

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.44

Thursday, May 17, 2007

Forty-fourth Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Daniel P. Connors, Deputy President Pro Tempore of the Senate, at 4:27 o'clock P.M.

The roll is called and a quorum is declared present with 33 Senators present and 5 Senators absent as follows:

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

ABSENT – 5: Senators DaPonte, Doyle, Metts, Raptakis and Revens

INVOCATION

The Honorable Deputy President Pro Tempore, by unanimous consent, presents Senator Walaska, to deliver the invocation.

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

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

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

GUESTS

Upon suggestion of Senator Tassoni and by unanimous consent, the Honorable Deputy President Pro Tempore, welcomes to the Chamber Elaine Stephens, President/ CEO of visiting Nurse service of greater Rhode Island and National Chairwomen of the Association for Homecare and Hospice.

Upon suggestion of Senator Gallo and by unanimous consent, the Honorable Deputy President Pro Tempore, welcomes to the Chamber Frank Mattiucci, Richard E. Crowell. Jr., Esq. Bud Reall and Suzanna Arena, all from Cranston.

APPOINTMENTS BY THE GOVERNOR

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

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

May 16, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-140.1-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Energy Efficiency and Resource Management Council:

**Samuel Krasnow of Rolinsdale, MA
(Representative with Knowledge Environmental Issues Pertaining to Energy)**

for a term expiring April 1, 2011.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

Also:

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

May 16, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-140.1-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Energy Efficiency and Resource Management Council:

**Timothy Stout of Wayland, MA
(Representing Natural Gas Distributor)**

for a term expiring April 1, 2012.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

FROM THE HOUSE OF REPRESENTATIVES

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

House Resolution No. 6401

BY Murphy, Malik, Schadone, Corvese, Giannini

ENTITLED, JOINT RESOLUTION RECOGNIZING THE RHODE ISLAND SCHOLARSHIP ALLIANCE {LC3098/1}

Read and ordered to be place on the Senate Consent Calendar

Also:

House Bill No. 5556 SUB A as amended

BY San Bento, Shanley

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- THE STATE BUILDING CODE (provide that if a building official is satisfied any proposed work conforms to the requirements of the building code/issue a permit within 45 days) {LC2156/3/A}

Read and ordered to the Committee on Corporations

Also:

House Bill No. 5909 SUB A as amended

BY Handy, Pacheco, Slater, Kilmartin, Silva

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS (amend the Comprehensive Energy Conservation, Efficiency and Affordability Act with respect to customers eligible for the federal Low Income Home Energy Assistance Program) {LC1544/1/A}

Read and ordered to the Committee on Corporations

Also:

House Bill No. 5486 (Attorney General)

BY Serpa, Kilmartin, Melo, Moffitt, Sullivan

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- PURCHASE AND SALE OF PRECIOUS METALS (require second hand dealers buying or receiving, for the purpose of selling, gold, precious stones and precious metals to first obtain a license)

Read and ordered to the Committee on Corporations

Also:

House Bill No. 5988

BY Kilmartin, Serpa, Fellela

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- PRECIOUS METALS (require salvage yards receiving precious metals to obtain a license from the attorney general)

Read and ordered to the Committee on Constitutional and Regulatory Issues

Also:

House Bill No. 5666 SUB A as amended

BY San Bento, Winfield, Lewiss

ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS - OPTOMETRISTS (certain changes to licensing of optometrists) {LC2154/1/A}

Read and ordered to the Committee on Health and Human Services

Also:

House Bill No. 5569 SUB A as amended

BY Williamson

ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL SERVICE CORPORATIONS (detailed rationale demonstrating that such proposed board compensation is within the parameters and guidelines for board compensation of similar institutions) {LC2212/1/A}

Read and ordered to the Committee on Health and Human Services

Also:

House Bill No. 6185 SUB A (Administration)

BY Mumford

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES {LC2384/1/A}

Read and ordered to the Committee on Finance

Also:

House Bill No. 6354 as amended (by request)

BY Ucci, Petrarca

ENTITLED, AN ACT AUTHORIZING THE TOWN OF JOHNSTON TO IMPOSE A SUPPLEMENTAL TAX FOR THE FISCAL YEAR 2006-2007 (authorize Johnston to impose a supplemental tax on property in Johnston, both real and personal, and an additional excise tax on registered motor vehicles and trailers) {LC2950/1}

Read and ordered to the Committee on Committee on Finance

Also:

House Bill No. 5696 as amended

BY San Bento, Schadone

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - DEVELOPMENT IMPACT FEE ACT (delete provisions of the general laws which authorize municipalities in certain instances to continuing to assess and/or collecting a Development Impact Fee prior to the issuance of a certificate of occupancy) {LC2140/1}

Read and ordered to the Committee on Housing and Municipal Government

Also:

House Bill No. 5567 as amended

BY Winfield, San Bento, Kennedy, Ginaitt

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- EQUIPMENT AND ACCESSORIES GENERALLY (require manufacturers and sellers of vehicles to disclose the existence of an internal recording device, that records aspects of the vehicle's operation) {LC1351/1}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5652 SUB A

BY Scott, Jackson, Lewiss

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY (increase the amount of the homestead exemption) {LC1971/1/A}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 6349

BY Lally, Caprio D

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC2966/1}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5774 SUB A

BY Giannini, Mattiello, Brien, Baldelli-Hunt, Ucci

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - TRESPASS AND VANDALISM (make it an offense to use graffiti in any way on any private residence, office, business or commercial property) {LC2188/1/A}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 6077 as amended

BY Kilmartin, Lally

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- REGULATION OF SALES

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5724 (Health)

BY Moffitt, Mumford, McManus, Naughton, Scott

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- CAUSES OF ACTION (would grant immunity to licensed health care workers who render emergency assistance during a declared health care emergency) {LC1915/1}

Read and ordered to the Committee on Judiciary

Also:

House Bill No. 5052

BY San Bento, Silva, Kilmartin

ENTITLED, AN ACT RELATING TO ELECTIONS -- PRIMARIES (create consistency within primary and election laws regarding checkers, runners and watchers)

Read and ordered to the Committee on Judiciary

**REPORTS OF COMMITTEES
COMMITTEE ON EDUCATION**

Senator Issa, from the Committee on Education, reports back, with recommendation of passage of the following measures:

Senate Bill No. 556 SUB A as amended

BY Senators Tassoni, Paiva-Weed, Jabour, Moura, Connors

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL PUPIL TRANSPORT VEHICLE (allow the use of school pupil transport vehicles for the transport of 8 or fewer pupils to and from school and school related services) {LC649/2/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 393

BY Senators Gallo, Connors, Fogarty P, Sosnowski

ENTITLED, AN ACT RELATING TO EDUCATION - ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS {LC1683/1}

Read and ordered to be placed on the Calendar

Also:

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

Read and ordered to be placed on the Consent Calendar.

COMMITTEE ON JUDICIARY

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

Senate Bill No. 710 SUB A (Attorney General)

BY Senators Goodwin, Paiva-Weed

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - DOMESTIC VIOLENCE PREVENTION ACT (specifically include the offenses of refusal to relinquish or to damage or obstruct a telephone/Burglary and Unlawful entry/Arson/to the list of named offenses in the "RI Domestic Violence Act) {LC1758/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 723 (by request)

BY Senators McCaffrey, Raptakis

ENTITLED, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS (expand the instances when a local board of canvassers is empowered to combine two or more voting district) {LC1935/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 742 SUB A

BY Senators Levesque C

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - DOMESTIC VIOLENCE PREVENTION ACT (require that provisions be established to document a batterers' participation in a mandated batterers' intervention program) {LC660/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 756 SUB A

BY Senators Jabour, Moura, Miller, Perry, Pichardo

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- HISTORICAL ZONING {LC1881/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 760 SUB A (Secretary of State)

BY Senators Goodwin

ENTITLED, AN ACT RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT CANDIDATES (add language to the declaration of candidacy clarifying the law that an individual cannot file a declaration of candidacy for more than one elected public office) {LC1593/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 776

BY Senators Doyle, Tassoni, Ruggerio

ENTITLED, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS AND OFFICIALS (allow high school juniors and seniors to be appointed as election officials) {LC1552/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 797

BY Senators Walaska

ENTITLED, AN ACT MOTOR AND OTHER VEHICLES (subject Rhode Island interstate carriers to the provisions of the federal Unified Carrier Registration Act of 2005) {LC2414/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 799 (Secretary of State)

BY Senators Ruggerio, DaPonte, Moura

ENTITLED, AN ACT RELATING TO ELECTIONS -- STATE BOARD OF ELECTIONS {LC2083/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 845 (Attorney General)

BY Senators Maselli, Jabour, Raptakis

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES (would amend the current statute conferring exclusive original jurisdiction for first offenses) {LC1250/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 906 SUB A

BY Senators Algieri

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - HEAVY DUTY DIESEL VEHICLE EMISSION INSPECTIONS (allow police officers designated by the state police to perform roadside emission inspections) {LC2731/1/A}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 971 as amended

BY Senators McCaffrey, Maselli, Ciccone, Gallo, Ruggerio

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS (exempt the Rhode Island state fire marshal, deputy state fire marshals, deputy state fire marshals assigned to the bomb squad, and those assigned to the investigation unit from weapon restrictions) {LC2735/1}

Read and ordered to be placed on the Calendar

Also:

Senate Bill No. 975

BY Senators Goodwin

ENTITLED, AN ACT RELATING TO THE CONVENTION CENTER AUTHORITY {LC3009/1}

Read and ordered to be placed on the Calendar

NEW BUSINESS

Senate Resolution No. 1032**BY** Senator Lenihan**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF DR. AUGUSTINE CAPOTOSTO, JR. {LC3084/1}

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lenihan moves passage, seconded by Senator Sheehan the entire Senate.

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

Also:

Senate Resolution No. 1033**BY** Senators Levesque C, Felag, Gibbs, Paiva-Weed**ENTITLED**, SENATE RESOLUTION CONGRATULATING ROSEMARY FINNERAN ON HER RETIREMENT FROM THE PORTSMOUTH FREE PUBLIC LIBRARY {LC3081/1}

Senator Levesque requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Levesque moves passage, seconded by Paiva Weed, Felag, Gibbs and the entire Senate.

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

Also:

Senate Bill No. 1034**BY** Senator Lenihan**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF THE INDIAN RIVER COMPANY {LC3126/1}

Read and ordered to be placed on the Consent Calendar

Also:

Senate Bill No. 1035**BY** Senator Blais**ENTITLED**, AN ACT PROVIDING FOR THE CONSTRUCTION OF ADDITIONS AND RENOVATIONS TO THE SCITUATE MIDDLE/HIGH SCHOOL COMPLEX AND AUTHORIZING FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$9,200,000 IN BONDS THEREFOR {LC3138/1}

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 1036

BY Senator Levesque C

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - ARREST {LC3127/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 1037

BY Senators Connors, Blais, McBurney, Tassoni, Sosnowski

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES {LC3072/1}

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 1038

BY Senator Lanzi

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- GAMBLING AND LOTTERIES {LC3053/1}

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

CALENDAR

IN ORDER FOR THURSDAY, MAY 17, 2007:

1 2007-S 104 SUB A as amended

BY Walaska

ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- LICENSED ACTIVITIES

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

Senator Walaska moves passage, seconded by Senator Issa.

Senator Walaska, seconded by Senator Issa, offers the following written motion to amend.

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

2007 -- S 104 SUBSTITUTE A, as amended

RELATING TO FINANCIAL INSTITUTIONS -- LICENSED ACTIVITIES

Mr. President:

I hereby move to amend 2007 -- S 104 SUBSTITUTE A, as amended, entitled "AN ACT RELATING TO FINANCIAL INSTITUTIONS -- LICENSED ACTIVITIES", as follows:

(1) On page 4, line 23, after the words and punctuation, "et seq.," by inserting the following language, "or a provisional employee as defined herein,".

(2) On page 6, between lines 11 and 12, by inserting the following language:

"(31) "Provisional Employee" means a natural person who, pursuant to a written agreement between the natural person and a wholly owned subsidiary of a financial holding company, as defined in The Bank Holding Company Act of 1956, as amended, a bank holding company, savings bank holding company, or thrift holding company, is an exclusive agent for the subsidiary with respect to mortgage loan originations, and the subsidiary: (a) holds a valid loan broker's license and (b) enters into a written agreement with the director or the director's designee to include:

(i) an "undertaking of accountability" in a form prescribed by the director or the director's designee, for all of the subsidiary's exclusive agents to include full and direct financial and regulatory responsibility for the mortgage loan originator activities of each exclusive agent as if said exclusive agent was an employee of the subsidiary;

(ii) a business plan to be approved by the director or the director's designee, for the education of the exclusive agents, the handling of consumer complaints related to the exclusive agents, and the supervision of the mortgage loan origination activities of the exclusive agents; and (iii) a restriction of the exclusive agents' mortgage loan originators' activities to loans to be made only by the subsidiary's affiliated bank."

(3) On page 8, line 20, after the numerals "2009", by inserting the following language:

"however, all mortgage loan originators shall register with the department by March 31, 2008 on a form to be prescribed by the director or the director's designee along with a registration fee of the same amount as provided for in section 19-14-4 (8)".

Respectfully submitted,
SENATOR WALASKA
LC00320/2

The motion to amend prevails upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: Senators Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Walaska moves passage of the act, as amended, seconded by Senator Issa.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative and 2 Senators abstaining as follows:

YEAS- 29: Senators Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 2: Senators Algieri and Alves

2 2007-S 228

BY Blais

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Corporations recommends passage.

Senator Blais moves passage, seconded by Senator Walaska

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: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3 2007-S 648 SUB A

BY Levesque C

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE
ISLAND COORDINATED HEALTH PLANNING ACT OF 2006**

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

Senator Levesque moves passage, seconded by Senator Fogarty.

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

FLOOR AMENDMENT

2007 -- S 648 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND COORDINATED HEALTH PLANNING ACT
OF 2006

Mr. President:

I hereby move to amend 2007 -- S 648 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND COORDINATED HEALTH PLANNING ACT OF 2006", as follows:

1. On page 3, by deleting lines 27 through 29.
2. On page 4, line 21, by adding the following language after the word "system": ", while promoting practices that ensure the confidentiality and security of health records".

Respectfully submitted,
SENATOR LEVESQUE
LC01528/3

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: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

FLOOR AMENDMENT

2007 -- S 648 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND COORDINATED HEALTH PLANNING ACT
OF 2006

Mr. President:

I hereby move to amend 2007 -- S 648 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- RHODE ISLAND COORDINATED HEALTH PLANNING ACT OF 2006", as follows:

(1) On page 3, after line 34, by adding the following language: "(14) The house minority leader or designated representative;".

(2) On page 4, line 1, by deleting the numeral "(14)" and inserting in place thereof the numeral "(15)".

(3) On page 4, after line 1, by inserting the following language: "(16) The senate minority leader or designated representative;".

(4) On page 4, line 2 by deleting the numeral "(15)" and inserting in place thereof the numeral "(17)".

Respectfully submitted,

SENATOR BLAIS
LC01528/4

The motion to amend prevails upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Levesque moves passage of the act, as amended, seconded by Senators Fogarty and Blais.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: Senators Algieri, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4 2007-S 872 SUB A

BY Badeau

ENTITLED, AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL
AND MEDICAL SERVICE CORPORATIONS

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

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

Senator Badeau seconded by Senator Ciccone, offers the following written motion to amend.

FLOOR AMENDMENT

2007 -- S 872 SUBSTITUTE A

AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL AND MEDICAL SERVICE CORPORATIONS

Mr. President:

I hereby move to amend 2007 -- S 872 SUBSTITUTE A, entitled "AN ACT RELATING TO INSURANCE -- NONPROFIT HOSPITAL AND MEDICAL SERVICE CORPORATIONS", as follows:

(1) On page 1, line 9, by inserting the following language after the word and punctuation "compensation.":

"Such criteria shall include the following: any requested compensation must be rationally related to the time commitment required for board service; compensation requested must be consistent with practices of other nonprofit health insurers that are similar in size and scope, including nonprofit hospital and medical service corporations; compensation must have no impact on rates charged to subscribers; and compensation must not result in any public harm."

Respectfully submitted,
SENATOR BADEAU
LC02415/2

The motion to amend prevails upon a roll call vote with 30 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Jabour Sheehan

Senator Badeau moves passage of the act, as amended, seconded by Senators Ciccone and Perry.

The act is read and passed, by unanimous consent, as amended, 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, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5 2007-S 876**BY Issa****ENTITLED, AN ACT RELATING TO HUMAN SERVICES - CHILD CARE -
STATE SUBSIDIES**

Committee on Labor recommends passage.

Senator Issa moves passage, seconded by Senators Moura, Badeau, Jabour and Pichardo.

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, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, 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.

ADJOURNMENT

Upon motion of Senator Ruggerio, seconded by Senator Algieri, and upon suggestion of Senator Lenihan, the Senate adjourns at 4:50 o'clock P.M. in memory of Dr. Augustine Capotosto, Jr.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR WILLIAM A. WALASKA**

Dear God, we ask You to help us search for Your will, and when we have found it, we ask for Your wisdom and courage to carry it out. As public servants, we also look for Your strength to find morality and righteousness in our own lives. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR TUESDAY, MAY 22, 2007:

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

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

2 2007-S 1034

BY Lenihan

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF
THE CHARTER OF THE INDIAN RIVER COMPANY

Ordered to be placed on the Consent Calendar

3 2007-H 6401

BY Murphy

ENTITLED, JOINT RESOLUTION RECOGNIZING THE RHODE ISLAND
SCHOLARSHIP ALLIANCE

Ordered to be placed on the Consent Calendar

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**CALENDAR****IN ORDER FOR TUESDAY, MAY 22, 2007:****1 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.

2 2007-S 869 SUB A**BY Cote**

ENTITLED, AN ACT AUTHORIZING THE CITY OF WOONSOCKET TO FINANCE THE ACQUISITION OF LAND FOR SCHOOL FACILITIES, INCLUDING THE DEMOLITION OF EXISTING BUILDINGS AND SITE PREPARATION, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF TWO NEW MIDDLE SCHOOLS AND RELATED SCHOOL FACILITIES AND THE REHABILITATION OF APPURTENANT HISTORIC BUILDINGS, IF ANY, IN THE CITY AND TO ISSUE NOT MORE THAN \$74,000,000 BONDS AND/OR NOTES THEREFOR INCLUDING, BUT NOT LIMITED TO, ANY BONDS OR NOTES ISSUED PURSUANT TO FINANCING AGREEMENTS WITH THE RHODE ISLAND HEALTH AND EDUCATIONAL BUILDING CORPORATION

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

3 2007-S 254 SUB A**BY Gallo**

ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH MAINTENANCE ORGANIZATIONS

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

4 2007-S 636 SUB A as amended**BY McBurney**

ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS - OPTOMETRISTS

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

5 2007-S 463 SUB A**BY Perry****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
COURTS

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

6 2007-S 467 SUB A**BY McCaffrey****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --
COURTS

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

7 2007-S 469 SUB A**BY McCaffrey****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE
COMMISSION ON JUDICIAL TENURE AND DISCIPLINE

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

8 2007-S 708**BY McCaffrey****ENTITLED,** AN ACT RELATING TO ELECTIONS CANVASSING THE LISTS
OF QUALIFIED ELECTORS

Committee on Judiciary recommends passage.

9 2007-S 717**BY McCaffrey****ENTITLED,** AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS AND
OFFICIALS

Committee on Judiciary recommends passage.

10 2007-S 718**BY McCaffrey****ENTITLED,** AN ACT RELATING TO ELECTIONS

Committee on Judiciary recommends passage.

11 2007-H 6124**BY Coderre E****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
TAXATION

Committee on Finance recommends passage in concurrence.

12 2007-H 6304**BY Watson**

ENTITLED, AN ACT IN AMENDMENT OF "AN ACT TO INCORPORATE THE 'TRUSTEES OF THE METHODIST EPISCOPAL CHURCH IN EAST GREENWICH'" PASSED AT THE JANUARY SESSION 1958

Ordered on the Calendar

IN ORDER FOR WEDNESDAY, MAY 23, 2007:**1 2007-S 393****BY Gallo**

ENTITLED, AN ACT RELATING TO EDUCATION - ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS

Committee on Education recommends passage.

2 2007-S 556 SUB A as amended**BY Tassoni**

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- SCHOOL PUPIL TRANSPORT VEHICLE

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

3 2007-S 710 SUB A**BY Goodwin**

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - DOMESTIC VIOLENCE PREVENTION ACT

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

4 2007-S 723**BY McCaffrey**

ENTITLED, AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS

Committee on Judiciary recommends passage.

5 2007-S 742 SUB A**BY Levesque C**

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE - DOMESTIC VIOLENCE PREVENTION ACT

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

6 2007-S 756 SUB A**BY Jabour****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- HISTORICAL ZONING

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

7 2007-S 760 SUB A**BY Goodwin****ENTITLED,** AN ACT RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT CANDIDATES

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

8 2007-S 776**BY Doyle****ENTITLED,** AN ACT RELATING TO ELECTIONS -- VOTING DISTRICTS AND OFFICIALS

Committee on Judiciary recommends passage.

9 2007-S 797**BY Walaska****ENTITLED,** AN ACT MOTOR AND OTHER VEHICLES

Committee on Judiciary recommends passage.

10 2007-S 799**BY Ruggerio****ENTITLED,** AN ACT RELATING TO ELECTIONS -- STATE BOARD OF ELECTIONS

Committee on Judiciary recommends passage.

11 2007-S 845**BY Maselli****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ADJUDICATION OF TRAFFIC OFFENSES

Committee on Judiciary recommends passage.

12 2007-S 906 SUB A**BY Algieri****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
HEAVY DUTY DIESEL VEHICLE EMISSION INSPECTIONS

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

13 2007-S 971 as amended**BY McCaffrey****ENTITLED,** AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS

Committee on Judiciary recommends passage as amended.

14 2007-S 975**BY Goodwin****ENTITLED,** AN ACT RELATING TO THE CONVENTION CENTER
AUTHORITY

Committee on Judiciary recommends passage.

RAYMOND T. HOYAS, JR.
Secretary of the Senate