

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 second day of January in the year of Our Lord two thousand and seven.

Volume 134, No.4

Tuesday, January 9, 2007

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 4:11 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, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Third Legislative Day of the 2007 proceedings is read in part.

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

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No. 5004

BY Melo, Silva, Amaral, Rose, San Bento

ENTITLED, JOINT RESOLUTION OPPOSING THE CLOSING OF THE PORTUGUESE CONSULATE IN THE CITY OF PROVIDENCE

Senator DaPonte requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator DaPonte moves passage, seconded by Senator Ciccone and several others.

The resolution 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: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

NEW BUSINESS**Senate Resolution No. 3**

BY Senator Perry

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF ROBERT F. PICKARD

Senator Perry requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Perry moves passage, seconded by Senator Lenihan.

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

GUESTS

Upon suggestion of Senators Pichardo, Ruggerio and Metts, and by unanimous consent, the Honorable President, welcomes to the Chamber Armeather Gibbs.

ANNOUNCEMENTS

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

RECESS

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Perry, the Senate stands at recess at 4:26 o'clock P.M. in memory of Robert F. Pickard.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Wednesday, January 10, 2007, at 4:02 o'clock P.M.

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No. 5000

BY Fox, Watson

ENTITLED, JOINT RESOLUTION OF ADJOURNMENT

Received and referred to the Senate Committee on Judiciary

Also:

House Bill No. 5005

BY Fox, Watson

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Abigail R. Nelson and Noah Cirincione)

Received and referred to the Senate Committee on Judiciary

NEW BUSINESS**Senate Bill No. 4**

BY Senators Tassoni, Goodwin, Doyle, McBurney

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - SCHOOL BUS SAFETY (school buses 2009 and newer, shall have emergency brakes equipped with an interlock system so designed that the emergency brake may be released only when the service brake pedal is depressed and the ignition key is inserted in the ignition lock.)

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 5**BY** Senators Walaska, McCaffrey, Bates, Alves, McBurney**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS (create the Uniform Debt-Management Services Act) {LC6/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Resolution No. 6**BY** Senators Fogarty P, Gallo, Connors, Tassoni, Breene**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THAT THE GOVERNOR OF THE STATE OF RHODE ISLAND EXEMPT RHODE ISLAND'S CITIES AND TOWNS FROM PAYING ALL FUEL TAXES

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

Also:

Senate Resolution No. 7**BY** Senators Maselli, Doyle, Connors, Ciccone, Tassoni**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE STATE TRAFFIC COMMISSION TO INSTALL A TRAFFIC LIGHT IN THE TOWN OF JOHNSTON

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

Also:

Senate Resolution No. 8**BY** Senators Raptakis, Cote, Lenihan, Sheehan, DaPonte**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE -- PROCEDURE TO FILL VACANCY IN OFFICE OF THE LIEUTENANT GOVERNOR, THE SECRETARY OF STATE, ATTORNEY GENERAL OR GENERAL TREASURER

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

Also:

Senate Bill No. 9**BY** Senators Paiva-Weed, Jabour, Alves, Goodwin, Perry**ENTITLED**, AN ACT RELATING TO TAXATION (codify the present policy of the division of taxation that in determining the domicile of a taxpayer, charitable contributions to Rhode Island organizations shall not be considered)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 10**BY** Senators Tassoni, Moura, Maselli, Lanzi**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT (add the degree of philosophical doctorate to that degrees that would qualify a municipal police officer to receive a level 4, incentive step increase in pay.)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 11**BY** Senators Tassoni, Moura, Maselli, Lanzi**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES (state purchasing laws to be consistent with laws applicable to federal funding sources, and that contracts administered by the department of transportation are awarded on the basis of specific standards of responsibility.)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 12**BY** Senators Ciccone, Ruggerio, Badeau, DaPonte, Moura**ENTITLED**, AN ACT RELATING TO THE PUBLIC RECORDS - ADMINISTRATION (all public records be stored within the state of Rhode Island)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 13**BY** Senators Tassoni, Doyle, McBurney, Issa**ENTITLED**, AN ACT RELATING TO CHILDREN WITH DISABILITIES (funding for the special education needs of a child who moves into a city or town after the school committee adopts its budget for the school year. Any additional funding would apply to that school year only.)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 14**BY** Senators Tassoni, Doyle, McBurney**ENTITLED**, AN ACT RELATING TO TAXATION (tax credit of ten percent (10%) of the expenses, up to two hundred dollars (\$200) to private businesses which participate in a "Qualified School-to-Career Program.")

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 15

BY Senators Tassoni, Issa, Doyle, McBurney

ENTITLED, AN ACT RELATING TO TAXATION EXEMPTION FOR VETERANS (would give cities and towns the option of entirely exempting the homestead real estate of a disabled veteran from taxation.)

Read and referred to the Senate Committee on Finance

Also:

Senate Resolution No. 16

BY Senators Ciccone, Maselli, Algieri, Levesque C, Bates

ENTITLED, JOINT RESOLUTION MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS (Tomas E. Ramirez)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 17

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO TAXATION - TOWN OF NEW SHOREHAM ARTS DISTRICT (recognize Block Island as an art district exempt from taxation.)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 18

BY Senators Raptakis, Sheehan, DaPonte, Cote, Issa

ENTITLED, AN ACT RELATING TO TAXATION -- SALES AND USE TAXES (exempt state sales tax any item of \$1,000 or less, which would otherwise be subject to such taxes, during Friday and Saturday immediately preceding Victory Day, and Victory Day, in each calendar year.) {LC3/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 19

BY Senators Raptakis, Sosnowski, McCaffrey, Paiva-Weed, Maselli

ENTITLED, AN ACT RELATING TO CHILDREN (remove the monetary fine for use of tobacco by minors, and would increase from twenty hours to thirty hours the amount of community service time to be performed by minors violating the law) {LC8/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 20

BY Senators Raptakis, Cote, Lenihan, Sheehan, Walaska

ENTITLED, AN ACT RELATING TO ELECTIONS -- REGISTRATION OF VOTERS (reduce the waiting period required for disaffiliation with a political party from 90 days to 29 days.)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 21

BY Senator Walaska

ENTITLED, AN ACT RELATING TO ELECTIONS -- TELEPHONE POLITICAL SOLICITATION ACT ("do not call" list for political-oriented telephone calls)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 22

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC5/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 23

BY Senators Tassoni, Doyle, McBurney, Issa

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES (procedures to be followed by a driver when operating in the presence of an emergency vehicle or roadside assistance vehicle. This act also provides that a violation of this section is punishable by a fine of \$75.00.)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 24

BY Senators Tassoni, Goodwin, Jabour, McBurney

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- FAILURE TO PAY CHILD SUPPORT (decrease the amount of child support arrearage constituting a felony.) {LC7/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 25**BY** Senators Sheehan, Cote, Sosnowski, Paiva-Weed**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 26**BY** Senators Sheehan, Cote, Sosnowski, Paiva-Weed**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 27**BY** Senator Cote**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 28**BY** Senators Tassoni, Perry**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- SPOUSAL NOTICE FOR ABORTION (requirement that physicians performing abortions notify the husband of the patient before the abortion is performed.) {LC9/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 29**BY** Senators Tassoni, Goodwin, Ruggerio, Lanzi, Ciccone**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - - HEALTH CARE FACILITIES STAFFING (establish a maximum workday for certain hourly wage employees and provide penalties for violations. {LC1/1}

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 30

BY Senators Tassoni, Moura, Maselli, Lanzi

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- FAMILY AND MEDICAL LEAVE (entitled to a total of 14hours during any 12 month period time out of work to take minor children and elderly relatives to medical appointments after being employed for 1 year.)

Read and referred to the Senate Committee on Labor

ADJOURNMENT

Upon motion of Senator Paiva Weed, seconded by Senator Algieri, the Senate adjourns at 4:03 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR JOHN F. MCBURNEY III**

Almighty and Most Merciful Father, We ask you that you send down your strength in order for these men and woman to better serve this state and the constituents which they represent. We also ask for your continued guidance all the days of this Legislative Session. Amen.