Providence VICE Michael McMahon as Executive Director of the Economic Development Corporation .

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

2 2006-S 3050 SUB A as amended

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY TAXES

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

3 2006-S 3157

BY Alves

ENTITLED, AN ACT RELATING TO BIOTECHNOLOGY INVESTMENT TAX CREDIT

Committee on Finance recommends passage.

4 2006-S 2480 SUB A

BY Goodwin

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

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

5 2006-S 2922

BY Walaska

ENTITLED, AN ACT RELATING TO REGISTRATION OF VEHICLES -- VETERANS' PLATES

Committee on Constitutional & Gaming Issues recommends passage.

6 2006-S 2990 SUB A

BY Pichardo

ENTITLED, AN ACT RELATING TO YOUTH -- YOUTH COMMISSION

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

7 2006-S 3153 as amended**BY Goodwin****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE METHOD OF CHILD CARE IN THE STATE OF RHODE ISLAND

Committee on Constitutional & Gaming Issues recommends passage as amended.

8 2006-S 2701 as amended**BY DaPonte****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- REFUSE DISPOSAL

Committee on Environment & Agriculture recommends passage as amended.

9 2006-S 2597 SUB A**BY Lenihan****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

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

10 2006-S 3158**BY Lenihan****ENTITLED,** AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage.

11 2006-S 2378 SUB A**BY McCaffrey****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULTS

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

12 2006-H 7226 SUB A**BY Naughton****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- ASSAULTS

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

13 2006-H 7257 SUB A**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 in concurrence.

14 2006-H 7748 SUB A as amended

BY Savage

**ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- UNIFORM
CONTROLLED SUBSTANCE ACT**

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

RAYMOND T. HOYAS, JR.
Secretary of the Senate