

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.39

Thursday, May 3, 2007

Thirty-ninth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:12 o'clock P.M.

The roll is called and a quorum is declared present with 35 Senators present and 3 Senators absent as follows:

PRESENT – 35: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

ABSENT – 3: Senators Alves, Metts and Sheehan.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senator Ruggerio, and by unanimous consent, the Honorable President, welcomes to the Chamber Evelyn Thompson, Paula Manseau, Kyle Bennett and Jennifer Watson.

Upon suggestion of Senator McBurney and by unanimous consent, the Honorable President, welcomes to the Chamber members of Senator Doyle's family, his mother-in-law, Sandra Fiore, his son, Jamie Doyle III, who is celebrating his 1st Birthday today and his wife Jackie Doyle.

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**

May 2, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-57-7 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Higher Education Assistance Authority:

Dr. Robert J. McKenna of Newport

for a term expiring July 1, 2011.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Finance.

Also:

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

April 30, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 23-28.3-2 of the Rhode Island General Laws, I have made the following appointment to the Fire Safety Code Board of Appeals:

David X. Dias, Jr. of East Greenwich
(Fire Protection Industry Representative)

VICE
Richard A. O'Connell

for a term expiring July 1, 2012.

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

Sincerely,



Donald L. Carcieri
Governor

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

Also:

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

April 27, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 39-1-4 of the Rhode Island General Laws, I have made the following reappointment as Chairman of the Public Utilities Commission:

Elia Germani of Warwick

for a term expiring March 1, 2013.

To this reappointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

COMMUNICATION

The Honorable President presents the following communication:

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

May 1, 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 on Thursday, May 3, 2007. Thank you.

Sincerely,

James C. Sheehan
Senator – District 36

Read and ordered to be placed on file.

REPORTS OF COMMITTEES

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Senator Sosnowski, from the Committee on Environment and Agriculture, reports back, with recommendation of passage of the following measures:

Senate Bill No. 241 SUB A (Environmental Management)

BY Senator Blais

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - REGULATION OF BOATS (require any person on water skis/surfboard/similar device that is being towed behind a vessel/any person operating or onboard a canoe, kayak or vessel less than 14 feet in length/required to wear a life jacket approved by the U.S. Coast Guard) {LC1113/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 242 (Environmental Management)

BY Senator Blais

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION (require that all federally regulated underground storage tanks be inspected at least once in each 36 month period) {LC1114/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 244 SUB A as amended

BY Senators Badeau, Cote, Bates, McBurney, Issa

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- PROMOTION OF PAPER BAG USE {LC1245/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 82**BY** Senators Algieri, Sosnowski, Bates**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 399 SUB A**BY** Senators Sosnowski, Levesque C, Raptakis, Tassoni, Breene**ENTITLED**, AN ACT RELATING TO AGRICULTURE AND FORESTRY -- NOTIFICATIONS TO FARMERS (require the division of agriculture to establish a list by city and town of agricultural operations by March 1 of each year and would provide a copy of said list to each city and town by April 15 of each year) {LC2059/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 564 SUB A**BY** Senators Sosnowski, Paiva-Weed, Breene, Walaska, Fogarty P**ENTITLED**, AN ACT RELATING TO PROPERTY (would place further requirements on the permit process for developing land with conservation or preservation restrictions) {LC1596/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

COMMITTEE ON FINANCE

Senator Alves, from the Committee on Finance, reports back, with recommendation of passage of the following measure:

Senate Bill No. 915**BY** Senator Maselli**ENTITLED**, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES (would allow the town of Johnston to implement a property tax deferred system for the benefit of senior citizens, disabled citizens, and disabled veterans.) {LC2797/1}

Read and ordered to be placed on the Calendar.

COMMITTEE ON JUDICIARY

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

Senate Resolution No. 268 SUB A**BY** Senators Maselli, McCaffrey, Tassoni, Moura, Cote**ENTITLED**, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY THE PROVISIONS FOR RECORDING, FILING AND MAINTENANCE OF DEEDS AND RECORDS WITHIN THE STATE OF RHODE ISLAND'S CITIES AND TOWNS (require the city or town clerk or recorder of deeds to record, file and maintain copies of documents received pursuant to the provisions of section 34-13-6) {LC1381/1/A}

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 927**BY** Senators Paiva-Weed**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (Ruth Durchslag to join Emily Stone and Jonathan Gelb in marriage) {LC2856/1}

Read and ordered to be placed on the Consent Calendar

Also:

House Bill No. 6147**BY** Walsh, Serpa, Silva**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES (join Sarah Tass and Aaron Hiatt) {LC2586/1}

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 724 (Secretary of State)**BY** Senators Pichardo, Goodwin, Gallo, Paiva-Weed**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF STATE (repeal the state central registration registry) {LC2276/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 749**BY** Senators Sosnowski, Felag, Algieri, Perry, Bates**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES {LC1387/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 778 (Attorney General)**BY** Senators Connors, Tassoni, Gallo, Doyle**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - GOVERNMENTAL TORT LIABILITY (clarify the obligations of any insurer to defend any action brought against a state employee, including the obligation to defend and satisfy any settlement or award) {LC1269/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 470**BY** Senators McBurney, Jabour, Levesque C, McCaffrey**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - SUPREME COURT (amend the procedures for the distribution and posting of copies of supreme court opinions by utilizing both paper and electronic posting methods)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

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 ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 335**BY** Senator Revens**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLES REPARATIONS ACT (require law enforcement agencies who issue tickets for lack of evidence of financial responsibility to withhold traffic citation to the traffic tribunal for one business day to allow the motorist opportunity to submit evidence of financial responsibility)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 929**BY** Senator McCaffrey**ENTITLED**, AN ACT RELATING TO PROPERTY -- MECHANICS LIENS (provide notice of a mechanics lien effective as to any retainage earned but not paid, for work furnished pursuant to section to section 34-28-1 et. seq) {LC2700/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 889 as amended (Secretary of State)

BY Senator Gallo

ENTITLED, AN ACT RELATING TO LIBRARIES -- STATE PUBLICATIONS CLEARING HOUSE (would amend the state publications clearinghouse law to provide for the filing of state publications in electronic form and add a representative designated by the chief information officer to the state publications clearinghouse advisory committee.) {LC2650/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 193

BY Senator McCaffrey

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- SOVEREIGN IMMUNITY (clarify that a cause of action exists against the state of RI by state employees and other parties seeking to enforce rights to certain federal statutes where the US Congress has indicated its intent that said federal statutes be applicable to the states

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 894

BY Senators Sosnowski, Ruggerio, Breene, Felag, Moura

ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE -- POWERS OF CONSERVATION OFFICERS (authorize conservation officers to enforce motor vehicle laws and regulations statewide, as they pertain to all-terrain vehicles) {LC2518/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 142

BY Senators Ciccone, Maselli, Moura, Badeau, Ruggerio

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS (authorize the use of electronic communication or telephone communications as a reasonable accommodation for a member of a public body who has a disability and would not otherwise be able to participate)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 186 SUB A**BY** Senators Raptakis, Sheehan, Blais, Maselli, McCaffrey**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND PUBLIC TRANSIT AUTHORITY (require all RId buses to be installed with passenger security cameras and would require that all new drivers of RId buses have a BCI criminal records check) {LC717/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 330**BY** Senators Lenihan, Sheehan, Cote**ENTITLED**, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY GOVERNMENTAL TORT LIABILITY - DEPARTMENT OF ATTORNEY GENERAL (require that the RI attorney general provide a legal defense to members of the state boards and commissions when sued for acts performed within the scope of state service) {LC1346/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 206**BY** Senators Perry, Pichardo, Metts, Goodwin, Miller**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- OPEN MEETINGS (change the definition of "public body" as it relates to libraries)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 332 (Environmental Management)**BY** Senators Blais, Breene, Felag**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- HAZARDOUS WASTE MANAGEMENT (increase the monetary penalties, both civilly and criminally from \$10,000 to \$25,000, for violations of hazardous waste restrictions) {LC1493/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 465**BY** Senators McCaffrey, McBurney, Jabour, Levesque C, Paiva-Weed**ENTITLED**, AN ACT RELATING TO LAW PRACTICE (exempt the unauthorized practice of law committee from the requirements of the Administrative Procedures Act but would mandate that its rules and regulations be filed with the secretary of state)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 474

BY Senators Ciccone, Badeau, Maselli, Ruggerio

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES (restrict the use of radio frequency identification devices for the purpose of tracking the movement or identity of an employee, student or client as a condition of obtaining a benefit or services from such agency) {LC1858/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 484

BY Senators Metts, Perry, Levesque C, Pichardo, Goodwin

ENTITLED, AN ACT RELATING TO PROPERTY -- RHODE ISLAND FAIR HOUSING PRACTICES ACT (prohibit discrimination in housing against those persons who are recipients of government assistance) {LC1709/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 192

BY Senators McCaffrey, Walaska

ENTITLED, AN ACT RELATING TO CAUSES OF ACTION -- SURETY BONDS (create a new civil cause of action for a surety's bad faith refusal to pay a claim made under any bond of surety ship)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 191 SUB A

BY Senators Raptakis, Walaska, Blais, DaPonte, Maselli

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- INTERNET ACCESS AND ADVERTISING BY FACSIMILE (allow a recipient of an unsolicited fax, or the attorney general on the recipients behalf, to bring a civil action in superior court if the recipient had previously notified the sender of their request not to receive such faxes) {LC956/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 190**BY** Senators McCaffrey, Walaska**ENTITLED**, AN ACT RELATING TO ELECTIONS -- NOMINATION PAPERS (provide that nomination papers would not be necessary for any candidate for any election in which there are no other declared candidates for that particular office)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 21 SUB A**BY** Senator Walaska**ENTITLED**, AN ACT RELATING TO ELECTIONS -- TELEPHONE POLITICAL SOLICITATION ACT ("do not call" list for political-oriented telephone calls) {LC58/2/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

COMMITTEE ON LABOR

Senator Badeau, from the Committee on Labor, reports back, with recommendation of passage of the following measures:

Senate Bill No. 349 SUB A**BY** Senator Moura**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES (repeal the sections of the general laws requiring Rhode Island residency for appointments to a noncompetitive branch and/or tenure in classified positions) {LC490/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 493**BY** Senator McCaffrey**ENTITLED**, AN ACT RELATING TO PROPERTY - LABOR AND LABOR RELATIONS - CONSTRUCTION TRUST (create the Rhode Island Construction Trust Act which would establish a special system for the compensation of businesses and contractors who expend labor and materials for construction projects) {LC1621/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 497**BY** Senator McBurney**ENTITLED**, AN ACT RELATING TO HOLIDAYS AND DAYS OF SPECIAL OBSERVANCE -- WORK ON HOLIDAYS AND SUNDAYS (exempt employees of a 24 hour per day limousine or taxi company from a salary increase for working Sunday and Holidays) {LC1424/1}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 499 as amended**BY** Senators Ruggerio, Moura, Maselli, Gallo, Lanzi**ENTITLED**, AN ACT RELATING TO LABOR -- ARBITRATION (allow a labor arbitrator to consider the existence of past practice when the union contract contains a provision that preserves existing rights, benefits or practices between the parties)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 513**BY** Senators Ruggerio, Maselli, Moura, Issa, DaPonte**ENTITLED**, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS BY CONTRACTORS (require any contractor who is awarded a public works contract after July 1, 2007 to ascertain the prevailing wage rate and make the necessary adjustments)

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 514 SUB A**BY** Senators Ruggerio, McBurney, Maselli, McCaffrey, Ciccone**ENTITLED**, AN ACT RELATING TO LABOR AND LABOR RELATIONS - WELDING (would require the division of professional regulation to issue picture ID's to welders and to monitor and ensure they are updated) {LC1684/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 672 SUB A**BY** Senator Moura**ENTITLED**, AN ACT RELATING TO TOWNS AND CITIES - POLICE AND FIRE FIGHTERS OPTIONAL RETIREMENT (change the application process for disability benefits for police and fire personnel) {LC2249/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

Also:

Senate Bill No. 674 SUB A

BY Senator Moura

ENTITLED, AN ACT RELATING TO BUILDING MAINTENANCE CONTRACTS -- DISPLACED WORKER ACT (provide some job protection for private employees of business that have contracts for janitorial or building maintenance contracts for state buildings) {LC2248/1/A}

Read and ordered to be placed on the Calendar for Wednesday, May 9, 2007.

NEW BUSINESS

Senate Resolution No. 977

BY Senator Blais

ENTITLED, SENATE RESOLUTION HONORING THE 100TH ANNIVERSARY REDEDICATION OF THE GENERAL GEORGE SEARS GREENE MONUMENT {LC2674/1}

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senator Algieri.

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

Also:

Senate Bill No. 978

BY Senator Blais

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2995/1}

Senator Blais requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Blais moves passage, seconded by Senator Algieri.

The act is read and passed, by unanimous consent, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: Senators Algieri, Badeau, Bates, Blais, Breene, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 979

BY Senator Badeau

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3033/1}

Senator Badeau requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Badeau moves passage, seconded by Senator Ciccone.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Resolution No. 980

BY Senators Cote, Badeau

ENTITLED, SENATE RESOLUTION CONGRATULATING MARGARET MARTIN ON BEING NAMED THE 2007 "QUOTARIAN OF THE YEAR" {LC3034/1}

Senator Cote requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Cote moves passage, seconded by Senator Badeau.

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

CALENDAR

IN ORDER FOR THURSDAY, MAY 3, 2007:

1 Nomination of Patricia Martinez (reappointment) of Pawtucket as Director of the Department of Children Youth and Families.

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

Senator McCaffrey, seconded by Senators Algieri, Blais, Maselli, Goodwin, Paiva Weed, Doyle, Jabour, Levesque, Pichardo, Gibbs and many others, moves that advice and consent of the Senate be given this appointment.

Senators Levesque and Blais discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni.

NAYS- 0:

GUESTS

Upon suggestion of Senator McBurney, and by unanimous consent, the Honorable President, welcomes to the Chamber Patricia Martinez of Pawtucket, Director of the Department of Children Youth and Family, along with her husband Gabriel Martinez and son Dan Martinez.

CALENDAR

2. 2007-S 81 SUB A

BY Sosnowski

ENTITLED, AN ACT RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

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

Senator Issa moves passage, seconded by Senators Sosnowski, Maselli, Breene and Miller.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2007-S 157 SUB A**BY Raptakis****ENTITLED, AN ACT RELATING TO EDUCATION -- COVENTRY**

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

Senator Raptakis moves passage, seconded by Senators Issa and Blais.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2007-S 390**BY Bates****ENTITLED, AN ACT RELATING TO LIBRARIES - OFFICE OF STATE
LIBRARY AND INFORMATION SERVICES**

Committee on Education recommends passage.

Upon suggestion of Senator Bates, and without objection, ordered to be placed on the Calendar for Thursday, May 10, 2007.

5. 2007-S 392**BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION**

Committee on Education recommends passage.

Senator Gallo moves passage, seconded by Senators Maselli and Issa.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6. 2007-S 394**BY Issa****ENTITLED,** AN ACT RELATING TO EDUCATION -- HEALTH AND SAFETY
OF PUPILS

Committee on Education recommends passage.

Senator Issa moves passage, seconded by Senators Gallo, Levesque and Maselli.

The act is read and passed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

22. 2007-S 791**BY Perry****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O.
HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA
ACT

Committee on Health & Human Services recommends passage.

Senator Perry moves passage, seconded by Senators Levesque, Ciccone, Badeau and many others.

Senator Perry, seconded by Senators Goodwin, Connors, Levesque, Miller, Badeau, Pichardo, Sosnowski, Paiva Weed and Lanzi, offers the following written motion to amend.

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

2007 -- S 791

AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL
MARIJUANA ACT

Mr. President:

I hereby move to amend 2007 -- S 791, entitled "AN ACT RELATING TO FOOD AND DRUGS -- THE
EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT", as follows:

By deleting all of the language following the enactment clause and inserting in place thereof the following:

"SECTION 1. Sections 21-28.6-1, 21-28.6-2, 21-28.6-3, 21-28.6-4, 21-28.6-5, 21-28.6-6, 21-28.6-7, 21-28.6-8, 21-28.6-9 and 21-28.6-10 of the General Laws in Chapter 21-28.6 entitled "The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act" are hereby amended to read as follows:

21-28.6-1. Short title. ~~[Repealed effective June 30, 2007.]~~ -- This chapter shall be known and may be cited as "The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act."

21-28.6-2. Legislative findings. ~~[Repealed effective June 30, 2007.]~~ -- The general assembly finds and declares that:

(1) Modern medical research has discovered beneficial uses for marijuana in treating or alleviating pain, nausea and other symptoms associated with certain debilitating medical conditions, as found by the National Academy of Sciences' Institute of Medicine in March 1999.

(2) According to the U.S. Sentencing Commission and the Federal Bureau of Investigation, ninety-nine (99) out of every one hundred (100) marijuana arrests in the United States are made under state law, rather than under federal law. Consequently, changing state law will have the practical effect of protecting from arrest the vast majority of seriously ill people who have a medical need to use marijuana.

(3) Although federal law currently prohibits any use of marijuana, the laws of Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, Oregon, Vermont, and Washington permit the medical use and cultivation of marijuana. Rhode Island joins in this effort for the health and welfare of its citizens.

(4) States are not required to enforce federal law or prosecute people for engaging in activities prohibited by federal law. Therefore, compliance with this chapter does not put the state of Rhode Island in violation of federal law.

(5) State law should make a distinction between the medical and nonmedical use of marijuana. Hence, the purpose of this chapter is to protect patients with debilitating medical conditions, and their physicians and primary caregivers, from arrest and prosecution, criminal and other penalties, and property forfeiture if such patients engage in the medical use of marijuana.

(6) The general assembly enacts this chapter pursuant to its police power to enact legislation for the protection of the health of its citizens, as reserved to the state in the Tenth Amendment of the United States Constitution.

21-28.6-3. Definitions. ~~[Repealed effective June 30, 2007.]~~ -- The purposes of this chapter:

(1) "Debilitating medical condition" means:

(i) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, Hepatitis C, or the treatment of these conditions;

(ii) A chronic or debilitating disease or medical condition or its treatment that produces one or more of the following: cachexia or wasting syndrome; severe, debilitating, chronic pain; severe nausea; seizures, including but not limited to, those characteristic of epilepsy; or severe and persistent muscle spasms, including but not limited to, those characteristic of multiple sclerosis or Crohn's disease; or agitation of Alzheimer's Disease; or

(iii) Any other medical condition or its treatment approved by the department, as provided for in section 21-28.6-5.

(2) "Department" means the Rhode Island department of health or its successor agency.

(3) "Marijuana" has the meaning given that term in section 21-28-1.02(26).

(4) "Medical use" means the acquisition, possession, cultivation, manufacture, use, delivery, transfer, or transportation of marijuana or paraphernalia relating to the consumption of marijuana to alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the medical condition.

(5) "Practitioner" means a person who is licensed with authority to prescribe drugs pursuant to chapter 37 of title 5.

(6) "Primary caregiver" means a person who is at least twenty-one (21) years old and who has agreed to assist with a person's medical use of marijuana and who doesn't have a felony drug conviction. A primary caregiver may assist no more than five (5) qualifying patients with their medical use of marijuana.

(7) "Qualifying patient" means a person who has been diagnosed by a physician as having a debilitating medical condition and is a resident of Rhode Island.

(8) "Registry identification card" means a document issued by the department that identifies a person as a qualifying patient or primary caregiver.

(9) "Usable marijuana" means the dried leaves and flowers of the marijuana plant, and any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the plant.

(10) "Written certification" means the qualifying patient's medical records, and a statement signed by a practitioner, stating that in the practitioner's professional opinion the potential benefits of the medical use of marijuana would likely outweigh the health risks for the qualifying patient. A written certification shall be made only in the course of a bona fide practitioner-patient relationship after the practitioner has completed a full assessment of the qualifying patient's medical history. The written certification shall specify the qualifying patient's debilitating medical condition or conditions.

21-28.6-4. Protections for the medical use of marijuana. ~~[(Repealed effective June 30, 2007.)]~~ -- (a) A qualifying patient who has in his or her possession a registry identification card shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to, civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau, for the medical use of marijuana; provided, that the qualifying patient

possesses an amount of marijuana that does not exceed twelve (12) marijuana plants and two and one-half (2.5) ounces of usable marijuana. Said plants shall be stored in an indoor facility.

(b) No school, employer or landlord may refuse to enroll, employ or lease to or otherwise penalize a person solely for his or her status as a registered qualifying patient or a registered primary caregiver.

(c) A primary caregiver, who has in his or her possession, a registry identification card shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including but not limited to, civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau, for assisting a qualifying patient to whom he or she is connected through the department's registration process with the medical use of marijuana; provided, that the primary caregiver possesses an amount of marijuana which does not exceed twelve (12) marijuana plants and two and one-half (2.5) ounces of usable marijuana for each qualifying patient to whom he or she is connected through the department's registration process.

(d) There shall exist a presumption that a qualifying patient or primary caregiver is engaged in the medical use of marijuana if the qualifying patient or primary caregiver:

(1) Is in possession of a registry identification card; and

(2) Is in possession of an amount of marijuana that does not exceed the amount permitted under this chapter. Such presumption may be rebutted by evidence that conduct related to marijuana was not for the purpose of alleviating the qualifying patient's debilitating medical condition or symptoms associated with the medical condition.

(e) A primary caregiver may receive reimbursement for costs associated with assisting a registered qualifying patient's medical use of marijuana. Compensation shall not constitute sale of controlled substances.

(f) A practitioner shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by the Rhode Island Board of Medical Licensure and Discipline or by any another business or occupational or professional licensing board or bureau solely for providing written certifications or for otherwise stating that, in the practitioner's professional opinion, the potential benefits of the medical marijuana would likely outweigh the health risks for a patient.

(g) Any interest in or right to property that is possessed, owned, or used in connection with the medical use of marijuana, or acts incidental to such use, shall not be forfeited.

(h) No person shall be subject to arrest or prosecution for constructive possession, conspiracy, aiding and abetting, being an accessory, or any other offense for simply being in the presence or vicinity of the medical use of marijuana as permitted under this chapter or for assisting a registered qualifying patient with using or administering marijuana.

(i) A practitioner nurse or pharmacist shall not be subject to arrest, prosecution or penalty in any manner, or denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by a business or occupational or professional licensing board or bureau solely for discussing the benefits or health risks of medical marijuana or its interaction with other substances with a patient.

(j) A registry identification card, or its equivalent, issued under the laws of another state, U.S. territory, or the District of Columbia to permit the medical use of marijuana by a qualifying patient, or to permit a person to assist with a qualifying patient's medical use of marijuana, shall have the same force and effect as a registry identification card issued by the department.

(k) Notwithstanding the provisions of subsection 21-28.6-3(6) or subsection 21-28.6-4(c), no primary caregiver shall possess an amount of marijuana in excess of twenty-four (24) marijuana plants and five (5) ounces of usable marijuana for qualifying patients to whom he or she is connected through the department's registration process.

21-28.6-5. Department to issue regulations. [Repealed effective June 30, 2007.] -- (a) Not later than ninety (90) days after the effective date of this chapter, the department shall promulgate regulations governing the manner in which it shall consider petitions from the public to add debilitating medical conditions to those included in this chapter. In considering such petitions, the department shall include public notice of, and an opportunity to comment in a public hearing, upon such petitions. The department shall, after hearing, approve or deny such petitions within one hundred eighty (180) days of submission. The approval or denial of such a petition shall be considered a final department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the superior court. The denial of a petition shall not disqualify qualifying patients with that condition, if they have a debilitating medical condition. The denial of a petition shall not prevent a person with the denied condition from raising an affirmative defense.

(b) Not later than ninety (90) days after the effective date of this chapter, the department shall promulgate regulations governing the manner in which it shall consider applications for and renewals of registry identification cards for qualifying patients and primary caregivers. The department's regulations shall establish application and renewal fees that generate revenues sufficient to offset all expenses of implementing and administering this chapter. The department may vary the application and renewal fees along a sliding scale that accounts for a qualifying patient's or caregiver's income. The department may accept donations from private sources in order to reduce the application and renewal fees.

21-28.6-6. Administration of regulations. [Repealed effective June 30, 2007.] -- (a) The department shall issue registry identification cards to qualifying patients who submit the following, in accordance with the department's regulations:

(1) Written certification as defined in section 23-28.6-3(10) of this chapter;

(2) Application or renewal fee;

(3) Name, address, and date of birth of the qualifying patient; provided, however, that if the patient is homeless, no address is required;

(4) Name, address, and telephone number of the qualifying patient's practitioner; and

(5) Name, address, and date of birth of each primary caregiver of the qualifying patient, if any.

(b) The department shall not issue a registry identification card to a qualifying patient under the age of eighteen (18) unless:

(1) The qualifying patient's practitioner has explained the potential risks and benefits of the medical use of marijuana to the qualifying patient and to a parent, guardian or person having legal custody of the qualifying patient; and

(2) A parent, guardian or person having legal custody consents in writing to:

(i) Allow the qualifying patient's medical use of marijuana;

(ii) Serve as one of the qualifying patient's primary caregivers; and

(iii) Control the acquisition of the marijuana, the dosage, and the frequency of the medical use of marijuana by the qualifying patient.

(c) The department shall verify the information contained in an application or renewal submitted pursuant to this section, and shall approve or deny an application or renewal within ~~thirty (30)~~ fifteen (15) days of receiving it. The department may deny an application or renewal only if the applicant did not provide the information required pursuant to this section, or if the department determines that the information provided was falsified. Rejection of an application or renewal is considered a final department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the superior court.

(d) The department shall issue a registry identification card to each primary caregiver, if any, who is named in a qualifying patient's approved application, up to a maximum of two (2) primary caregivers per qualifying patient.

(e) The department shall issue registry identification cards within five (5) days of approving an application or renewal, which shall expire ~~one~~ two (2) years after the date of issuance. Registry identification cards shall contain:

~~(1) Name, address, and date of birth of the qualifying patient;~~

~~(2) Name, address, and date of birth of the each primary caregiver of the qualifying patient, if any;~~

~~(3)~~ (1) The date of issuance and expiration date of the registry identification card;

~~(4)~~ (2) A random registry identification number; and

~~(5)~~ (3) A photograph; and

(4) Any additional information as required by regulation or the department.

(f) Persons issued registry identification cards shall be subject to the following:

(1) A qualifying patient who has been issued a registry identification card shall notify the department of any change in the qualifying patient's name, address, or primary caregiver; or if the qualifying patient ceases to have his or her debilitating medical condition, within ten (10) days of such change.

(2) A registered qualifying patient who fails to notify the department of any of these changes is responsible for a civil infraction, punishable by a fine of no more than one hundred fifty dollars (\$150). If the person has ceased to suffer from a debilitating medical condition, the card shall be deemed null and void and the person shall be liable for any other penalties that may apply to the person's nonmedical use of marijuana.

(3) A registered primary caregiver shall notify the department of any change in his or her name or address within ten (10) days of such change. A primary caregiver who fails to notify the department of any of these changes is responsible for a civil infraction, punishable by a fine of no more than one hundred fifty dollars (\$150).

(4) When a qualifying patient or primary caregiver notifies the department of any changes listed in this subsection, the department shall issue the registered qualifying patient and each primary caregiver a new registry identification card within ten (10) days of receiving the updated information and a ten dollar (\$10.00) fee.

(5) When a qualifying patient who possesses a registry identification card changes his or her primary caregiver, the department shall notify the primary caregiver within ten (10) days. The primary caregiver's protections as provided in this chapter shall expire ten (10) days after notification by the department.

(6) If a registered qualifying patient or a primary caregiver loses his or her registry identification card, he or she shall notify the department and submit a ten dollar (\$10.00) fee within ten (10) days of losing the card. Within five (5) days, the department shall issue a new registry identification card with new random identification number.

(7) If a qualifying patient and/or primary caregiver willfully violates any provision of this chapter as determined by the department, his or her registry identification card may be revoked.

(g) Possession of, or application for, a registry identification card shall not constitute probable cause or reasonable suspicion, nor shall it be used to support the search of the person or property of the person possessing or applying for the registry identification card, or otherwise subject the person or property of the person to inspection by any governmental agency.

(h) (1) Applications and supporting information submitted by qualifying patients, including information regarding their primary caregivers and practitioners, are confidential and protected under the federal Health Insurance Portability and

Accountability Act of 1996.

(2) The department shall maintain a confidential list of the persons to whom the department has issued registry identification cards ~~and shall notify local and state law enforcement of the number of qualified patients in any given city or town.~~ Individual names and other identifying information on the list shall be confidential, exempt from the provisions of Rhode Island Access to Public Information, chapter 2 of title 38, and not subject to disclosure, except to authorized employees of the department as necessary to perform official duties of the department.

(i) The department shall verify to law enforcement personnel whether a registry identification card is valid solely by confirming the random registry identification number.

(j) It shall be a crime, punishable by up to one hundred eighty (180) days in jail and a one thousand dollar (\$1,000) fine, for any person, including an employee or official of the department or another state agency or local government, to breach the confidentiality of information obtained pursuant to this chapter. Notwithstanding this provision, the department employees may notify law enforcement about falsified or fraudulent information submitted to the department.

(k) On or before January 1, ~~2007~~ of each odd numbered year, the department shall report to the House Committee on Health, Education and Welfare and to the Senate Committee on the Judiciary on the use of marijuana for symptom relief. The report shall provide:

(1) The number of applications for registry identification cards, the number of qualifying patients and primary caregivers approved, the nature of the debilitating medical conditions of the qualifying patients, the number of registry identification cards revoked, and the number of practitioners providing written certification for qualifying patients;

(2) An evaluation of the costs permitting the use of marijuana for symptom relief, including any costs to law enforcement agencies and costs of any litigation;

(3) Statistics regarding the number of marijuana-related prosecutions against registered patients and caregivers, and an analysis of the facts underlying those prosecutions;

(4) Statistics regarding the number of prosecutions against physicians for violations of this chapter; and

(5) Whether the United States Food and Drug Administration has altered its position regarding the use of marijuana for medical purposes or has approved alternative delivery systems for marijuana.

21-28.6-7. Scope of chapter. ~~Repealed effective June 30, 2007.~~ -- (a) This chapter shall not permit:

(1) Any person to undertake any task under the influence of marijuana, when doing so would constitute negligence or professional malpractice;

(2) The smoking of marijuana:

(i) In a school bus or other form of public transportation;

(ii) On any school grounds;

(iii) In any correctional facility;

(iv) In any public place; or

(v) In any licensed drug treatment facility in this state.

(3) Any person to operate, navigate, or be in actual physical control of any motor vehicle, aircraft, or motorboat while under the influence of marijuana. However, a registered qualifying patient shall not be considered to be under the influence solely for having marijuana metabolites in his or her system.

(b) Nothing in this chapter shall be construed to require:

(1) A government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of marijuana; or

(2) An employer to accommodate the medical use of marijuana in any workplace.

(c) Fraudulent representation to a law enforcement official of any fact or circumstance relating to the medical use of marijuana to avoid arrest or prosecution shall be punishable by a fine of five hundred dollars (\$500) which shall be in addition to any other penalties that may apply for making a false statement for the nonmedical use of marijuana.

21-28.6-8. Affirmative defense and dismissal. ~~Repealed effective June 30, 2007.~~ -- (a) Except as provided in section 21-28.6-7, a person and a person's primary caregiver, if any, may assert the medical purpose for using marijuana as a defense to any prosecution involving marijuana, and such defense shall be presumed valid where the evidence shows that:

(1) The qualifying patient's ~~medical records indicate and a~~ practitioner has stated that, in the practitioner's professional opinion, after having completed a full assessment of the person's medical history and current medical condition made in the course of a bona fide practitioner-patient relationship, the potential benefits of using marijuana for medical purposes would likely outweigh the health risks for the qualifying patient; and

(2) The person and the person's primary caregiver, if any, were collectively in possession of a quantity of marijuana that was not more than what is permitted under this chapter to ensure the uninterrupted availability of marijuana for the purpose of alleviating the person's medical condition or symptoms associated with the medical condition.

(b) A person may assert the medical purpose for using marijuana in a motion to dismiss, and the charges shall be dismissed following an evidentiary hearing where the defendant shows the elements listed in subsection (a) of this section.

(c) Any interest in or right to property that was possessed, owned, or used in connection with a person's use of marijuana for medical purposes shall not be forfeited if the person or the person's primary caregiver demonstrates the person's

medical purpose for using marijuana pursuant to this section.

21-28.6-9. Enforcement. ~~**Repealed effective June 30, 2007.**~~ -- (a) If the department fails to adopt regulations to implement this chapter within one hundred twenty (120) days of the effective date of this act, a qualifying patient may commence an action in a court of competent jurisdiction to compel the department to perform the actions mandated pursuant to the provisions of this chapter.

(b) If the department fails to issue a valid registry identification card in response to a valid application submitted pursuant to this chapter within thirty-five (35) days of its submission, the registry identification card shall be deemed granted and a copy of the registry identification application shall be deemed valid registry identification card.

21-28.6-10. Severability. ~~**Repealed effective June 30, 2007.**~~ -- Any section of this act being held invalid as to any person or circumstances shall not affect the application of any other section of this act that can be given full effect without the invalid section or application.

SECTION 2. Section 21-28.6-11 of the General Laws in Chapter 21-28.6 entitled "The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act" is hereby repealed.

21-28.6-11. Sunset provision. ~~The provisions of this chapter shall be repealed effective June 30, 2007.~~

SECTION 3. This act shall take effect upon passage."

Respectfully submitted,
SENATOR RHODA PERRY

Senator Blais discusses the amendment.

The motion to amend prevails upon a roll call vote with 27 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Algieri, Badeau, Ciccone, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Bates, Blais, Breene, Cote, Jabour, Raptakis.

Senator Perry moves passage of the act, as amended, seconded by Senators Connors, Pichardo, Miller, Badeau, Sosnowski, Paiva Weed, Goodwin, Tassoni and Levesque.

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

FLOOR AMENDMENT

2007 -- S 791

AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT

Mr. President:

I hereby move to amend 2007 -- S 791, entitled "AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O. HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA ACT", as follows:

(1) On page 7, line 23, after the word "department" by adding the following language:

"; or is found by a court of competent jurisdiction to be in violation of the Rhode Island Uniform Controlled Substances Act, Rhode Island general law chapter 21-28".

Respectfully submitted,
SENATOR BLAIS

Senators Perry and Levesque discuss the amendment.

The motion to amend fails of passage upon a roll call vote with 13 Senators voting in the affirmative and 20 Senators voting in the negative as follows:

YEAS- 13: Senators Algieri, Bates, Blais, Breene, Connors, Cote, DaPonte, Gibbs, Jabour, McBurney, McCaffrey, Raptakis, Walaska.

NAYS- 20: The Honorable President Montalbano and Senators Badeau, Ciccone, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, Maselli, Miller, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni.

The act is read and passed, as amended, upon a roll call vote with 29 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Ciccone, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 5: Senators Blais, Breene, Cote, Jabour, Raptakis

7. 2007-S 923

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO EDUCATION -- TRANSPORTATION

Committee on Education recommends passage.

Senator Paiva Weed moves passage, seconded by Senators Issa and Bates.

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8. 2007-S 173 SUB A

BY Gallo

ENTITLED, AN ACT BUSINESSES AND PROFESSIONS -- SPEECH
PATHOLOGY AND AUDIOLOGY

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

Senator Gallo moves passage, seconded by Senators Fogarty, Levesque and Perry.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9. 2007-S 256

BY Perry

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
BOARD OF MEDICAL LICENSURE AND DISCIPLINE

Committee on Health & Human Services recommends passage.

Senator Perry moves passage, seconded by Senator Levesque.

The act is read and passed, upon a roll call vote with 31 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais, Breene.

10. 2007-S 326

BY Gibbs

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - DEPARTMENT
OF HEALTH

Committee on Health & Human Services recommends passage.

Senator Gibbs moves passage, seconded by Senators Sosnowski, Perry, Blais and Algieri.

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

11. 2007-S 442 SUB A

BY Gibbs

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -
ELDERLY AFFAIRS DEPARTMENT

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

Senator Gibbs moves passage, seconded by Senators Perry, Pichardo and Levesque.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12. 2007-S 446 SUB A as amended**BY Walaska****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PHARMACIES

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

Senator Walaska moves passage, seconded by Senators Perry, Cote and Ciccone.

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

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

NAYS- 0:

13. 2007-S 448 SUB A**BY Perry****ENTITLED,** AN ACT RELATING TO INSURANCE -- ESTABLISHING A
HEALTH INSURANCE TAX INCENTIVE

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

Senator Perry moves passage, seconded by Senators Tassoni and Miller.

Senators DaPonte and Perry discuss the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

14. 2007-S 451 SUB A**BY Paiva-Weed****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- THE DEPARTMENT OF HUMAN SERVICES

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

Senator Paiva Weed moves passage, seconded by Senators Levesque and Gibbs.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Walaska.

NAYS- 0:

15. 2007-S 453 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO INSURANCE

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

Senator Walaska moves passage, seconded by Senators Levesque, Bates, Badeau, Miller and Perry.

Senator Levesque discusses the act.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

16. 2007-S 455 SUB A

BY Perry

ENTITLED, AN ACT RELATING TO HUMAN SERVICES - HEALTH CARE FOR FAMILIES

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

Senator Perry moves passage, seconded by Senators Levesque and Pichardo.

Senator Perry, seconded by Senators Levesque and Pichardo, offers the following written motion to amend.

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

2007 -- S 455 SUBSTITUTE A

AN ACT RELATING TO HUMAN SERVICES - HEALTH CARE FOR FAMILIES

Mr. President:

I hereby move to amend 2007 -- S 455 SUBSTITUTE A, entitled "AN ACT RELATING TO HUMAN SERVICES - HEALTH CARE FOR FAMILIES", as follows:

On page 2, line 7, after the language "department of human services." by adding the following language: "Nothing in this subsection shall be interpreted to reduce the scope or duration of services or benefits covered for any Medicaid recipient or to restrict or remove any services or benefits from a managed care benefit plan provided by the state Medicaid program."

Respectfully submitted,
SENATOR PERRY

The motion to amend prevails upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Perry moves passage of the act, as amended, seconded by Senators Levesque and Pichardo.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

BY Levesque C

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - INSURANCE -
HEALTH INSURANCE POLICY COVERAGE

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

Upon suggestion of Senator Levesque, and without objection, ordered to be placed on the Calendar for Tuesday, May 8, 2007.

18. 2007-S 640 SUB A

BY Goodwin

ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS - NURSES

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

Senator Goodwin moves passage, seconded by Senators Perry, Ruggerio, Issa, Jabour and Pichardo.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

19. 2007-S 644

BY Levesque C

ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE
FOR FAMILIES

Committee on Health & Human Services recommends passage.

Senator Levesque moves passage, seconded by Senator Gallo.

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

20. 2007-S 654**BY Jabour****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- HEALTH PROFESSIONS LOAN REPAYMENT PROGRAM

Committee on Health & Human Services recommends passage.

Senator Jabour moves passage, seconded by Senators Gallo, Perry, Moura and Pichardo.

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

21. 2007-S 657 SUB A**BY Jabour****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS - PHYSICAL THERAPISTS

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

Senator Jabour moves passage, seconded by Senators Perry and Miller.

The bill marked Substitute "A" is read and passed, and the original bill indefinitely postponed, 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

23. 2007-S 820**BY Gibbs****ENTITLED,** AN ACT RELATING TO DELINQUENT AND DEPENDENT CHILDREN -- COURTS -- PROCEEDINGS IN FAMILY COURT

Committee on Health & Human Services recommends passage.

Senator Gibbs moves passage, seconded by Senators Sosnowski, Blais, Perry and Algieri.

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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

24. 2007-S 958

BY Connors

ENTITLED, SENATE RESOLUTION AMENDING THE RULES OF THE SENATE

Committee on Rules recommends passage.

Senator Connors moves passage, seconded by Senators Ruggerio, Bates, Paiva Weed and Jabour.

The resolution 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, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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.

RECESS

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate stands at recess at 5:24 o'clock P.M.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, on Tuesday, May 8, 2007, at 4:19 o'clock P.M.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:20 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR M. TERESA PAIVA WEED****2007 Prayer for Our Nation**

Written by Dr. Charles R. Swindoll

Almighty God, we pause to reflect on Your character as we seek wisdom for such a time as this. In these unsafe days, You remain all-powerful and able to protect; In these uncertain times, You remain all-knowing, leading us aright; In the unprecedented events were facing, You remain absolutely sovereign. Our Times are in Your hands. Therefore, our dependence on You, is total, not partial..... our need for Your forgiveness is constant..... our gratitude for Your Grace is profound.....our love for You is deep. We ask that You guard and guide our President and all who serve the people of these United States. May uncompromising integrity mark their lives. We also ask that You unite us as truly “one nation, under God.” May genuine humility return to our ranks. And may that blend of integrity and humility heal our land. In our Lord’s name we pray, Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR TUESDAY, MAY 8, 2007:****1 2007-S 268 SUB A****BY Maselli**

ENTITLED, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY THE PROVISIONS FOR RECORDING, FILING AND MAINTENANCE OF DEEDS AND RECORDS WITHIN THE STATE OF RHODE ISLAND'S CITIES AND TOWNS

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

2 2007-S 927**BY Paiva-Weed**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage.

3 2007-H 6147**BY Walsh**

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES

Committee on Judiciary recommends passage in concurrence.

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 8, 2007:****1 2007-S 633 SUB A****BY Levesque C****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - INSURANCE -
HEALTH INSURANCE POLICY COVERAGE

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

2 2007-S 54 SUB A**BY Bates****ENTITLED,** AN ACT RELATING TO INDEBTEDNESS OF TOWNS AND CITIES

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

3 2007-S 103**BY Walaska****ENTITLED,** AN ACT RELATING TO INSURANCE -- INSURANCE
INSOLVENCY FUND

Committee on Corporations recommends passage.

4 2007-S 122 SUB A**BY Blais****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW - GENERAL
REGULATORY PROVISIONS - INTEREST AND USURY

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

5 2007-S 124 SUB A**BY Sheehan****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- ECONOMIC DEVELOPMENT CORPORATION

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

6 2007-S 228**BY Blais****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

7 2007-S 231 SUB A as amended

BY Miller

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RHODE ISLAND ENERGY RESOURCES ACT

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

8 2007-S 232 SUB A

BY Maselli

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

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

9 2007-S 233

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

10 2007-S 234

BY Breene

ENTITLED, AN ACT RELATING TO INSURANCE -- THE RHODE ISLAND
LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT

Committee on Corporations recommends passage.

11 2007-S 235

BY Blais

ENTITLED, AN ACT RELATING TO INSURANCE -- AGENTS, BROKERS AND
SOLICITORS

Committee on Corporations recommends passage.

12 2007-S 299

BY Bates

ENTITLED, AN ACT RELATING TO INSURANCE - RHODE ISLAND
INSURERS' INSOLVENCY FUND

Committee on Corporations recommends passage.

13 2007-S 301 SUB A

BY Walaska

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PUBLIC ACCOUNTANCY

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

14 2007-S 302

BY Walaska

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
INSURANCE

Committee on Corporations recommends passage.

15 2007-S 364

BY McCaffrey

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -
COMMUNITY OBLIGATIONS AND BANKING OFFENSES

Committee on Corporations recommends passage.

16 2007-S 366

BY Alves

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL
REGULATORY PROVISIONS -- PURCHASE AND SALE OF
PRECIOUS METALS

Committee on Corporations recommends passage.

17 2007-S 371

BY Pichardo

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

Committee on Corporations recommends passage.

18 2007-S 376 SUB A

BY Breene

ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - PUBLIC
DRINKING WATER SUPPLIES

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

19 2007-S 382 SUB A

BY Badeau

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL
REGULATORY PROVISIONS - UNFAIR SALES PRACTICES

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

20 2007-S 384 SUB A**BY Miller****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS

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

21 2007-S 386 SUB A**BY Blais****ENTITLED,** AN ACT RELATING TO INSURANCE - INSURANCE PRODUCERS
- PRODUCER LICENSING ACT

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

22 2007-S 540 SUB A**BY Maselli****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- GENERAL
REGULATORY PROVISIONS -- THE RHODE ISLAND FAIR
DEALERSHIP ACT

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

23 2007-S 551 SUB A**BY Algieri****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -
ENGINEERS

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

24 2007-S 553 SUB A**BY Walaska****ENTITLED,** AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
ACCESSIBLE TAXICABS

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

25 2007-S 787 SUB A**BY Connors****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
PUBLIC ACCOUNTANCY

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

26 2007-S 828**BY Walaska****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS,
PARTNERSHIPS -- CONVERSIONS

Committee on Corporations recommends passage.

27 2007-S 829**BY Walaska****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS -- BUSINESS CORPORATIONS

Committee on Corporations recommends passage.

28 2007-S 830**BY Walaska****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS -- RHODE ISLAND BUSINESS CORPORATION
ACT

Committee on Corporations recommends passage.

29 2007-S 831**BY Walaska****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS -- LIMITED PARTNERSHIPS

Committee on Corporations recommends passage.

30 2007-S 832**BY Walaska****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS AND
PARTNERSHIPS - THE RHODE ISLAND LIMITED LIABILITY
COMPANY ACT

Committee on Corporations recommends passage.

31 2007-S 834**BY Walaska****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW - GENERAL
REGULATORY PROVISIONS - REGISTRATION AND
PROTECTION OF TRADEMARKS

Committee on Corporations recommends passage.

32 2007-S 835**BY Walaska****ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND

PARTNERSHIPS -- RHODE ISLAND BUSINESS CORPORATIONS
ACT, AND RHODE ISLAND LIMITED LIABILITY ACT

Committee on Corporations recommends passage.

33 2007-S 840

BY McCaffrey

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES – REPOSSESSION ACT

Committee on Corporations recommends passage.

34 2007-S 577 as amended

BY Fogarty P

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -
STATE PURCHASES

Committee on Finance recommends passage as amended.

35 2007-S 905

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT
-- NEWPORT COUNTY CONVENTION AND VISITORS' BUREAU

Committee on Government Oversight recommends passage.

36 2007-S 144 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO PROPERTY -- PROPERTY BY
POSSESSION AND PRESCRIPTION

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

37 2007-S 209 SUB A

BY Bates

ENTITLED, AN ACT RELATING TO PROPERTY

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

IN ORDER FOR WEDNESDAY, MAY 9, 2007:

1 2007-S 82

BY Algieri

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Environment & Agriculture recommends passage.

2 2007-S 241 SUB A**BY Blais****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -
REGULATION OF BOATS

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

3 2007-S 242**BY Blais****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- WATER
POLLUTION

Committee on Environment & Agriculture recommends passage.

4 2007-S 244 SUB A as amended**BY Badeau****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- PROMOTION
OF PAPER BAG USE

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

5 2007-S 399 SUB A**BY Sosnowski****ENTITLED,** AN ACT RELATING TO AGRICULTURE AND FORESTRY --
NOTIFICATIONS TO FARMERS

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

6 2007-S 564 SUB A**BY Sosnowski****ENTITLED,** AN ACT RELATING TO PROPERTY

Committee on Environment & Agriculture recommends indefinite postponement of the original bill and passage of Substitute A.

7 2007-S 19**BY Raptakis****ENTITLED,** AN ACT RELATING TO CHILDREN

Committee on Judiciary recommends passage.

8 2007-S 21 SUB A**BY Walaska****ENTITLED,** AN ACT RELATING TO ELECTIONS -- TELEPHONE POLITICAL
SOLICITATION ACT

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

9 2007-S 142

BY Ciccone

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
OPEN MEETINGS

Committee on Judiciary recommends passage.

10 2007-S 186 SUB A

BY Raptakis

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --
RHODE ISLAND PUBLIC TRANSIT AUTHORITY

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

11 2007-S 190

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS -- NOMINATION PAPERS

Committee on Judiciary recommends passage.

12 2007-S 191 SUB A

BY Raptakis

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL
REGULATORY PROVISIONS -- INTERNET ACCESS AND
ADVERTISING BY FACSIMILE

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

13 2007-S 192

BY McCaffrey

ENTITLED, AN ACT RELATING TO CAUSES OF ACTION -- SURETY BONDS

Committee on Judiciary recommends passage.

14 2007-S 193

BY McCaffrey

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
PROCEDURE GENERALLY -- SOVEREIGN IMMUNITY

Committee on Judiciary recommends passage.

15 2007-S 206**BY Perry****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
OPEN MEETINGS

Committee on Judiciary recommends passage.

16 2007-S 330**BY Lenihan****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
PROCEDURE GENERALLY GOVERNMENTAL TORT LIABILITY
- DEPARTMENT OF ATTORNEY GENERAL

Committee on Judiciary recommends passage.

17 2007-S 332**BY Blais****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY --
HAZARDOUS WASTE MANAGEMENT

Committee on Judiciary recommends passage.

18 2007-S 335**BY Revens****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLES REPARATIONS ACT

Committee on Judiciary recommends passage.

19 2007-S 465**BY McCaffrey****ENTITLED,** AN ACT RELATING TO LAW PRACTICE

Committee on Judiciary recommends passage.

20 2007-S 470**BY McBurney****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
SUPREME COURT

Committee on Judiciary recommends passage.

21 2007-S 474**BY Ciccone****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
RESTRICTING RADIO FREQUENCY IDENTIFICATION DEVICES

Committee on Judiciary recommends passage.

22 2007-S 484**BY Metts****ENTITLED,** AN ACT RELATING TO PROPERTY -- RHODE ISLAND FAIR
HOUSING PRACTICES ACT

Committee on Judiciary recommends passage.

23 2007-S 724**BY Pichardo****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
DEPARTMENT OF STATE

Committee on Judiciary recommends passage.

24 2007-S 749**BY Sosnowski****ENTITLED,** AN ACT RELATING TO ALCOHOLIC BEVERAGES

Committee on Judiciary recommends passage.

25 2007-S 778**BY Connors****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
PROCEDURE GENERALLY - GOVERNMENTAL TORT LIABILITY

Committee on Judiciary recommends passage.

26 2007-S 889 as amended**BY Gallo****ENTITLED,** AN ACT RELATING TO LIBRARIES -- STATE PUBLICATIONS
CLEARING HOUSE

Committee on Judiciary recommends passage as amended.

27 2007-S 894**BY Sosnowski****ENTITLED,** AN ACT RELATING TO FISH AND WILDLIFE -- POWERS OF
CONSERVATION OFFICERS

Committee on Judiciary recommends passage.

28 2007-S 929**BY McCaffrey****ENTITLED,** AN ACT RELATING TO PROPERTY -- MECHANICS LIENS

Committee on Judiciary recommends passage.

29 2007-S 349 SUB A**BY Moura****ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES

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

30 2007-S 493**BY McCaffrey****ENTITLED,** AN ACT RELATING TO PROPERTY - LABOR AND LABOR RELATIONS - CONSTRUCTION TRUST

Committee on Labor recommends passage.

31 2007-S 497**BY McBurney****ENTITLED,** AN ACT RELATING TO HOLIDAYS AND DAYS OF SPECIAL OBSERVANCE -- WORK ON HOLIDAYS AND SUNDAYS

Committee on Labor recommends passage.

32 2007-S 499 as amended**BY Ruggerio****ENTITLED,** AN ACT RELATING TO LABOR -- ARBITRATION

Committee on Labor recommends passage as amended.

33 2007-S 513**BY Ruggerio****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Committee on Labor recommends passage.

34 2007-S 514 SUB A**BY Ruggerio****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS - WELDING

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

35 2007-S 672 SUB A**BY Moura****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - POLICE AND FIRE FIGHTERS OPTIONAL RETIREMENT

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

36 2007-S 674 SUB A**BY Moura****ENTITLED,** AN ACT RELATING TO BUILDING MAINTENANCE CONTRACTS
-- DISPLACED WORKER ACT

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

37 2007-S 915**BY Maselli****ENTITLED,** AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT
OF LOCAL TAXES

Committee on Finance recommends passage.

IN ORDER FOR THURSDAY, MAY 10, 2007:**1 Nomination of Corinne Calise Russo (reappointment) of North Providence as
Director of the Department of Elderly Affairs.**

Committee on Health & Human Services recommends that the Senate give its Advice and Consent to this nomination.

2 2007-S 390**BY Bates****ENTITLED,** AN ACT RELATING TO LIBRARIES - OFFICE OF STATE
LIBRARY AND INFORMATION SERVICES

Committee on Education recommends passage.