

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.18

Thursday, March 1, 2007

Eighteenth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens Jr., President Pro Tempore of the Senate, at 4:23 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators 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 Pro Tempore, by unanimous consent, presents Senator Doyle, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Sixteenth and Seventeenth Legislative Day's of the 2007 proceedings are read in part.

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

COMMUNICATION

The Honorable President Pro Tempore presents the following communications:

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

February 28, 2007

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

Dear President Montalbano:

I am writing to inform you that I will be absent from Legislative Session on Thursday, March 1, 2007, due to being out of town.

Thank you.

Sincerely yours,

Leonidas P. Raptakis
Senator – District 33

Read and ordered to be placed on file.

APPOINTMENTS BY THE GOVERNOR

The Honorable President Pro Tempore presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

Reappointment of A. Michael Marques of Coventry as Director of the Department of Business Regulation.

Read and referred to the Committee on Corporations.

Also:

Reappointment of Patricia Martinez of Pawtucket as Director of the Department of Children Youth and Families.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Ashbel T. Wall, II of Providence as Director of the Department of Corrections.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Corinne Calise Russo of North Providence as Director of the Department of Elderly Affairs

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

Also:

Reappointment of Dr. W. Michael Sullivan of Richmond as Director of the Department of Environmental Management.

Read and referred to the Committee on Environment and Agriculture.

Also:

Reappointment of Adelita Orefice of Providence as Director of the Department of Labor and Training.

Read and referred to the Committee on Labor.

Also:

Reappointment of Ellen R. Nelson of Wakefield as Director of the Department of Mental Health, Retardation and Hospitals.

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

Also:

Reappointment of Beverly Najarian of West Greenwich as Director of Administration.

Read and referred to the Committee on Judiciary.

Also:

Appointment of Peter C. Wells of North Providence VICE Sheldon Sollosy to the Rhode Island Public Telecommunications Authority for a term expiring January 31, 2009.

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

Also:

Reappointment of Karen M. Shuster of Lincoln to the Rhode Island Public Telecommunications Authority for a term expiring January 31, 2010.

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

Also:

Appointment of Charles P. Roberts of Wakefield to the Rhode Island Public Telecommunications Authority for a term expiring January 31, 2010.

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

Also:

Appointment of Kimball Hall of East Greenwich VICE Barbara Jackson to the Rhode Island Economic Development Corporation for a term expiring February 1, 2011.

Read and referred to the Committee on Corporations.

Also:

Reappointment of George W. Shuster of North Scituate to the Rhode Island Economic Development Corporation for a term expiring February 1, 2011.

Read and referred to the Committee on Corporations.

Also:

Appointment of Andrew Dzykewicz as the Commissioner of Energy Resources.

Read and referred to the Committee on Corporations.

Also:

Reappointment of M. Paul Sams of North Kingstown to the Quonset Development Corporation for a term to expire January 1, 2009.

Read and referred to the Committee on Corporations.

Also:

Reappointment of William McGowan of North Kingstown to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2010.

Read and referred to the Committee on Corporations.

Also:

Reappointment of Paul MacDonald of Harrisville to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2010.

Read and referred to the Committee on Corporations.

Also:

Reappointment of Saul Kaplan of Providence VICE Michael McMahon to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2010.

Read and referred to the Committee on Corporations.

Also:

Reappointment of Brandon Melton of East Greenwich to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2010.

Read and referred to the Committee on Corporations.

Also:

Reappointment of Mario Bueno of Cranston to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2010.

Read and referred to the Committee on Corporations.

Also:

Reappointment of Alan Nathan of Barrington to the Narragansett Bay Commission for a term expiring April 1, 2008.

Read and referred to the Committee on Judiciary.

Also:

Appointment of Jonathan K. Farnum of Coventry to the Narragansett Bay Commission for a term expiring April 1, 2009.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Joseph Kimball of East Greenwich to the Narragansett Bay Commission for a term expiring April 1, 2008.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Leo P. Thompson of Scituate to the Narragansett Bay Commission for a term expiring April 1, 2009.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Leslie M. Gray III of Bristol to the Narragansett Bay Commission for a term expiring April 1, 2009.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of The Honorable Scott Avedisian of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2009.

Read and referred to the Committee on Judiciary.

Also:

Appointment of Carole O. Bell of Cranston to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2007.

Read and referred to the Committee on Judiciary.

Also:

Appointment of Douglas C. Jeffery, Sr. of Johnston to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2009.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Kenneth Aurecchia of Johnston to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2008.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Michael Salvatore, Jr. of Warwick to the Rhode Island Resource Recovery Corporation for a term expiring July 1, 2007.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Thomas E. Deller of Providence to the Rhode Island Public Transit Authority for a term expiring April 1, 2009.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Robert Batting of Barrington to the Rhode Island Public Transit Authority for a term expiring April 1, 2009.

Read and referred to the Committee on Judiciary.

Also:

Appointment of John J. MacDonald, Jr. of Pawtucket to the Rhode Island Public Transit Authority for a term expiring April 1, 2010.

Read and referred to the Committee on Judiciary.

Also:

Appointment of Gary R. Alger of Cumberland to the State Retirement Board for a term expiring February 22, 2011.

Read and referred to the Committee on Judiciary.

Also:

Appointment of Rochelle Lee of Providence VICE Jean Stover to the Commission for Human Rights for a term expiring July 1, 2010.

Read and referred to the Committee on Judiciary.

Also:

Reappointment of Frederic G. Reamer, Ph.D. of Providence to the Parole Board for a term expiring January 31, 2010.

Read and referred to the Committee on Judiciary.

Also:

Appointment of John A. Pagliarini, Jr. of West Greenwich to the State Properties Committee for a term expiring March 1, 2010.

Read and referred to the Committee on Finance.

Also:

Appointment of J. Michael Costello of Providence to the Rhode Island Higher Education assistance Authority for a term expiring July 1, 2011.

Read and referred to the Committee on Finance.

Also:

Reappointment of Dr. Joseph H. Hagan of Little Compton to the Board of Governors for Higher Education for a term expiring January 31, 2010.

Read and referred to the Committee on Education.

Also:

Appointment of Christopher M. Anderson of Providence VICE Andrew Tate to the Marine Fisheries Council for a term expiring April 1, 2008.

Read and referred to the Committee on Environment and Agriculture.

Also:

Reappointment of Everett C. A. Stuart of North Kingstown to the Agricultural Lands Preservation Commission for a term expiring January 1, 2011.

Read and referred to the Committee on Environment and Agriculture.

Also:

Reappointment of Anthony J. Marouchoc of Portsmouth to the Rhode Island Housing and Mortgage Finance Corporation for a term expiring July 1 2010.

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

Also:

Reappointment of Joseph Bertholic of Pascoag to the Fire Education and Training Coordinating Board for a term expiring January 31, 2010.

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

Also:

Appointment of Paul Wright of Burrillville VICE Jay Aron to the Fire Education and Training Coordinating Board for a term expiring January 31, 2009.

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

APPOINTMENTS BY THE GENERAL TREASURER

The Honorable President Pro Tempore presents the following communication from the Honorable General Treasurer, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

Appointment of Frank Benell of Providence to the State Retirement Board for a term expiring February 19, 2010.

Read and referred to the Committee on Finance.

Also:

Appointment of Malcolm Moore of Coventry to the Public Finance Management Board for a term expiring February 19, 2009.

Read and referred to the Committee on Finance.

Also:

Appointment of David Faucher of Portsmouth to the Public Finance Management Board for a term expiring February 19, 2010.

Read and referred to the Committee on Finance.

TRANSFER OF APPOINTMENT

Senator McCaffrey, in accordance with Senate Rule 6.14, moves to transfer the following appointment from the Committee on Judiciary, to the Committee on Health and Human Services:

Appointment of Jane A. Hayward as Secretary of Office of Health and Human Services.

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

NEW BUSINESS

Senate Resolution No. 784**BY** Senators Sosnowski, Perry, Felag, Goodwin, Walaska**ENTITLED**, SENATE RESOLUTION PROCLAIMING JUNE 2, 2007 TO BE "TICK CONTROL AWARENESS DAY" IN THE STATE OF RHODE ISLAND {LC1399/1}

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

Also:

Senate Resolution No. 785**BY** Senators Perry, Sheehan, Sosnowski, Miller, Pichardo**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING ONGOING INFORMATION FROM THE DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES {LC2104/1}

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

Also:

Senate Bill No. 786**BY** Senator Maselli**ENTITLED**, AN ACT RELATING TO FINANCIAL INSTITUTIONS - COMMUNITY OBLIGATIONS AND BANKING OFFENSES (require certain documentation to confirm the identity of a person obtaining a loan and that the applicant is legally in the United States) {LC2439/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 787**BY** Senator Connors**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PUBLIC ACCOUNTANCY (technical changes to the public accountancy act) {LC2354/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 788**BY** Senators Ruggerio, Perry, Issa, Doyle, DaPonte**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- LITTER (mandate that retail establishments give their customers who provide their own reusable bags a three cent (\$0.03) per bag credit and to post written notices of the credit to their customers)

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 789 (Lieutenant Governor)

BY Senators Goodwin, Paiva-Weed

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
PHARMACEUTICAL ASSISTANCE TO THE ELDERLY ACT (promote coordination of benefits
between the elderly pharmaceutical assistance program and Medicare Part D prescription drug plan)
{LC2250/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 790

BY Senator DaPonte

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES
(would prohibit the state or municipalities from awarding a contract for goods and services to be
rendered or supplied by a vendor or contractor located outside the United States) {LC2452/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 791

BY Senators Perry, Miller, Sosnowski, Levesque C, Pichardo

ENTITLED, AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND
THOMAS C. SLATER MEDICAL MARIJUANA ACT (remove the repeal date for the medical
marijuana act and would expand the definition of primary caregiver) {LC1364/1}

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

Also:

Senate Bill No. 792

BY Senators Fogarty P, Tassoni, Goodwin, Breene

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- AMBULANCE SERVICE
COORDINATING BOARD (add a member to the board and would require that this new member and an
existing member be emergency medical technicians who are also E.M.S. administrators) {LC2311/1}

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

Also:

Senate Bill No. 793**BY** Senators Perry, Miller, Sosnowski, Levesque C, Sheehan**ENTITLED**, AN ACT RELATING TO INSURANCE - HEALTH INSURANCE COVERAGE FOR DEPENDENTS (provide that health care coverage terminating for a dependent at a specified age would give the insured the opportunity to continue the coverage) {LC2486/1}

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

Also:

Senate Bill No. 794**BY** Senator McCaffrey**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - COMPUTER CRIME (make it a felony for anyone to intentionally access a computer or related systems and materials without authorization, and for fraudulent or other illegal purposes) {LC2459/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 795 (Attorney General)**BY** Senator McCaffrey**ENTITLED**, AN ACT RELATING TO DOMESTIC RELATIONS - ADOPTION OF CHILDREN (delete the requirement that the director of DCYF inform the agency conducting the home study for prospective adoptive parents of the nature of any disqualifying information on the prospective adoptive parent's criminal records check) {LC1264/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 796**BY** Senator DaPonte**ENTITLED**, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS (make it a petty misdemeanor for employers to abide with the requirements of section 24-8-4.2, which would require a truck attenuator at all construction sites, first aid kits and personnel trained in CPR and first-aid) {LC2412/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 797**BY** Senator Walaska**ENTITLED**, AN ACT MOTOR AND OTHER VEHICLES (subject Rhode Island interstate carriers to the provisions of the federal Unified Carrier Registration Act of 2005) {LC2414/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 798**BY** Senators Gallo, Goodwin, Paiva-Weed**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- SEXUAL OFFENDER REGISTRATION (make it a felony for any registered sex offender to be within five hundred feet of any school) {LC1838/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 799 (Secretary of State)**BY** Senators Ruggerio, DaPonte, Moura**ENTITLED**, AN ACT RELATING TO ELECTIONS -- STATE BOARD OF ELECTIONS (amend the term length to 7 years for members of the state board of elections appointed after January 1, 2008) {LC2083/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 800**BY** Senators Fogarty P, Perry, Tassoni, Goodwin, Breene**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - CHILDREN (add cigarette lighters to cigarettes and other tobacco products whose sale through vending machines is controlled) {LC2312/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 801**BY** Senators Fogarty P, Perry, Tassoni, Breene, Gallo**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN (prohibit the purchase of, sale of, gift of or delivery of cigarette lighters to any person under the age of eighteen (18) years old) {LC2310/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Resolution No. 802**BY** Senators Montalbano J, Ruggerio**ENTITLED**, SENATE RESOLUTION EXPRESSING ITS DEEPEST CONDOLENCES ON THE PASSING OF LOUIS A. BILOTTA {LC2483/1}

President Montalbano requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

President Montalbano moves passage, seconded by the entire Senate.

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

Also:

Senate Bill No. 803**BY** Senator Paiva-Weed**ENTITLED**, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS {LC1658/1}

Read and referred to the Senate Committee on Education

Also:

Senate Resolution No. 804**BY** Senators Issa, Jabour, Gallo**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY YOUTH FINANCIAL EDUCATION {LC2398/1}

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

Also:

Senate Bill No. 805**BY** Senator McBurney**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES {LC2479/1}

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

Also:

Senate Bill No. 806**BY** Senators Blais, Gibbs, Breene, Sosnowski, McCaffrey**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS - THE ENERGY AND CONSUMER SAVINGS ACT OF 2005 {LC2448/1}

Read and referred to the Senate Committee on Corporations

Also:

Senate Bill No. 807

BY Senator Issa

ENTITLED, AN ACT RELATING TO EDUCATION {LC2353/1}

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 808

BY Senators Moura, Sosnowski, DaPonte, Connors, Miller

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- ESTABLISHING THE SMART DEVELOPMENT FOR A CLEANER BAY ACT OF 2007 {LC1442/1}

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 809

BY Senator Issa

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - CHILD CARE - STATE SUBSIDES {LC2356/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 810

BY Senator Issa

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES {LC2357/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 811

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - FAMILY INDEPENDENCE ACT {LC2374/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 812

BY Senator Goodwin

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - FAMILY INDEPENDENCE ACT
{LC2375/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 813

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO TAXATION - SALES AND USE TAXES - LIABILITY AND
COMPUTATION {LC2465/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 814 (by request)

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- FEE TO ISSUE HUNTING
LICENSE {LC2275/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 815

BY Senator Issa

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - FOSTER CARE
{LC2358/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 816

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENTS --
ADMINISTRATION OF STATE DEPARTMENTS {LC2236/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 817 (Lieutenant Governor)

BY Senators Sosnowski, Paiva-Weed, Tassoni

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES {LC2267/1}

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

Also:

Senate Bill No. 818 (Governor)

BY Senator Gibbs

ENTITLED, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- FAMILY COURT -- CHILDREN {LC1427/1}

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

Also:

Senate Bill No. 819 (Business Regulation/OHIC)

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO INSURANCE -- SMALL EMPLOYER HEALTH INSURANCE {LC2427/1}

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

Also:

Senate Bill No. 820 (Children, Youth & Families)

BY Senator Gibbs

ENTITLED, AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- COURTS -- PROCEEDINGS IN FAMILY COURT {LC1438/1}

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

Also:

Senate Bill No. 821

BY Senator Sosnowski

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGE - REGULATION OF SALES {LC2372/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 822**BY** Senators Sosnowski, Perry, Gibbs, Sheehan, Levesque C**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - CHILDREN {LC2390/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 823 (Transportation/State Police/Health)**BY** Senators Tassoni, Maselli, Sosnowski, Perry**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MISCELLANEOUS RULES {LC1878/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 824 (Children, Youth & Families)**BY** Senator Gibbs**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- LICENSING AND MONITORING OF CHILD CARE PROVIDERS AND CHILD-PLACING AGENCIES {LC1501/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 825**BY** Senators Bates, Walaska, Algieri, Blais, Maselli**ENTITLED**, AN ACT RELATING TO CRIMINAL OFFENSES - KIDNAPPING {LC2359/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 826**BY** Senator Cote**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2450/1}

Read and referred to the Senate Committee on Judiciary

CALENDAR**IN ORDER FOR THURSDAY, MARCH 1, 2007:****1 Appointment of William E. Carnes, Jr. of Pawtucket VICE Associate Justice William Dimitri, Jr. as Associate Justice of the Rhode Island Superior Court.**

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

President Montalbano, seconded by all the Senators, moves that advice and consent of the Senate be given this appointment.

Senators Algiere, McBurney, Ruggerio, Doyle, Fogarty and Paiva Weed discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 38: The Honorable President Montalbano and Senators Algiere, 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.

NAYS- 0:

GUESTS

Upon suggestion of Senator Doyle and by unanimous consent, the Honorable President Pro Tempore welcomes to the Chamber William E. Carnes, Jr. of Pawtucket newly confirmed Associate Justice of the Rhode Island Superior Court, along with his wife Donna Carnes and son Ryan Carnes and friends Pat Issa, Brian Issa and Fred Marzilli.

Upon suggestion of President Montalbano, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber Lisa Cloutier, Bill Gasbarro, Robert "Rock" Ricci, Ed Fogarty, Harris Weiner, John Flynn, John Roney and Collen Hastings, all who have worked with Mr. Carnes.

CALENDAR**2 2007-S 147 SUB A as amended**

BY Connors

ENTITLED, AN ACT ADOPTING THE RULES OF THE SENATE

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

Senator Connors moves passage, seconded by Senators Gallo, McCaffrey, Levesque, Paiva Weed, Ruggerio and Ciccone.

Senator Connors, seconded by Senator Ruggerio, offers the following written motion to amend.

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

2007 -- S 147 SUBSTITUTE A

AN ACT ADOPTING THE RULES OF THE SENATE

Mr. President:

I hereby move to amend 2007 -- S 147 SUBSTITUTE A, entitled "AN ACT ADOPTING THE RULES OF THE SENATE", as follows:

On page 1 by deleting the title "AN ACT ADOPTING THE RULES OF THE SENATE" and inserting in place thereof the title "SENATE RESOLUTION ADOPTING THE RULES OF THE SENATE".

Respectfully submitted,
LC01024/3
SENATOR CONNORS

The motion to amend prevails upon a voice vote,

Senator Connors moves passage of the act, as amended, seconded by Senator Ruggerio.

Senators Ruggerio, Sheehan and Connors discusses the resolution.

The resolution is read and passed, by unanimous consent, as amended, upon a voice vote.

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.

ANNOUNCEMENTS

Senator Doyle announces that the Committee on Housing and Municipal Government will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator Levesque announces that the Committee on Judiciary 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 President Montalbano and Senator Ruggerio, the Senate stands at recess at 5:02 o'clock P.M. in memory of Louis A. Bilotta.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Tuesday, March 6, 2007, at 4:16 o'clock P.M.

REPORTS OF COMMITTEES**COMMITTEE ON HOUSING AND MUNICIPAL GOVERNMENT**

Senator Tassoni, from the Committee on Housing and Municipal Government, reports back, with recommendation of passage of the following measures:

Senate Bill No. 91

BY Senators Fogarty P, Levesque C, Connors, Gallo

ENTITLED, AN ACT IN AMENDMENT OF SECTIONS 3 AND 4 OF CHAPTER 905 OF THE PUBLIC LAWS OF 1912, ENTITLED "AN ACT TO INCORPORATE THE CHEPACHET FIRE DISTRICT, " AS AMENDED

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 135

BY Senators Algieri, Breene

ENTITLED, AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE AFFORDABLE HOUSING INITIATIVES IN THE TOWN CONSISTENT WITH THE APPROVED CHARLESTOWN AFFORDABLE HOUSING PLAN BY THE ISSUANCE OF NOT MORE THAN \$1,000,000 BONDS AND/OR NOTES THEREFOR

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 180

BY Senator Felag

ENTITLED, AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES (require that new lots created in the town of Warren after the assessment date be assessed and prorated as of the date of approval by the planning board)

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 258

BY Senators Tassoni, Walaska, Blais

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING (extend the expiration date of the Housing Act of 2004 Implementation Oversight Commission to March 31, 2009) {LC1336/1}

Read and ordered to be placed on the Calendar

ADJOURNMENT

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

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JAMES E. DOYLE, II

Open our minds, Lord, to the wisdom in others. Help us to work in a unified effort towards harmony and peace for all the people of our State. Amen.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MARCH 6, 2007:****1 2007-H 5143 SUB A****BY Costantino****ENTITLED,** AN ACT RELATING TO TAXATION

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

IN ORDER FOR WEDNESDAY, MARCH 7, 2007:**1 2007-S 91****BY Fogarty P****ENTITLED,** AN ACT IN AMENDMENT OF SECTIONS 3 AND 4 OF CHAPTER 905 OF THE PUBLIC LAWS OF 1912, ENTITLED "AN ACT TO INCORPORATE THE CHEPACHET FIRE DISTRICT, " AS AMENDED

Committee on Housing & Municipal Government recommends passage.

2 2007-S 135**BY Algieri****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO FINANCE AFFORDABLE HOUSING INITIATIVES IN THE TOWN CONSISTENT WITH THE APPROVED CHARLESTOWN AFFORDABLE HOUSING PLAN BY THE ISSUANCE OF NOT MORE THAN \$1,000,000 BONDS AND/OR NOTES THEREFOR

Committee on Housing & Municipal Government recommends passage.

3 2007-S 180**BY Felag****ENTITLED,** AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Housing & Municipal Government recommends passage.

4 2007-S 258**BY Tassoni****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

Committee on Housing & Municipal Government recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate