

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. 47

Tuesday, May 29, 2007

Forty-seventh Legislative Day

The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, Jr., President Pro Tempore of the Senate, at 4:18 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 2 Senators absent as follows:

PRESENT – 36: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 2: Senators Metts and Montalbano

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

GUESTS

Upon suggestion of Senators Issa, Felag, Pichardo, McBurney, Gibbs, Gallo, Cote and Levesque, and by unanimous consent, the Honorable President Pro Tempore, welcomes to the Chamber people representing Child Opportunity Zone (COZ) Stephanie Beitler, Cindy Roe, Deddeh Ballah, Matthew Medina, Jane Blanchette, Dashanel Santiago, Ayzia Aviles, Aracelis Santiago, Lalanía Payne, Zidane

Antunes, Malea Jefferson, Marielis Cruz, Cassandra Henriques, Amy Batista, Nicole Torres, Mohamed Keita, Kelvin Soares, Kristen Allen, Lucy Irizarry, Lydia Garciz, Julio Acevedo, Danielle Cogean, Christian Buxton Harmoni Buxton, Zachary Lamson, Tracey Fleming, Samantha Grimaldi, Steven Grimaldi, David Grimaldi, Ryan Fleming, Robert McDonald, Tom Choquette, Jacky Vient, Grace Swinski, Ivy Swinski, Robin Gervais, Nancy Ryan, Maureen Greaves, Angela Downing, Rebecca Boxx, and the Honorable Mary Parella, former State Senator from Bristol.

APPOINTMENTS BY THE GOVERNOR

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

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

May 24, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 8-16-1 of the Rhode Island General Laws, I have made the following reappointment to the Commission on Judicial Tenure and Discipline:

Armeny Apkarian of Cranston

for a term expiring April 1, 2010.

To this reappointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

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

May 24, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-25-1 of the Rhode Island General Laws, I have made the following reappointment to the Narragansett Bay Commission:

Bruce D. Campbell of Foster

for a term expiring April 1, 2010

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

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

May 24, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-25-1 of the Rhode Island General Laws, I have made the following reappointment to the Narragansett Bay Commission:

Michael Salvatore, Sr. of Johnston

for a term expiring April 1, 2010.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

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

May 24, 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:

Joseph A. Cirillo of Middletown

(Representative with Knowledge of Energy Design and Codes)

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.

Also:

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

May 24, 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:

**Stephen P. Ryan of East Providence
(Representative with Knowledge of Energy Regulation Law)**

for a term expiring April 1, 2010.

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 23, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 28-5-8 of the Rhode Island General Laws, I have made the following reappointment to the Commission for Human Rights:

Dr. John B. Susa of Warwick

for a term expiring July 1, 2010.

To this reappointment, I request your advice and consent.



Sincerely,
Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

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

May 23, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 28-5-8 of the Rhode Island General Laws, I have made the following appointment to the Commission for Human Rights:

Nancy Kolman Ventrone of Jamestown

VICE
Randolph Lowman

for a term expiring July 1, 2008.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE

May 23, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 28-5-8 of the Rhode Island General Laws, I have made the following reappointment to the Commission for Human Rights:

Camille Vella-Wilkinson of Warwick

for a term expiring July 1, 2011.

To this reappointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE

May 23, 2007

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 28-5-8 of the Rhode Island General Laws, I have made the following reappointment to the Commission for Human Rights:

Iraida Williams of Johnston

for a term expiring July 1, 2012.

To this reappointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

REPORTS OF COMMITTEES**TRANSFER OF BILLS**

Senator Perry , in accordance with Senate Rule 6.14, moves to transfer the following bill from the Committee on Health and Human Services, to the Committee on Education:

House Bill No. 5661

BY Corvese

ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS (authorize elected school committees to retain the services of independent legal counsel as it may deem necessary and convenient for the performance of its duties)

Read and referred to the Committee on Education.

NEW BUSINESS**Senate Bill No. 1054**

BY Senator Alves

ENTITLED, AN ACT RELATING TO TAXATION -- BUSINESS CORPORATION TAX {LC3196/1}

Read and ordered to be placed in the Committee on Finance

Also:

Senate Resolution No. 1055

BY Senators Miller, Connors

ENTITLED, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND PUBLIC TRANSIT AUTHORITY TO REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY REGARDING OVER CAPACITY TRANSIT ROUTES {LC3195/1}

Senator Miller requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Miller moves passage, seconded by Senator Connors.

The resolution is read and passed, upon a voice vote with 3 Senator abstaining as follows.

ABSTAINED- 3: Senators Ciccone, Revens, Ruggerio.

Also:

Senate Bill No. 1057**BY** Senator Cote**ENTITLED**, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF KATHMANDU, LTD. {LC3192/1}

Read and ordered to be placed on the Consent Calendar

CONSENT CALENDAR

In order for the day is taken up as follows:

- 1 Nomination of Jay Bombardier (Representing video technicians- Reappointment) of Lincoln to the Board of Examination and Licensing of Telecommunication Systems Contractors, Technicians and Installers for a term expiring August 1, 2011.**
- 2 Nomination of Cathy Streker (Representing Business- Reappointment) of North Kingstown VICE Deborah Wilson (resigned) to the Rhode Island Human Resource Investment Council for a term expiring January 1, 2010.**
- 3 Nomination of Gregory C. Hitchcock (Representing RI Association of Firefighters- Appointment) of West Greenwich VICE Thomas Papa to the Fire Education and Training Coordinating Board for a term expiring January 31, 2008.**
- 4 Nomination of Chief Timothy P. McLaughlin (Appointment) of Warwick VICE Chief Arthur Houle to the Fire Education and Training Coordinating Board for a term expiring January 31, 2009.**
- 5 Nomination of Bernard Patenaude (Representing RI Association of Firefighters) of Cranston VICE James Tobin to the Fire Education and Training Coordinating Board for a term expiring January 31, 2008.**

Upon motion of Senator Paiva Weed, seconded by Senator Algieri, the measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

CALENDAR

Upon suggestion of Senator Ruggerio, and without objection, the following item is removed from the Calendar for Wednesday, May 30, 2007, and placed it before the body for immediate consideration.

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)

Senator Alves moves passage, seconded by Senator Paiva Weed.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: Senators Algieri, Alves, 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, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

1 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.

Upon suggestion of Senator Ruggerio, seconded by Senator McCaffrey, and without objection, ordered to be recommitted to the committee on Judiciary.

2 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.

Senator McCaffrey moves passage, seconded by Senator Algieri.

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

NAYS- 0:

3 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.

Upon suggestion of Senator Bates, and without objection, ordered to be placed at the bottom of the Calendar.

4 2007-S 708

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS CANVASSING THE LISTS
OF QUALIFIED ELECTORS

Committee on Judiciary recommends passage.

Upon suggestion of Senator McCaffrey, and without objection, ordered to be placed on the Calendar for Tuesday, June 5, 2007

5 2007-S 397 SUB A

BY Breene

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL
PROPERTY REMEDIATION AND REUSE

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

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

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

FLOOR AMENDMENT

2007 -- S 397 SUBSTITUTE A

AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE

Mr. President:

I hereby move to amend 2007 -- S 397 SUBSTITUTE A, entitled "AN ACT RELATING TO HEALTH AND SAFETY -- INDUSTRIAL PROPERTY REMEDIATION AND REUSE", as follows:

(1) On page 1, line 1, by deleting the word "Section" and inserting in place thereof the language "Sections 23-19.14-10 and".

(2) On page 1, line 2, by deleting the word "is" and inserting in place thereof the word "are".

(3) On page 1, by inserting the following language between lines 2 and 3:

"23-19.14-10. Settlement authorities. -- (a) The state may, through ~~June 30,~~ December 31, 2007, enter into an agreement with any person to perform any response action if the state determines that that action will be done properly by the person. Whenever practicable and in the public interest as determined by the state, the state shall act to facilitate agreements under this section that are in the public interest and consistent with applicable laws and regulations in order to expedite effective remedial action and minimize litigation. The department of environmental management must be a party to any settlement agreement entered under the authority of the chapter. The department of environmental management shall not accept new proposals for settlement agreements after December 31, 2006; provided, however, that an amendment to a settlement agreement that was proposed prior to December 31, 2006, will not be considered a new settlement agreement.

(b) Whenever the state has entered into an agreement under this section, the liability to the state under this chapter of each party to the agreement including any future liability to the state, arising from the release or threatened release that is the subject of the agreement shall be limited as provided in the agreement pursuant to a covenant not to sue. The final covenant not to sue may, at the discretion of the state, be transferred to successors or assigns that are not otherwise found to be a responsible party under section 23-19.14-6. The covenant not to sue may provide that future liability to the state of a settling party under the agreement may be limited to the same proportion as that established in the original settlement agreement."

Respectfully submitted,
SENATOR BREENE
LC01495/2

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Breene moves passage of the act, as amended, seconded by Senators Blais, Sosnowski and Algieri.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

6 2007-S 260

BY Levesque C

ENTITLED, AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,000,000 TO FINANCE THE ACQUISITION AND INSTALLATION OF A WIND TURBINE AT PORTSMOUTH HIGH SCHOOL AND/OR A WIND TURBINE AT PORTSMOUTH MIDDLE SCHOOL

Committee on Finance recommends passage.

Senator Levesque moves passage, seconded by Senators Gibbs, Miller and Connors.

Senator Alves, seconded by Senator Levesque, offers the following written motion to amend.

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

2007 -- S 260

AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,000,000 TO FINANCE THE ACQUISITION AND INSTALLATION OF A WIND TURBINE AT PORTSMOUTH HIGH SCHOOL AND/OR A WIND TURBINE AT PORTSMOUTH MIDDLE SCHOOL

Mr. President:

I hereby move to amend 2007 -- S 260, entitled "AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,000,000 TO FINANCE THE ACQUISITION AND INSTALLATION OF A WIND TURBINE AT PORTSMOUTH HIGH SCHOOL AND/OR A WIND TURBINE AT PORTSMOUTH MIDDLE SCHOOL", as follows:

On page 6, by deleting lines 3 through 5 and inserting in place thereof the following:

"SECTION 13. Notwithstanding any provision of the general or public laws, or rule or regulation to the contrary, the project set forth in this act shall not qualify for school housing aid as set forth in chapter 16-7 of the general laws.

SECTION 14. Sections 12, 13 and 14 shall take effect upon the passage of this act. The remainder of this act shall take effect upon the approval of this act by a majority of those voting on the question at the election prescribed by the foregoing section."

Respectfully submitted,
SENATOR ALVES
LC00753/2

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Levesque moves passage of the act, as amended, seconded by Senator Alves.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7 2007-S 859 as amended**BY Felag****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO TAXATION

Committee on Finance recommends passage as amended.

Senator Felag moves passage, seconded by Senators Fogarty, McCaffrey, Raptakis, Ciccone and Algieri

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8 2007-S 963 as amended**BY Breene****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- OPTIONAL RETIREMENT FOR POLICE/FIRE FIGHTERS

Committee on Finance recommends passage as amended.

Senator Breene moves passage, seconded by Senators Blais and Sosnowski.

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

NAYS- 0:

9 2007-S 994**BY Levesque C****ENTITLED,** AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION

Committee on Finance recommends passage.

Senator Levesque moves passage, seconded by Senators Felag, Bates and Sheehan.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

10 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

Senator Lenihan moves passage, seconded by Senators Breene and Raptakis

Senator Lenihan, seconded by Senator Raptakis, offers the following written motion to amend.

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

2007 -- H 6304

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

Mr. President:

I hereby move to amend 2007 -- H 6304, 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", as follows:

On page 1, lines 1 through 7, by deleting all of the language after the enactment clause, and inserting the following language in place thereof:

"SECTION 1. Section 1 of "An act to incorporate the Trustees of the Methodist Episcopal Church in East Greenwich"" passed by the June session, 1835, as amended, is hereby further amended by changing the name of the church to "East Greenwich United Methodist Church", and as to authorize said corporation to take, have, hold, possess, acquire, transmit and convey real estate and personal property of every description, not exceeding in amount, in all the sum ten million dollars (\$10,000,000)."

SECTION 2. This act shall take effect upon passage.

Respectfully submitted,
SENATOR LENIHAN
LC02810/2

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Lenihan moves passage of the act, as amended, seconded by Senator Raptakis.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3 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.

Senator Bates moves passage, seconded by Senators Gibbs and Walaska.

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

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

2007 -- S 54 SUBSTITUTE A

AN ACT RELATING TO INDEBTEDNESS OF TOWNS AND CITIES

Mr. President:

I hereby move to amend 2007 -- S 54 SUBSTITUTE A, entitled "AN ACT RELATING TO INDEBTEDNESS OF TOWNS AND CITIES", as follows:

On page 12, line 16, by inserting the language "and securities" after the word "tax".

One page 12, line 19, by inserting the language "and securities" after the word "tax".

On page 14, between lines 8 and 9, by inserting the following language as a new subsection: "(5) Notwithstanding any provision of the general or public laws, or rule or regulation to the contrary, the projects or activities set forth in this act receiving ministerial approval shall not qualify for school housing aid as set forth in Chapter 16-7 of the general laws."

(4) On page 16, delete lines 28-34 in their entirety.

(5) On page 17, delete lines 1-4 in their entirety.

(6) On page 17, after line 4, insert the following language: SECTION 5. Section 45-27-4 of the General Laws in Chapter 45-27 entitled "Housing Authority Bonds and Obligations" is hereby amended to read as follows:

"45-27-4. Sale of bonds -- Notice. -- ~~The bonds may be sold at public sale held after notice has been published at least once ten (10) days prior to the sale in a newspaper having a general circulation in the city or town in which the authority is located and in a financial newspaper published in the city of Boston, Massachusetts, or in the city of New York, New York; provided, that the bonds may be sold to the federal government at private sale without any public advertisement. Bonds issued for a term of not more than one year from their date are excepted from the requirement of this section for public advertisement, and may be sold at public or private sale. The bonds may be sold at a price or prices that the authority determines.~~

SECTION 6. Section 42-10.1-4 of the General Laws in Chapter 42-10.1 entitled "Public Finance Management Board" is hereby amended to read as follows:

42-10.1-4. Notice of debt issue to board. -- (a) Each state, municipal and regional department, authority, agency, board, commission, and public and quasi-public corporation having authority to issue revenue or general obligation bonds or notes shall, no later than thirty (30) days prior to the sale of any such debt issue at public or private sale, give written notice of the proposed sale to the board.

(b) The notice shall include one proposed sale date, the name of the issuer, the nature of the debt issue, and the estimated principal amount thereof, and such further information as may be required by rule of the board and shall be delivered in accordance with procedures to be established by rule of the board.

(c) Failure of delivery of the above notice or of the time or efficiency thereof shall not affect the validity of the issuance of any debt, bond or note.

(d) The board shall submit a report annually on or before March 31st of each year to the director of administration, the speaker of the house, the chairman of the house finance committee, the president of the senate, the chairman of the senate finance committee, and the auditor general on debt issues by cities and towns and other authorities subject to the provision of chapter 45-12, which report shall include the information set forth in division (b) of this section and shall be for the notices of debt issues received in the prior calendar year.

SECTION 7. This act shall take effect upon passage."

Respectfully submitted,
SENATOR BATES
LC00481/4

The motion to amend prevails upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Bates moves passage of the act, as amended, seconded by Senators Gibbs and Blais.

Senators Jabour and Bates discuss the act.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 34: Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, 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.

ANNOUNCEMENTS

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

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

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

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

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

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

NEW BUSINESS

Senate Resolution No. 1056

BY Senators Paiva-Weed, Gallo, Algieri, Perry, Levesque C

ENTITLED, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF THE HONORABLE RICHARD A. GONNELLA {LC3186/1}

Senator Paiva Weed requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Paiva Weed moves passage, seconded by the entire Senate.

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

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Paiva Weed the Senate adjourns at 4:54 o'clock P.M. in memory of the Honorable Richard A. Gonnella, a member of the State of Rhode Island District Court and former Legal Council for the Senate Judiciary Committee. He will be greatly missed.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix**INVOCATION****SENATOR FRANK A. CICCONE III**

Guide us, Lord, towards a deeper understanding of the needs of the people of our State; may we be instrumental in serving those needs. Let us work to improve the lives of those who have no voice in their government. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR WEDNESDAY, MAY 30, 2007:****1. 2007-S 1057****BY Cote****ENTITLED,** AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF KATHMANDU, LTD.

Ordered to be placed on the Consent Calendar

IN ORDER FOR THURSDAY, MAY 31, 2007:**1. 2007-H 5086 as amended****BY Malik****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY -- VITAL RECORDS

Committee on Health & Human Services recommends passage as amended in concurrence.

2. 2007-H 5092**BY Lewiss****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Committee on Housing & Municipal Government recommends passage in concurrence.

3. 2007-H 5142**BY Almeida****ENTITLED,** AN ACT RELATING TO PUBLIC FINANCE -- STATE INVESTMENT COMMISSION -- INVESTMENTS IN SUDAN

Committee on Finance recommends passage in concurrence.

4. 2007-H 5217 as amended**BY Gallison****ENTITLED,** AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,000,000 TO FINANCE THE ACQUISITION AND INSTALLATION OF A WIND TURBINE AT PORTSMOUTH HIGH SCHOOL AND/OR A WIND TURBINE AT PORTSMOUTH MIDDLE SCHOOL

Committee on Finance recommends passage as amended in concurrence.

5. 2007-H 5333 SUB A**BY Malik****ENTITLED,** AN ACT RELATING TO TAXATION -- LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Housing & Municipal Government recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

6. 2007-H 5335**BY Lewiss****ENTITLED,** JOINT RESOLUTION EXTENDING THE REPORTING AND EXPIRATION DATES AND AMENDING THE SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CURRENT STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN THE STATE OF RHODE ISLAND

Committee on Constitutional & Regulatory Issues recommends passage in concurrence.

7. 2007-H 5372**BY San Bento****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- INSURANCE

Committee on Corporations recommends passage in concurrence.

8. 2007-H 5426**BY Kennedy****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- LOW AND MODERATE INCOME HOUSING

Committee on Housing & Municipal Government recommends passage in concurrence.

9. 2007-H 5434**BY Malik****ENTITLED,** AN ACT RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS -- DECEPTIVE TRADE PRACTICES

Committee on Corporations recommends passage in concurrence.

10. 2007-H 5564**BY Lewiss****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY -- THE UNIFORM COMMERCIAL CODE

Committee on Corporations recommends passage in concurrence.

11. 2007-H 5674 as amended**BY Winfield****ENTITLED,** AN ACT BUSINESSES AND PROFESSIONS -- SPEECH
PATHOLOGY AND AUDIOLOGY

Committee on Health & Human Services recommends passage as amended in concurrence.

12. 2007-H 5684**BY Carter****ENTITLED,** AN ACT RELATING TO HOLIDAYS AND DAYS OF SPECIAL
OBSERVANCE -- WORK ON HOLIDAYS AND SUNDAYS

Committee on Labor recommends passage in concurrence.

13. 2007-H 5731 SUB A as amended**BY Ehrhardt****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 as amended in concurrence.

14. 2007-H 5744**BY Watson****ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- WATER
POLLUTION

Committee on Environment & Agriculture recommends passage in concurrence.

15. 2007-H 5763 SUB A**BY Lewiss****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 in concurrence.

16. 2007-H 5771**BY Watson****ENTITLED,** AN ACT RELATING TO DELINQUENT AND DEPENDENT
CHILDREN -- COURTS -- PROCEEDINGS IN FAMILY COURT

Committee on Health & Human Services recommends passage in concurrence.

17. **2007-H 5946**

BY Story

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

Committee on Health & Human Services recommends passage in concurrence.

18. **2007-H 6256**

BY Fox

ENTITLED, AN ACT TO INCORPORATE NATIONAL GRID GAS COMPANY

Committee on Corporations recommends passage in concurrence.

19. **2007-H 6330**

BY Williamson

ENTITLED, AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO
TAXATION

Committee on Finance recommends passage in concurrence.

Appendix
CALENDAR

IN ORDER FOR WEDNESDAY, MAY 30, 2007:

1. 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.

2. 2007-S 155 SUB A

BY Metts

ENTITLED, AN ACT RELATING TO GENERAL ASSEMBLY RENAMING THE RHODE ISLAND JUVENILE DETENTION CENTER

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

3. 2007-S 862

BY Goodwin

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Constitutional & Regulatory Issues recommends passage.

4. 2007-S 945

BY Perry

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND EXECUTIVE OFFICE OF HEALTH & HUMAN SERVICES TO MAKE THE QUALIFICATION OF APPLICANTS FOR MEDICAID AND RITE CARE A TOP PRIORITY AND TO EXPEDITIOUSLY REMEDY STATE SYSTEMS AND POLICIES THAT ARE RESPONSIBLE FOR ELIGIBLE PERSONS LOSING THEIR HEALTH INSURANCE

Committee on Constitutional & Regulatory Issues recommends passage.

5. 2007-S 40

BY Ciccone

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - EQUIPMENT AND ACCESSORIES GENERALLY

Committee on Housing & Municipal Government recommends passage.

6. 2007-S 262**BY Algieri****ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES -
OPERATION OF BICYCLES

Committee on Housing & Municipal Government recommends passage.

7. 2007-S 266 SUB A**BY Levesque C****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES -- ZONING
ORDINANCES

Committee on Housing & Municipal Government recommends indefinite postponement of
the original bill and passage of Substitute A.

8. 2007-S 460**BY Gallo****ENTITLED,** AN ACT RELATING TO TAXATION -- COLLECTION OF TAXES
GENERALLY

Committee on Housing & Municipal Government recommends passage.

9. 2007-S 967**BY Issa****ENTITLED,** AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
CHARTER OF THE CITY OF CENTRAL FALLS

Committee on Housing & Municipal Government recommends passage.

10. 2007-S 1002**BY Sosnowski****ENTITLED,** AN ACT PERMITTING THE TOWN OF SOUTH KINGSTOWN TO
CREATE A SOLID WASTE MANAGEMENT DISTRICT AND
AWARD AN EXCLUSIVE SERVICES CONTRACT FOR RESIDENTIAL
SOLID WASTE/RECYCLING COLLECTION AND DISPOSAL SERVICES

Committee on Housing & Municipal Government recommends passage.

11. 2007-S 8**BY Raptakis****ENTITLED,** JOINT RESOLUTION TO APPROVE AND PUBLISH AND SUBMIT
TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE
CONSTITUTION OF THE STATE -- PROCEDURE TO FILL
VACANCY IN OFFICE OF THE LIEUTENANT GOVERNOR, THE
SECRETARY OF STATE, ATTORNEY GENERAL OR GENERAL
TREASURER

Committee on Constitutional & Regulatory Issues recommends passage.

12. 2007-S 526**BY Sosnowski****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS, BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constitutional & Regulatory Issues recommends passage.

13. 2007-S 920**BY Montalbano J****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY - - RENAMING THE NORTH WOODS RESIDENCE B

Committee on Constitutional & Regulatory Issues recommends passage.

14. 2007-S 922**BY Sosnowski****ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY -- RENAMING THE WEST SIDE SUITES

Committee on Constitutional & Regulatory Issues recommends passage.

15. 2007-S 1030**BY Goodwin****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- COUNCIL ON THE ARTS

Committee on Constitutional & Regulatory Issues recommends passage.

16. 2007-S 44 SUB A**BY Bates****ENTITLED,** AN ACT RELATING TO TAXATION - RESIDENTIAL RENEWABLE ENERGY SYSTEM TAX CREDIT

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

17. 2007-S 106 SUB A as amended**BY Doyle****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

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

18. 2007-S 414**BY Gibbs****ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES
-- SALARIES AND TRAVELING EXPENSES

Committee on Finance recommends passage.

19. 2007-H 5485 SUB A**BY McCauley****ENTITLED,** AN ACT RELATING TO PROPERTY -- RHODE ISLAND HOME
LOAN PROTECTION ACTCommittee on Corporations recommends indefinite postponement of the original bill
and passage of Substitute A in concurrence.**20. 2007-H 5382****BY Naughton****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Health & Human Services recommends passage in concurrence.

21. 2007-H 6005 as amended**BY Slater****ENTITLED,** AN ACT RELATING TO FOOD AND DRUGS -- THE EDWARD O.
HAWKINS AND THOMAS C. SLATER MEDICAL MARIJUANA
ACTCommittee on Health & Human Services recommends passage as amended in
concurrence.**22. 2007-H 5265****BY Silva****ENTITLED,** AN ACT RELATING TO THE PAWTUCKET WATER SUPPLY
BOARD

Committee on Housing & Municipal Government recommends passage in concurrence.

23. 2007-H 5303 SUB B**BY Pacheco****ENTITLED,** AN ACT RELATING TO TOWNS AND CITIES - PASCOAG
UTILITY DISTRICTCommittee on Housing & Municipal Government recommends indefinite postponement of
the original bill and the Substitute A and passage of Substitute B.

24. 2007-H 6170**BY Vaudreuil****ENTITLED,** AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
CHARTER OF THE CITY OF CENTRAL FALLS

Committee on Housing & Municipal Government recommends passage in concurrence.

IN ORDER FOR THURSDAY, MAY 31, 2007:**1. 2007-H 5200 SUB A as amended****BY Giannini****ENTITLED,** AN ACT RELATING TO INSURANCE -- ORTHOTIC AND
PROSTHETIC SERVICES

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

IN ORDER FOR TUESDAY, JUNE 5, 2007:**1. 2007-S 708****BY McCaffrey****ENTITLED,** AN ACT RELATING TO ELECTIONS CANVASSING THE LISTS
OF QUALIFIED ELECTORS

Committee on Judiciary recommends passage.