

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.6

Tuesday, January 16, 2007

Sixth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:15 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 4 Senators absent as follows:

PRESENT – 34: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 4: Senators Alves, DaPonte, Doyle, Issa.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Fourth and Fifth Legislative Days of the 2007 proceedings are read in part.

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

COMMUNICATION

The Honorable President presents the following communication:

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

January 16, 2007

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

Dear President Montalbano:

Please accept this letter as notification that I will be unable to attend Senate Session today, Tuesday, January 16, 2007, due to being away on business.

Thank you.

Sincerely yours,

James E. Doyle, II
Senator – District 8
Pawtucket

Read and ordered to be placed on file.

GUESTS

Upon suggestion of Senator Ruggerio and by unanimous consent, the Honorable President, welcomes to the Chamber Father Edward Cardente of Providence and North Providence

Upon suggestion of Senator Bates and by unanimous consent, the Honorable President, welcomes to the Chamber Antonella Ricciotti and Philip Ricciotti.

NEW BUSINESS**Senate Bill No. 34**

BY Senators Walaska, McCaffrey, Ruggerio, Goodwin, McBurney

ENTITLED, AN ACT FINANCIAL INSTITUTIONS - RHODE ISLAND FAIR DEBT
COLLECTION PRACTICE ACT (establish the Rhode Island Fair Debt Collection Practices Act)

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 35**BY** Senators Maselli, Connors, Doyle, Tassoni, Walaska**ENTITLED**, AN ACT RELATING TO PROPERTY -- MORTGAGES OF REAL PROPERTY (allow the full payment of mortgage loans to be made at any time without penalty)

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 36**BY** Senators Cote, Lenihan, Raptakis, Badeau, Bates**ENTITLED**, AN ACT RELATING TO INITIATIVE AND REFERENDUM (detailed process by which a proponent of a voter initiative and referendum proposal would present the proposal to the secretary of state, the general assembly and the governor)

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

Also:

Senate Resolution No. 37**BY** Senators Cote, Lenihan, Raptakis, Badeau, Bates**ENTITLED**, JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION OF THE STATE (INITIATIVE AND REFERENDUM)

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

Also:

Senate Resolution No. 38**BY** Senators Cote, Paiva-Weed, Montalbano J**ENTITLED**, SENATE RESOLUTION EXTENDING THE REPORTING DATE FOR PROPOSING A "REAL-TIME BILL TRACKING SYSTEM"

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

Also:

Senate Resolution No. 39**BY** Senators Walaska, McCaffrey, Issa, Bates**ENTITLED**, JOINT RESOLUTION SUPPORTING THE APPLICATION OF THE REPUBLIC OF CHINA (TAIWAN) FOR OBSERVER STATUS AT THE WORLD HEALTH ORGANIZATION

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

Also:

Senate Bill No. 40**BY** Senators Ciccone, Badeau, Algieri, Maselli, Lanzi**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - EQUIPMENT AND ACCESSORIES GENERALLY (require that all state trucks used by the DOT be equipped with a backup warning device)

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

Also:

Senate Bill No. 41**BY** Senators Alves, Montalbano J, McCaffrey, Walaska, Paiva-Weed**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- ACQUISITION OF LAND (general assembly approval be required for any lease where the state is the tenant and the lease is 3 years or longer or the aggregate rent exceeds \$300,000)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 42**BY** Senators Bates, Blais, Breene, Levesque C, Felag**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DISTRESSED AREAS ECONOMIC REVITALIZATION ACT (provisions of the definition section relative to what constitutes a "qualified business" for purposes of this chapter and amends amounts allowable for certain business tax credits)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 43**BY** Senator McBurney**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- RETIREMENT OF JUDGES (provide that whenever any judge dies before retirement with no surviving spouse or minor child(ren), the accumulated contribution would be credited to a judicial retirement benefits account to be distributed to a designated beneficiary or to the estate)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 44**BY** Senators Bates, Algieri, Walaska, Sosnowski, Gibbs**ENTITLED**, AN ACT RELATING TO TAXATION - RESIDENTIAL RENEWABLE ENERGY SYSTEM TAX CREDIT (eliminate the tax credit caps on residential renewable energy systems)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 45

BY Senators Cote, Sheehan, Raptakis, Badeau

ENTITLED, AN ACT RELATING TO ELECTIONS - PRIMARY VOTING (eliminate the disaffiliation requirement in primary voting)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 46

BY Senators Cote, Badeau, Fogarty P, Sheehan, Lenihan

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - - IMPERSONATION AND IDENTITY FRAUD (mandate judges to impose specific sentences for first or second convictions for impersonation fraud)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 47 (By Request)

BY Senators Cote, Bates

ENTITLED, AN ACT RELATING TO COURTS -- JOINT AND SEVERAL LIABILITY (liability of defendant for damages be several only and not joint where the defendant's act or omission constituted no more than 25% of the cause of damages sustained by the plaintiff)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 48

BY Senators Bates, Cote, McCaffrey, Walaska, Blais

ENTITLED, AN ACT RELATING TO DOMESTIC RELATIONS -- CHILD SUPPORT ENFORCEMENT (allow the Family Court to order child support if the child has a severe physical or mental impairment, beyond the child's emancipation event. The onset of the disability must have occurred prior to the emancipation event)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 49 (By Request)

BY Senators Cote, Bates

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE (reduce the interest percentage to be added in civil actions from 12% to 6%)

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 50

BY Senators Montalbano J, McCaffrey, McBurney, Maselli, Jabour

ENTITLED, AN ACT RELATING TO COURTS -- COLLECTION OF FINES AND COSTS

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 51

BY Senators Badeau, Cote, Bates

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - PAYMENT OF WAGES (employers to pay employees on either a weekly, bi-weekly, or semi-monthly basis)

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 52

BY Senators Raptakis, DaPonte, Connors, Ciccone, Ruggerio

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS -- MINIMUM WAGES (adjust the minimum wage annually using the consumer price index) {LC4/1}

Read and referred to the Senate Committee on Labor

Also:

Senate Bill No. 53

BY Senator Levesque C

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

Placed on the Senate Consent Calendar

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 measure on today's Consent Calendar, by unanimous consent, is read and passed, upon a voice vote:

1 2007-S 53

BY Levesque C

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

ANNOUNCEMENTS

Senator Connors announces that the Committee on Rules will meet today, at the rise of the Senate, in Room 211 of the State House.

TRANSMITTAL

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

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algieri, the Senate adjourns at 4:21 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR V. SUSAN SOSNOWSKI

Almighty God, bless those who serve in this Senate. Inspire us with your truth, surround us with your love, and fill us with your grace. Amen.