

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.59

Tuesday, October 30, 2007

Fifty-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 3:42 o'clock P.M.

The roll is called and a quorum is declared present with 38 Senators present and 0 Senators absent as follows:

PRESENT – 38: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of the Fifty-seventh and Fifty-eighth Legislative Day of the 2007 proceedings are read in part.

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

APPOINTMENTS

The Honorable President presents the following communication transmitting the following appointments:

**SUPREME COURT OF RHODE ISLAND
FRANK LICHT JUDICIAL COMPLEX
PROVIDENCE**

October 19, 2007

The Honorable Senate of Rhode Island
State House Room 318
Providence, RI 02903

RE: Appointment of William R. Guglietta, Esq., as
Chief Magistrate of the Rhode Island Traffic Tribunal

To the Honorable Senators:

I hereby appoint William R. Guglietta to a ten (10) year term as Chief Magistrate of the Rhode Island Traffic Tribunal subject to confirmation by the Senate pursuant to the provisions of Rhode Island General Laws Section 8-8.2-1(a).

To this appointment, I respectfully seek the advice and consent of the Senate.

Yours sincerely,

Frank J. Williams
Chief Justice

Read and referred to the Committee on Judiciary.

Also:

**SUPREME COURT OF RHODE ISLAND
PROVIDENCE**

September 19, 2007

TO THE HONORABLE SENATE:

Pursuant to section 8-2-39.2 of the Rhode Island General Laws, as amended by Article 3, Substitute A of 2007 H 5300, I hereby reappoint Gordon Smith of West Warwick to the position of Drug Court magistrate for an additional ten (10) year term and for this appointment I seek the advice and consent of the Senate.

Very truly yours,

Joseph F. Rodgers, Jr.
Presiding Justice

Read and referred to the Committee on Judiciary.

Also:

SUPREME COURT OF RHODE ISLAND
PROVIDENCE

September 19, 2007

TO THE HONORABLE SENATE:

Pursuant to section 8-2-39.2 of the General Laws, as amended by Article 3, Substitute A of 2007 H 5300, I hereby reappoint Joseph A. Keough of Pawtucket to the position of special magistrate for an additional ten (10) year term and for this appointment I seek the advice and consent of the Senate.

Very truly yours,

Joseph F. Rodgers, Jr.
Presiding Justice

Read and referred to the Committee on Judiciary.

APPOINTMENT BY THE GOVERNOR

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
STATE HOUSE

Donald L. Carcieri
Governor

October 29, 2007

TO THE HONORABLE, THE SENATE:

I have the pleasure to inform you that in accordance with provisions of Section 23-28.2-1 of the Rhode Island General Laws, I have made the following appointment as State Fire Marshal:

FRANK M. SYLVESTER OF PAWTUCKET

VICE
George Farrell

For a term expiring July 1, 2009.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri

Governor

Read and referred to the Committee on Judiciary.

**REPORTS OF COMMITTEES
COMMITTEE ON JUDICIARY**

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

House Bill No. 5626 SUB A

BY Jackson, Lewiss, Scott

ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE - LIMITED GUARDIANSHIP AND GUARDIANSHIP OF ADULTS (establish additional criteria when a guardian ad litem appointed by the court is not an attorney and makes other changes to the guardianship statutes)

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 1149

BY Senator Paiva-Weed

ENTITLED, JOINT RESOLUTION APPROVING THE ISSUANCE OF LEASE PARTICIPATION REFUNDING CERTIFICATES AND RELATED FINANCING LEASES BY THE STATE OF RHODE ISLAND {LC3456/1}

Read and referred to the Committee on Finance.

Also:

Senate Bill No. 1150 SUB A

BY Senator Alves

ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE -- COPAYMENTS {LC3473/1/A}

Read and referred to the Committee on Finance.

Also:

Senate Resolution No. 1151

BY Senators Paiva-Weed, Algieri

ENTITLED, JOINT RESOLUTION DECLARING AND CONSENTING TO A RECESS OF THE GENERAL ASSEMBLY {LC3467/1}

Read and referred to the Committee on Finance.

GUESTS

Upon suggestion of Senator Jabour and by unanimous consent, the Honorable President, welcomes to the Chamber Meredith Devine, of Milford, Massachusetts, a friend of Senator Sheehan.

RECESS

Upon motion of Senator Paiva Weed, seconded by Senator Algieri, the Senate stands at recess at 3:47 o'clock P.M.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 6:15 o'clock P.M.

**REPORTS OF COMMITTEES
COMMITTEE ON FINANCE**

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

Senate Bill No. 1150 SUB A

BY Senator Alves

ENTITLED, AN ACT RELATING TO INSURANCE -- HEALTH INSURANCE – COPAYMENTS

Senator Alves, moves passage, seconded by Senators Paiva Weed, Goodwin, Sosnowski, Perry, McBurney, Levesque, Ruggerio, Metts, Badeau and Pichardo.

The act is read and passed, by unanimous consent, upon a roll call vote with 34 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

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

NAYS- 2: Senators Bates and Blais

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 500

BY Ruggerio

ENTITLED, AN ACT RELATING TO CAUSES OF ACTION

Upon suggestion of Senator Ruggerio, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Ruggerio moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Alves, Moura, Levesque and several others.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 31 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS – 31: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAY – 5: Senator Algieri, Bates, Blais, Breene, Gibbs.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 507

BY Ruggerio

ENTITLED, AN ACT RELATING TO LABOR -- HOISTING ENGINEERS

Upon suggestion of Senator Ruggerio, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Ruggerio moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Doyle, Paiva Weed, Ciccone and Badeau.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 32 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS – 32: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAY – 5: Senator Algieri, Bates, Blais, Breene, Gibbs.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

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

Upon suggestion of Senator Ruggerio, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Ruggerio moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Badeau, Maselli and Ciccone.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 33 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 5: Senators Algiere, Bates, Blais, Breene, Gibbs.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 575 SUB A**BY Issa****ENTITLED, AN ACT STATE AFFAIRS AND GOVERNMENT - STATE
ARCHIVES**

Upon suggestion of Senator Paiva Weed, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Paiva Weed moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Ciccone, Levesque.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 34 Senators voting in the affirmative and 3 Senator voting in the negative as follows:

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

NAYS- 3: Senators Bates, Blais, Breene.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 619

BY Connors

ENTITLED, AN ACT RELATING TO COURTS AND CIVIL PROCEDURE -
COURTS - PENSIONS AND BENEFITS -- DOMESTIC PARTNERS

Upon suggestion of Senator Connors, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Connors moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Perry, Levesque, Sheehan, Pichardo, Miller, Moura, Ciccone.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 33 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Bates, Blais, Breene.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 1103 as amended

BY Badeau

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS

Upon suggestion of Senator Badeau, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Badeau moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Alves, Moura, Levesque and several others.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Cote

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 29 SUB A

BY Tassoni

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - - HEALTH CARE
FACILITIES STAFFING**

Upon suggestion of Senator Tassoni, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Tassoni moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Paiva Weed, Ruggerio, Moura, Maselli, Metts, Lenihan, Goodwin, Perry, Connors, Gallo, Fogarty, Levesque, Jabour, Felag and many others.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 35 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Revens.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 197 SUB A**BY McCaffrey****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- POLICE OFFICERS**

Upon suggestion of Senator McCaffrey, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator McCaffrey moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Badeau, Ciccone and Jabour.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 29 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 7: Senators Algiere, Bates, Blais, Breene, Gibbs, Lenihan, Metts.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

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

Upon suggestion of Senator Revens, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Revens moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Ruggerio, Levesque, Metts and Ciccone.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Cote.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 593 SUB A

BY Moura

ENTITLED, AN ACT RELATING TO INSURANCE - THE RHODE ISLAND
BEST RX PROGRAM

Upon suggestion of Senator Moura, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Moura moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Connors, Tassoni, Jabour, Alves, Maselli, Miller, Metts, Badeau, Goodwin, Perry and many others.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 36 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Breene.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 648 SUB A as amended

BY Levesque C

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

Upon suggestion of Senator Levesque, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Levesque moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Perry, Paiva Weed, Alves, Sosnowski, Ciccone and many others.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 34 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Bates, Blais, Breene.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 919

BY Jabour

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- NOTICE AND HEARING ON LICENSES

Upon suggestion of Senator Jabour, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Jabour moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Walaska, Sheehan and several others.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ADSTAINED- 1: Senator Miller

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

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

Upon suggestion of Senator McCaffrey, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator McCaffrey moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Connors, Badeau, Jabour, Levesque.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, 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, Alves, Badeau, Bates, Blais, Breene, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Paiva Weed, Perry, Pichardo, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Cote, Lenihan.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 1014 as amended**BY Pichardo****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

Upon suggestion of Senator Pichardo, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Pichardo moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Metts, Badeau, Ciccone, Jabour, Paiva Weed and Levesque.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 30 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Alves, Badeau, Ciccone, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Algieri, Bates, Blais, Breene, Cote, Gibbs.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-S 1060

BY Connors

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

Upon suggestion of Senator Connors, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Without objection, so ordered.

Senator Connors moves passage, notwithstanding the disapproval of the Governor, seconded by Senators Paiva Weed, Doyle, Levesque, Badeau, Miller, and several others.

The bill is read and passed and the original bill indefinitely postponed, notwithstanding the veto of the Governor, upon a roll call vote with 27 Senators voting in the affirmative and 6 Senators voting in the negative and 3 Senators abstaining as follows:

YEAS- 27: The Honorable President Montalbano and Senators Alves, Badeau, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senator Algieri, Bates, Blais, Breene, Cote, Gibbs.

ABSTAINED- 3: Senators Revens, Ruggerio, Ciccone.

REPORTS OF COMMITTEES COMMITTEE ON JUDICIARY

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation that advice and consent be given to the following:

Reappointment of Magistrate Gordon M. Smith of West Warwick as Drug Court Magistrate for a ten-year term.

Senator McCaffrey, seconded by Senators Raptakis, Connors Felag, Doyle and many others moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

GUESTS

Upon suggestion of Senator Raptakis and by unanimous consent, the Honorable President welcomes to the Chamber newly confirmed Adult Drug Court Magistrate Gordon Smith, along with his wife Janet Smith, brother John W Smith, his parents John Smith Lorna Smith, friend Mary-Jane Webster and Matt Weldon, Administrator of the Rhode Island Adult Drug Court.

REPORTS OF COMMITTEES COMMITTEE ON JUDICIARY

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation that advice and consent be given to the following:

Appointment of Frank M. Sylvester of Pawtucket VICE George Farrell as State Fire Marshall for a term expiring July 1, 2009.

Senator McCaffrey, seconded by Senators Doyle, Jabour, Lanzi, Ciccone, Cote, Bates, Blais, Sosnowski, Revens, Breene, Algieri, Walaska, Ruggerio, Goodwin, McBurney, Gallo, Tassoni, Raptakis and many others moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 37 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 37: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

GUESTS

Upon suggestion of Senator Doyle and by unanimous consent, the Honorable President welcomes to the Chamber newly appointed State Fire Marshal Frank Sylvester and his wife.

**REPORTS OF COMMITTEES
COMMITTEE ON JUDICIARY**

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation that advice and consent be given to the following:

Appointment of William R. Guglietta, Esq. of Cranston as Chief Magistrate of the Rhode Island Traffic Tribunal, to a ten-year term.

Senator McCaffrey seconded by Senators Lanzi, Fogarty, Sheehan, Jabour, Pichardo, Connors, Badeau, Ciccone, Metts, DaPonte, Moura, Revens, Algieri, Paiva Weed, Ruggerio, Alves, McBurney, Tassoni, Gallo, Levesque, Raptakis, Felag and many others moves that advice and consent of the Senate be given this appointment.

Senators Jabour, Alves, Sheehan and Paiva Weed discuss the appointment.

The advice and consent of the Senate is given this appointment, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

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

NAYS- 0:

GUESTS

Upon suggestion of Senator Lanzi and by unanimous consent, the Honorable President welcomes to the Chamber newly confirmed Chief Magistrate of the Rhode Island Traffic Tribunal William R. Guglietta, along with Judy Kearns, wife, Larry and Donna Guglietta, brother and sister-in-law, Richard and Gladys Kearns, father and mother-in-law, Lareto Guglietta, nephew. Lynn Freeman and Diane Banville, sisters-in-law.

NEW BUSINESS

Senate Bill No. 1152

BY Senator Raptakis

ENTITLED, AN ACT RELATING TO ELECTIONS -- PRIMARY ELECTIONS

Senator Raptakis moves passage, seconded by Senators Sheehan, Jabour and Pichardo.

The act is read and passed, by unanimous consent, upon a roll call vote with 29 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Ciccone, Cote, DaPonte, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney,

McCaffrey, Metts, Miller, Paiva Weed, Perry, Pichardo, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 7: Senators Bates, Blais Breene, Felag, Gibbs, Moura and Revens.

Also:

Senate Resolution No. 1153

BY Senators Montalbano J, Ruggerio, Algieri, Paiva-Weed, Ciccone

ENTITLED, SENATE RESOLUTION HONORING SENATOR BADEAU ON THE OCCASION OF HIS 71ST BIRTHDAY {LC3482/1}

Senator Ruggerio moves passage, seconded by the entire Senate.

The resolution is read by Raymond T. Hoyas Jr., Secretary of the Senate, and passed, by unanimous consent, upon a voice vote.

Also:

Senate Resolution No. 1154

BY Senators Badeau, Cote, Paiva-Weed, Tassoni, Walaska

ENTITLED, SENATE RESOLUTION EXTENDING CONDOLENCES ON THE PASSING OF FORMER STATE SENATOR THE HONORABLE ALPHONSE AUCLAIR {LC3468/1}

Senator Cote moves passage, seconded by Senators Badeau, Revens, and the entire Senate.

The resolution is read by Gabriel Rei, Deputy Clerk of the Senate, and passed, by unanimous consent, upon a rising vote.

GUESTS

Upon suggestion of Senator Pichardo and by unanimous consent, the Honorable President, welcomes to the Chamber Sandy Riojas from the U.L.M.A.C and Fred Ordonez, Progreso Latino.

AT EASE

Upon motion of Senator Paiva Weed, seconded by Senator Algieri, the Senate stands at ease at 7:15 o'clock P.M.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 8:33 o'clock P.M.

NEW BUSINESS

Senate Resolution No. 1155 Resolution 411

BY Senators McBurney, Walaska, Bates, Blais, Connors

ENTITLED, JOINT RESOLUTION CONGRATULATING THE BOSTON RED SOX ON WINNING THE 2007 WORLD SERIES

Senator McBurney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McBurney moves passage, seconded by Senator Walaska and entire Senate.

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

REPORTS OF COMMITTEES
COMMITTEE ON FINANCE

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

Senate Resolution No. 1149

BY Senator Paiva-Weed

ENTITLED, JOINT RESOLUTION APPROVING THE ISSUANCE OF LEASE PARTICIPATION REFUNDING CERTIFICATES AND RELATED FINANCING LEASES BY THE STATE OF RHODE ISLAND

Read and ordered to be placed on the Calendar.

Senator Paiva Weed moves passage, seconded by Senators Ruggerio, Jabour and many others.

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

NAYS- 0:

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 6191**BY Williamson****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- NOTICE
AND HEARING ON LICENSES**

Upon suggestion of Senator Jabour, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Jabour moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Sheehan, Ciccone and Pichardo.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 34 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

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

NAYS- 0:

ABSTAINED- 1: Senator Miller.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 6125 SUB A**BY Coderre E****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RHODE
ISLAND COORDINATED HEALTH PLANNING ACT OF 2006**

Upon suggestion of Senator Levesque, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Levesque moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senator Ciccone.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 31 Senators voting in the affirmative and 3 Senators voting in the negative as follows:

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

NAYS- 3: Senators Bates, Blais and Breene.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5023 as amended**BY Gemma****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --
MOTOR VEHICLES REPARATIONS ACT**

Upon suggestion of Senator Revens, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Revens moves passage, as amended, in concurrence, notwithstanding the veto of The Governor, seconded by Senator Ruggerio.

The act is read and passed, as amended, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Cote.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5904 SUB A as amended**BY Almeida****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --
EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

Upon suggestion of Senator Pichardo, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Pichardo moves passage, as amended, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Metts and Ciccone.

The act is read and passed, as amended, in concurrence, notwithstanding, the disapproval of the Governor, 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 Alves, Ciccone, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sosnowski, Tassoni.

NAYS- 6: Senators Algieri, Bates, Blais, Breene, Cote, Gibbs.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5099 SUB A

BY Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY - - HEALTH CARE FACILITIES STAFFING

Upon suggestion of Senator Tassoni and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Tassoni moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senator Metts.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 33 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Revens.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 6529

BY Serpa

ENTITLED, AN ACT RELATING TO INSURANCE - THE RHODE ISLAND BEST RX PROGRAM

Upon suggestion of Senator Moura, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Moura moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Ruggerio, Jabour and Maselli.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 34 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

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

NAYS- 1: Senator Breene.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5090 SUB A

BY San Bento

ENTITLED, AN ACT RELATING TO LABOR -- ARBITRATION

Upon suggestion of Senator Ruggerio, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Ruggerio moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Paiva Weed, Moura and Jabour.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 28 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Alves, Ciccone, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 6: Senators Algieri Bates, Blais, Breene, Cote, Gibbs.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 6471

BY Pacheco

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

Upon suggestion of Senator Connors, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Connors moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senator Doyle.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 26 Senators voting in the affirmative and 6 Senators voting in the negative and 3 Senators abstaining as follows:

YEAS- 26: The Honorable President Montalbano and Senators Alves, Bates, Blais, Breene, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 6: Algieri, Bates, Blais, Breene, Cote, Gibbs.

ABSTAINED- 3: Senators Revens, Ruggerio, Ciccone.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5385 as amended

BY Jacquard

**ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - POLICE
OFFICERS**

Upon suggestion of Senator McCaffrey, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator McCaffrey moves passage, as amended, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Ruggerio, Levesque and Ciccone.

The act is read and passed, as amended, in concurrence, notwithstanding, the disapproval of the Governor, 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, Alves, Ciccone, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 6: Senators Bates, Blais, Breene, Gibbs Lenihan, Metts.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5964

BY McCauley

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- WEAPONS

Upon suggestion of Senator McCaffrey, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator McCaffrey moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Moura, Goodwin and Jabour.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, 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, Alves, Bates, Blais, Breene, Connors, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Cote Lenihan

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5785

BY Lally

ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --
LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

Upon suggestion of Senator Ruggerio, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Ruggerio, moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senator Connors.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 28 Senators voting in the affirmative and 6 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Alves, Ciccone, Connors, Cote, DaPonte, Doyle, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 6: Senators Algieri, Bates, Blais, Breene, Felag, Gibbs

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 6227 SUB A**BY Lewiss****ENTITLED, AN ACT RELATING TO ELECTIONS -- STATE BOARD OF ELECTIONS**

Upon suggestion of Senator Ruggerio, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Ruggerio moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Goodwin, McCaffrey and Ciccone.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 30 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 4: Senators Bates, Blais, Breene, Gibbs.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 6280**BY McNamara****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - CORRECTIONS DEPARTMENT**

Upon suggestion of Senator Tassoni and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Tassoni moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Jabour, Doyle, Ciccone and Maselli.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, 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, Alves, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 5: Senators Bates, Blais, Breene, Gibbs, Revens.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5941 as amended**BY Jackson****ENTITLED, AN ACT RELATING TO PROPERTY - RHODE ISLAND REAL ESTATE TIME-SHARE ACT**

Upon suggestion of Senator McBurney and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator McBurney moves passage, as amended, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Paiva Weed, Gibbs and Levesque.

The act is read and passed, as amended, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 28 Senators voting in the affirmative and 4 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Ciccone, DaPonte, Doyle, Felag, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 4: Senators Cote, Fogarty, Moura, Revens.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5307 SUB A**BY Dennigan****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

Upon suggestion of Senator McBurney, and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator McBurney moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senator Doyle.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 28 Senators voting in the affirmative and 6 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 28: The Honorable President Montalbano and Senators Alves, Ciccone, Connors, Cote, DaPonte, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 6: Senators Algieri, Bates, Blais, Breene, Gibbs, Lenihan.

ABSTAINING- 1: Senator Lanzi.

AT EASE

Upon motion of Senator Paiva Weed, seconded by Senator Algieri, the Senate stands at ease at 8:58 o'clock P.M.

CALLED TO ORDER

The Senate is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 9:31 o'clock P.M.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5547 SUB A as amended

BY Corvese

ENTITLED, AN ACT RELATING TO INSURANCE - UNFAIR CLAIMS
SETTLEMENT PRACTICES ACT - MOTOR VEHICLE
REPARATIONS

Upon suggestion of Senator Goodwin and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Goodwin moves passage, as amended, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Moura, Ciccone, Ruggerio, Alves, Jabour and Miller.

The act is read and passed, as amended, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 24 Senators voting in the affirmative and 6 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 24: The Honorable President Montalbano and Senators Algieri, Alves, Ciccone, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni.

NAYS- 6: Senators Bates, Blais, Cote, Gibbs, Lenihan, Revens.

ABSTAINED- 1: Senator Walaska.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 5549 SUB A**BY Corvese****ENTITLED, AN ACT RELATING TO INSURANCE - UNFAIR CLAIMS
SETTLEMENT PRACTICES ACT**

Upon suggestion of Senator Goodwin and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Goodwin moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Jabour, Moura, Ciccone and Ruggerio.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 24 Senators voting in the affirmative and 5 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 24: The Honorable President Montalbano and Senators Alves, Blais, Ciccone, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni.

NAYS- 5: Senators Bates, Cote, Gibbs, Lenihan, Revens.

ABSTAINED- 1: Senator Walaska

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 6032**BY Ajello****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND
GOVERNMENT--TRADE**

Upon suggestion of Senator Paiva Weed and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Paiva Weed moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Perry, Sheehan, Levesque, Ruggerio, Ciccone, Lenihan and Jabour.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 26 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS- 26: The Honorable President Montalbano and Senators Alves, Ciccone, Cote, Doyle, Felag, Fogarty, Gallo, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni.

NAYS- 5: Senators Algiere, Bates, Blais, Gibbs, Revens.

DISAPPROVAL BY THE GOVERNOR

The Honorable President, presents a disapproval by the Governor on the following measure:

2007-H 6379 SUB A**BY Slater****ENTITLED, AN ACT RELATING TO RHODE ISLAND CAMPAIGN
CONTRIBUTIONS AND EXPENDITURES REPORTING**

Upon suggestion of Senator Paiva Weed and without objection, the reading of the veto message is dispensed with as copies have been provided to each Senator.

Senator Paiva Weed moves passage, in concurrence, notwithstanding the veto of The Governor, seconded by Senators Jabour and Levesque.

The act is read and passed, in concurrence, notwithstanding, the disapproval of the Governor, upon a roll call vote with 24 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 24: The Honorable President Montalbano and Senators Algieri, Alves, Ciccone, Doyle, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Paiva Weed, Perry, Pichardo, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 7: Senators Bates, Blais, Cote, Felag, Lenihan, Moura, Revens.

**REPORTS OF COMMITTEES
COMMITTEE ON CONSTITUTIONAL AND REGULATORY ISSUES**

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

2007-H 6487**BY Lima****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- GAMBLING
AND LOTTERIES**

Senator Lanzi moves passage, seconded by Senators Perry, Ciccone and Ruggerio.

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

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Ciccone, Cote, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

COMMITTEE ON JUDICIARY

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

2007-H 5626 SUB A**BY Jackson****ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE**

- LIMITED GUARDIANSHIP AND GUARDIANSHIP OF ADULTS

Senator McCaffrey moves passage, seconded by Senator Levesque.

The bill marked Substitute “A” is read and passed, in concurrence, and the original bill indefinitely postponed, upon a roll call vote with 30 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Ciccone, Cote, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McBurney, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Revens.

FROM THE HOUSE OF REPRESENTATIVES

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

Senate Bill No. 1141 SUB B**BY Senators Alves, Paiva-Weed****ENTITLED, AN ACT RELATING TO FAMILY COURT – JURISDICTION**

Senator Alves moves passage, seconded by Senators Paiva Weed, Ruggerio, Felag, Fogarty, Sheehan, Perry, Goodwin, Sosnowski, Miller and Ciccone.

Senators Moura, Metts, Ciccone, Alves, Goodwin, Sheehan, Miller, Blais, Pichardo, Gallo, Metts and Paiva Weed discuss the act.

The bill marked Substitute “B” is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Ciccone, Cote, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

House Resolution No. 6583

BY Kilmartin, Fox, Murphy, Watson, Costantino

ENTITLED, JOINT RESOLUTION CONGRATULATING THE BOSTON RED SOX ON WINNING THE 2007 WORLD SERIES

Senator McBurney moves passage, seconded by Senators Walaska and the entire Senate.

The resolution is read and passed, by unanimous consent, in concurrence, upon a voice vote.

Also:

House Resolution No. 6584

BY Costantino

ENTITLED, JOINT RESOLUTION APPROVING THE ISSUANCE OF LEASE PARTICIPATION REFUNDING CERTIFICATES AND RELATED FINANCING LEASES BY THE STATE OF RHODE ISLAND

Senator Alves moves passage, seconded by Senators Levesque and Felag.

The resolution is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Ciccone, Cote, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli, McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

House Resolution No. 6586

BY Fox, Murphy

ENTITLED, JOINT RESOLUTION DECLARING AND CONSENTING TO A RECESS OF THE GENERAL ASSEMBLY

Senator Paiva Weed moves passage, seconded by Senator Algieri.

The resolution is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 30 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Ciccone, Cote, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Jabour, Lanzi, Lenihan, Levesque, Maselli,

McCaffrey, Metts, Miller, Moura, Paiva Weed, Perry, Pichardo, 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.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senators Cote and Revens the Senate adjourns at 10:40 o'clock P.M. in memory of the Honorable Alphonse Auclair, former State Senator from the City Woonsocket.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR MARC COTE

Almighty Father, Let us carefully weigh the reasons on all sides from a human point of view and then rely on your grace for divine help. Amen.