

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.25

Wednesday, March 21, 2007

Twenty-fifth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:10 o'clock P.M.

The roll is called and a quorum is declared present with 32 Senators present and 6 Senators absent as follows:

PRESENT – 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 6: Senators Bates, Blais, DaPonte, Doyle, Lanzi, Miller.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Twenty-fourth Legislative Day of the 2007 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Breene and by unanimous consent, the Honorable President, welcomes to the Chamber Raymond Budziak of Coventry.

COMMUNICATIONS

The Honorable President presents the following communications:

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

March 21, 2007

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 the chamber on Wednesday, March 21, 2007 due to a work commitment.

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

Thank you for your attention to this matter.

Sincerely,

Senator Daniel DaPonte
Senate District 14

Read and ordered to be placed on file.

Also:

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

March 20, 2007

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

Dear Mr. President:

Please be advised that in my capacity as immediate past president of the International Academy of Compounding Pharmacists, I will be attending their conference in Houston on March 21 and 22, 2007 and thus, will be absent from the Senate sessions. I would appreciate your recording my letter in the appropriate Senate Journal.

Thank you for your attention to this matter.

Sincerely,

Leo R. Blais
DEPUTY PRESIDENT PRO TEMPORE

Read and ordered to be placed on file.

REPORTS OF COMMITTEES

COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES

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

Senate Resolution No. 39 SUB A

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 {LC296/1/A}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 99

BY Senators Tassoni, Issa, Maselli, Doyle

ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY AND MAKE RECOMMENDATIONS RELATED TO THE PROBLEM OF CYBERTHREATS AND CYBERBULLYING FROM AN EDUCATOR'S PERSPECTIVE

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 224

BY Senator Bates

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES AND AMENDING THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CURRENT STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN THE STATE OF RHODE ISLAND {LC1350/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 517**BY** Senators Sosnowski, Ruggerio, Perry, Moura**ENTITLED**, SENATE RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES OF THE SPECIAL SENATE COMMISSION TO STUDY STATE TRADES CLASSIFICATIONS

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 520**BY** Senators Sosnowski, Breene, Felag, Raptakis, Walaska**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE TAXATION OF FARM, FOREST, AND OPEN SPACE LAND {LC2050/1}

Read and ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 784 SUB A**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/A}

Read and ordered to be placed on the Consent Calendar.

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 ordered to be placed on the Consent Calendar.

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 ordered to be placed on the Consent Calendar.

Also:

Senate Resolution No. 838**BY** Senator Revens

ENTITLED, SENATE RESOLUTION URGING THE GOVERNOR TO PROVIDE MEANINGFUL ASSISTANCE TO HELP IDENTIFY AND ENROLL CHILDREN WHO QUALIFY FOR MEDICAID AND RITECARE PROGRAMS AND URGING RHODE ISLAND'S CONGRESSIONAL DELEGATION TO ENSURE THAT CONGRESS PROMPTLY REAUTHORIZES THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP) ASSURING FEDERAL FUNDING FOR THE RITECARE PROGRAM IN RHODE ISLAND {LC2504/1}

Read and ordered to be placed on the Consent Calendar.

NEW BUSINESS**Senate Bill No. 881****BY** Senator DaPonte

ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -- NARRAGANSETT BAY WATER QUALITY MANAGEMENT DISTRICT COMMISSION (would clarify the Narragansett Bay Commission status as a regional sewer district and would also delete sections of the general laws relating to the Narragansett Bay Commission's borrowing and other financial operations) {LC2594/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 882**BY** Senator DaPonte

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- NARRAGANSETT BAY COMMISSION (would remove members of the general assembly from the Narragansett Bay Commission and would institute reporting and training requirements for the commission) {LC2462/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Resolution No. 883**BY** Senators Connors, Bates, Walaska

ENTITLED, SENATE RESOLUTION CONGRATULATING AMICA MUTUAL INSURANCE COMPANY ON THE OCCASION OF THEIR 100TH ANNIVERSARY {LC2622/1}

Senator Connors requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Connors moves passage, seconded by Senators Pichardo, Tassoni and the entire Senate. The resolution is read and passed, upon a voice vote.

GUESTS

Upon suggestion of Senator Connors and by unanimous consent, the Honorable President, welcomes to the Chamber from Amica Mutual Insurance Company's, Robert A. DiMuccio, President and CEO, M. Stuart Towrey, Jr., Executive Vice President and Robert P. Suglia, Vice President and General Counsel.

NEW BUSINESS**Senate Resolution No. 884**

BY Senator Issa

ENTITLED, SENATE RESOLUTION COMMEMORATING THE ANNIVERSARY OF THE PAKISTAN RESOLUTION PASSED ON MARCH 23, 1940 {LC2694/1}

Senator Issa requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Issa moves passage, seconded by the entire Senate.

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

GUESTS

Upon suggestion of Senator Issa and by unanimous consent, the Honorable President, welcomes to the Chamber the following delegation, who are here today in celebration of Pakistani Day, the Honorable Faqir Syed Asif Hussain, Counsellor, from the Embassy of Pakistan, Arshad Iqbal, Asma Iqbal, Shahnaz Siddiqi, Muti Siddiqi, Uzma Azam, Danish Azam, Faram Salahuddin, Kazi Salahuddin, Iftekhar Hussain, Fizza Gillan, Asjad Hussain, Isra Hussain, Mayer Hussain, Tabassum Ghori and Maha Ghori

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 2007-S 863

BY Breene

ENTITLED, SENATE RESOLUTION CONGRATULATING THE UNIVERSITY OF RHODE ISLAND LIVESTOCK JUDGING TEAM FOR ITS SECOND PLACE FINISH AT THE ANNUAL LIVESTOCK JUDGING COMPETITION AT PENN STATE UNIVERSITY

2 2007-S 879**BY Alves****ENTITLED,** SENATE RESOLUTION CONGRATULATING MIKAELA JORDAN ON BEING NAMED "MISS IRELAND" BY THE FRIENDLY SONS OF ST. PATRICK**3 2007-H 6155****BY Costantino****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF GENALCO, INC.**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 Goodwin announces that the Committee on Constitutional and Regulatory Issues will meet today, at the rise of the Senate, in Room 211 of the State House.

Senator Raptakis announces that the Committee on Environment and Agriculture will meet today, at the rise of the Senate, in Room SB 27 of the State House.

Senator Sheehan announces that the Committee on Health and Human Services will meet today, at the rise of the Senate, in Room 212 of the State House.

Senator Cote announces that the Committee on Corporations will meet tomorrow, at the rise of the Senate, in Room 212 of the State House.

Senator Alves announces that the Committee on Finance will meet tomorrow, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Tassoni announces that the Committee on Housing and Municipal Government will meet tomorrow, at the rise of the Senate, in Room 211 of the State House.

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

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algieri, and upon suggestion of Senator Pichardo, the Senate adjourns at 4:30 o'clock P.M. in memory of Samdech Preah Maha Ghosananca.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR DANIEL J. ISSA**

Eternal Father, give us Your wisdom and grace to make this state a better place for your children. Guide all of us in this chamber and all others you have placed in a position of trust to uphold what is right and seek what is true. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, MARCH 22, 2007:****1 2007-S 39 SUB A****BY Walaska**

ENTITLED, JOINT RESOLUTION SUPPORTING THE APPLICATION OF THE
REPUBLIC OF CHINA (TAIWAN) FOR OBSERVER STATUS AT
THE WORLD HEALTH ORGANIZATION

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

2 2007-S 99**BY Tassoni**

ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE
COMMISSION TO STUDY AND MAKE RECOMMENDATIONS
RELATED TO THE PROBLEM OF CYBERTHREATS AND
CYBERBULLYING FROM AN EDUCATOR'S PERSPECTIVE

Committee on Constitutional & Regulatory Issues recommends passage.

3 2007-S 224**BY Bates**

ENTITLED, JOINT RESOLUTION EXTENDING THE REPORTING AND
EXPIRATION DATES AND AMENDING THE SPECIAL
LEGISLATIVE COMMISSION TO STUDY THE CURRENT
STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN
THE STATE OF RHODE ISLAND

Committee on Constitutional & Regulatory Issues recommends passage.

4 2007-S 517**BY Sosnowski**

ENTITLED, SENATE RESOLUTION EXTENDING THE REPORTING AND
EXPIRATION DATES OF THE SPECIAL SENATE COMMISSION
TO STUDY STATE TRADES CLASSIFICATIONS

Committee on Constitutional & Regulatory Issues recommends passage.

5 2007-S 520**BY Sosnowski**

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY THE TAXATION OF FARM, FOREST,
AND OPEN SPACE LAND

Committee on Constitutional & Regulatory Issues recommends passage.

6 2007-S 784 SUB A**BY Sosnowski**

ENTITLED, SENATE RESOLUTION PROCLAIMING JUNE 2, 2007 TO BE
"TICK CONTROL AWARENESS DAY" IN THE STATE OF RHODE
ISLAND

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

7 2007-S 785**BY Perry**

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING ONGOING
INFORMATION FROM THE DEPARTMENT OF CHILDREN,
YOUTH AND FAMILIES

Committee on Constitutional & Regulatory Issues recommends passage.

8 2007-S 804**BY Issa**

ENTITLED, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE
COMMISSION TO STUDY YOUTH FINANCIAL EDUCATION

Committee on Constitutional & Regulatory Issues recommends passage.

9 2007-S 838**BY Revens**

ENTITLED, SENATE RESOLUTION URGING THE GOVERNOR TO PROVIDE
MEANINGFUL ASSISTANCE TO HELP IDENTIFY AND ENROLL
CHILDREN WHO QUALIFY FOR MEDICAID AND RITECARE
PROGRAMS AND URGING RHODE ISLAND'S CONGRESSIONAL
DELEGATION TO ENSURE THAT CONGRESS PROMPTLY
REAUTHORIZES THE STATE CHILDREN'S HEALTH INSURANCE
PROGRAM (SCHIP) ASSURING FEDERAL FUNDING FOR THE
RITECARE PROGRAM IN RHODE ISLAND

Committee on Constitutional & Regulatory Issues recommends passage.