

**State of Rhode Island and Providence Plantations**

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**Journal of the Senate**

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**JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the sixth day of January in the year of Our Lord two thousand and four.**

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Volume 131, No. 30

Tuesday, April 6, 2004

Thirtieth Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:15 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 0 Senators absent as follows:

**PRESENT** – 36: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**ABSENT** – 0:

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

The Senate Journal of Thursday, April 1, 2004 proceedings is read in part.

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

**GUESTS**

Upon suggestion of Senator Goodwin and by unanimous consent, the Honorable President welcomes to the Chamber Zeke Felag, son of Senator Felag.

Upon suggestion of Senators Tassoni and Polisena and by unanimous consent, the Honorable President welcomes to the Chamber Russ and Judy Antirose.

Upon suggestion of Senator Sosnowski and by unanimous consent, the Honorable President welcomes to the Chamber URI Student Senate members, Kevin Nault, Clarissa Nault and Julia Monahan.

Upon suggestion of Senator Gibbs and by unanimous consent, the Honorable President welcomes to the Chamber Jack Kennelly from North Dakota.

Upon suggestion of Senator Issa and by unanimous consent, the Honorable President welcomes to the Chamber Erica Rico of Cranston and Meredith Flynn of Scituate, both Students attending CCRI, who perform patriotic musical selections before the Senate.

**REPORTS OF COMMITTEES****COMMITTEE ON EDUCATION**

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

**Senate Bill No. 2597**

**BY** Senators Gallo, Walaska

**ENTITLED**, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2824**

**BY** Senators Felag, Parella, Bates

**ENTITLED**, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2963**

**BY** Senator Breene

**ENTITLED**, AN ACT RELATING TO REGIONAL SCHOOL DISTRICTS - EXETER - WEST GREENWICH.

Read and ordered to be placed on the Calendar

**COMMITTEE ON ENVIRONMENT AND AGRICULTURE**

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

**Senate Bill No. 2113**

**BY** Senators Walaska, Cote, Polisena, McCaffrey, Bates

**ENTITLED**, AN ACT RELATING TO COASTAL RESOURCES MANAGEMENT COUNCIL -- ADMINISTRATIVE PENALTIES

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2293** (Dept. of Environmental Management)

**BY** Senators Bates, Blais

**ENTITLED**, AN ACT RELATING TO CITIES AND TOWNS -- DAM MANAGEMENT DISTRICTS.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2330**

**BY** Senators Breene, Blais, Ciccone, Walaska

**ENTITLED**, AN ACT RELATING TO DEER HUNTING.

Read and ordered to be placed on the Calendar

**COMMITTEE ON FINANCIAL SERVICES, TECHNOLOGY AND REGULATORY ISSUES**

Senator Walaska, from the Committee on Financial Services, Technology and Regulatory Issues, reports back, with recommendation of passage of the following measure:

**Senate Bill No. 2687**

**BY** Senators Roberts, Perry, Tassoni

**ENTITLED**, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS -- ADAPTIVE TELEPHONE EQUIPMENT LOAN PROGRAM COMMITTEE (telephone access to text of newspapers).

Read and ordered to be placed on the Calendar

**TRANSFER OF BILLS**

Senator Goodwin, for the Committee on Constitutional and Gaming Issues reports back the following measure, with recommendation of transfer to the Committee on Health and Human Services:

**Senate Bill No. 2905**

**BY** Senators Gallo, Walaska, Fogarty P, Felag, Sheehan

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY - STROKE PREVENTION AND TREATMENT.

Read and referred to the Committee on Health & Human Services

**FROM THE HOUSE OF REPRESENTATIVES**

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

**House Bill No. 8044**

**BY** Menard

**ENTITLED**, AN ACT RELATING TO THE SOLEMNIZATION OF MARRIAGES.

Received and referred to the Senate Committee on Judiciary

Also:

**House Bill No. 8220**

**BY** Schadone

**ENTITLED**, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Received and referred to the Senate Committee on Judiciary

**NEW BUSINESS****Senate Resolution No. 3025**

**BY** Senators McBurney, Parella

**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF PAWTUCKET FIRE CHAPLAIN REVEREND AARON USHER.

Senator McBurney requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McBurney moves passage, seconded by the entire Senate.

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

## CALENDAR

## IN ORDER FOR TUESDAY, APRIL 6, 2004:

**1 2004-S 2115****BY Walaska****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- SANITATION  
STANDARDS FOR BATHING BEACHES**

Committee on Health & Human Services recommends passage.

Senator Walaska moves passage, seconded by Senators Perry, Gallo, Fogarty, Roberts and Paiva Weed.

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

**F L O O R   A M E N D M E N T**

TO

2004 -- S 2115

**AN ACT RELATING TO HEALTH AND SAFETY -- SANITATION STANDARDS FOR BATHING  
BEACHES**

Mr. President:

I hereby move to amend 2004 -- S 2115, entitled "AN ACT RELATING TO HEALTH AND SAFETY --  
SANITATION STANDARDS FOR BATHING BEACHES", as follows:

1. On page 3, between lines 28 and 29, by inserting the following language:

**23-21.1-9. Exemptions.** – Beaches that do not meet standards for licensure are exempt from the requirements of this chapter. Exempt beaches include rights of way, public access points, and beaches for which there is no charge for use with a daily user population of fewer than fifty (50) bathers. Beaches currently licensed are not exempt from these requirements.

Respectfully submitted,  
SENATOR WALASKA

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: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

Senators Walaska and Felag, discuss the act.

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: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**2 2004-S 2339**

**BY Sosnowski**

**ENTITLED, AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY --  
REGULATION OF VICIOUS DOGS**

Committee on Constitutional & Gaming Issues recommends passage.

Senator Sosnowski, moves passage, seconded by Senators Perry, Alves and Goodwin.

Senator Sosnowski, seconded by Senator Tassoni, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

TO

2004 -- S 2339

AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- REGULATION OF VICIOUS DOGS

Mr. President:

I hereby move to amend 2004 -- S 2339, entitled "AN ACT RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- REGULATION OF VICIOUS DOGS", as follows:

On page 9, line 31, by inserting the language "If the owner has not complied with the provisions of this chapter at" after the word "determination".

On page 9, line 31, by deleting the word "At".

Respectfully submitted,  
SENATOR SOSNOWSKI

The motion to amend prevails 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, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Blais seconded by Senator Breene, offers an oral motion to amend.

On page 4, line 33, by adding the word "vicious" before the word "dogs".

Respectfully submitted,  
LEO R. BLAIS  
Senator, District 24

The motion to amend prevails 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, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Sosnowski, moves passage of the act as amended, seconded by Senator Ruggerio.

The act is read and passed, by unanimous consent, as amended, 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, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**3 2004-S 2223**

**BY Blais**

**ENTITLED, AN ACT RELATING TO FREEWAYS**

Committee on Judiciary recommends passage.

Upon suggestion of Senator Ruggerio, and without objection ordered to be placed on the Calendar for Tuesday, April 20, 2004

**4 2004-S 2083**

**BY Bates**

**ENTITLED, AN ACT RELATING TO TAXATION OF NEW REAL ESTATE**

Committee on Commerce, Housing & Municipal Government recommends passage.

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

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, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**5 2004-S 2273**

**BY Tassoni**

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
DEPARTMENT OF TRANSPORTATION**

Committee on Commerce, Housing & Municipal Government recommends passage.

Upon suggestion of Senator Tassoni, and without objection ordered to be placed on the desk.

**6 2004-S 2277 as amended**

**BY Breene**

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
BICYCLE FACILITIES**

Committee on Commerce, Housing & Municipal Government recommends passage as



amended.

Senator Breene moves passage, seconded by Senators Blais 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 and 1 Senator abstaining as follows:

YEAS- 34: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Montalbano.

**7 2004-S 2366**

**BY Cote**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
REAL ESTATE BROKERS AND SALESPERSONS**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Cote moves passage, seconded by Senators Caprio and Raptakis.

The act is read and passed, by unanimous consent, upon a roll call vote with 31 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Lenihan.

**8 2004-S 2618 as amended**

**BY Breene**

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
PUBLIC BUILDINGS**

Committee on Commerce, Housing & Municipal Government recommends passage as amended.

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

The act is read and passed, by unanimous consent, 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, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**9 2004-S 2773 as amended**

**BY Ruggerio**

**ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT  
-- ECONOMIC DEVELOPMENT REPORTING**

Committee on Commerce, Housing & Municipal Government recommends passage as amended.

Senator Caprio moves passage, seconded by Senators Tassoni, Damiani and Pichardo.

Senator Caprio seconded by Senators Tassoni and Damiani, offers the following written motion to amend.

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

**2004 -- S 2773 AS AMENDED**

**AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC  
DEVELOPMENT REPORTING**

Mr. President:

I hereby move to amend 2004 -- S 2773 AS AMENDED, entitled "AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- ECONOMIC DEVELOPMENT REPORTING", as follows:

1. On page 2, line 5, by deleting "(iv)" and inserting "(iii)" in lieu thereof.
2. On page 2, line 6, by deleting "(v)" and inserting "(iv)" in lieu thereof.
3. On page 2, line 9, by deleting "(vii)" and inserting "(v)" in lieu thereof.
4. On page 2, line 12, by deleting "(ix)" and inserting "(vi)" in lieu thereof.

Respectfully submitted,  
SENATOR RUGGERIO

The motion to amend prevails upon a roll call vote with 33 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator McBurney.

Senator Caprio, moves passage of the act as amended, seconded by Senators Tassoni and Damiani.

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: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**10 2004-S 2829**

**BY Sosnowski**

**ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
VETERINARY PRACTICE**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Sosnowski, moves passage, seconded by Senators Perry, Breene, Damiani, Parella, Pichardo and Walaska.

The act is read and passed, by unanimous consent, 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, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**11 2004-S 2924**

**BY Caprio F**

**ENTITLED, AN ACT RELATING TO BUSINESS AND PROFESSIONS --  
HEALTH CLUBS**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Caprio moves passage, seconded by Senators Tassoni and Ruggerio.

Senator Caprio seconded by Senators Tassoni Ruggerio, McCaffrey and Ciccone, offers the following written motion to amend.

**F L O O R   A M E N D M E N T**

TO

2004 -- S 2924

**AN ACT RELATING TO BUSINESS AND PROFESSIONS -- HEALTH CLUBS**

Mr. President:

I hereby move to amend 2004 -- S 2924, entitled "AN ACT RELATING TO BUSINESS AND PROFESSIONS -- HEALTH CLUBS", as follows:

(1) On page 2, line 31, by deleting the words "upon passage", and inserting in place thereof the words "on January 1, 2005".

Respectfully submitted,  
SENATOR CAPRIO

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: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Caprio moves passage of the act as amended, seconded by Senator Pichardo.

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: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**12 2004-H 7286****BY Gallison****ENTITLED, AN ACT CREATING THE PRUDENCE ISLAND WATER DISTRICT**

Committee on Commerce, Housing & Municipal Government recommends passage in concurrence.

Senator Parella moves passage, seconded by Senators Gibbs, Perry, Raptakis and Felag.

The act is read and passed, by unanimous consent, in concurrence, 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, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**13 2003-H 5808 SUB B as amended****BY Carter****ENTITLED, AN ACT RELATING TO STATUTES AND STATUTORY CONSTRUCTION**

Senator McCaffrey moves passage, seconded by Senators Blais, Damiani and Paiva Weed.

The bill marked Substitute "B" is read and passed, in concurrence, and the original bill indefinitely postponed, by unanimous consent, upon 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, Alves, Badeau, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**ANNOUNCEMENTS**

Senator Fogarty announces that the Committee on Commerce, Housing and Municipal Government will meet today, at the rise of the Senate, in Room 212 of the State House.

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

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

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues will meet on Wednesday, April 7, 2004, at the rise of the Senate, in Room 211 of the State House.

Senator Ciccone announces that the Committee on Labor will meet on Wednesday, April 7, 2004, at 2:00 o'clock P.M., in Room 212 of the State House.

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

Senator DaPonte announces that the Committee on Financial Services, Technology, and Regulatory Issues, will meet on Wednesday, April 7, 2004, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Gallo announces that the Committee on Education will meet on Wednesday, April 7, 2004, at 2:00 o'clock P.M., in the Senate Lounge of the State House.

#### **TRANSMITTAL**

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor or to the Honorable House of Representatives forthwith.

#### **ADJOURNMENT**

Upon motion of Senator DaPonte, seconded by Senator Algieri, and upon suggestion of Senator Perry, the Senate adjourns at 4:48 o'clock P.M. in memory of Alistair Cooke, Beloved American Author.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

**Appendix**

**INVOCATION**

**BEATRICE A. LANZI**

Dear God, we have so much for which we are thankful, for this beautiful state which we live in, for the resources you have given us, for your protection and guidance of all the members of this Senate, as we strive for the public's welfare. Amen.

**Appendix****CALENDAR****IN ORDER FOR WEDNESDAY, APRIL 7, 2004:**

- 1** Appointment of Beverly Najarian of West Greenwich VICE Robert J. Higgins as Director of the Department of Administration .

Committee on Government Oversight recommends that the Senate give its Advice and Consent to this appointment.

- 2** Appointment of Robert Batting of Barrington VICE Anna Prager to the Rhode Island Public Transit Authority for a term expiring April 1, 2006.

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

- 3** **2004-S 2250**

**BY** Algieri

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
AGGRESSIVE DRIVING

Committee on Judiciary recommends passage.

- 4** **2004-S 2101**

**BY** Cote

**ENTITLED,** JOINT RESOLUTION TO SUBMIT THE FOLLOWING QUESTION  
TO THE QUALIFIED ELECTORS OF THE STATE AT THE NEXT  
GENERAL ELECTION IN 2004: "SHALL THERE BE A  
CONVENTION TO AMEND OR REVISE THE CONSTITUTION?"

Committee on Constitutional & Gaming Issues recommends passage.

- 5** **2004-S 2757**

**BY** Paiva-Weed

**ENTITLED,** AN ACT RELATING TO GENERAL ASSEMBLY -- PERMANENT  
JOINT COMMITTEE ON NAMING ALL NEW BUILDINGS,  
BRIDGES, EDIFICES AND OTHER STATE CONSTRUCTIONS

Committee on Constitutional & Gaming Issues recommends passage.

- 6** **2004-S 2161**

**BY** Issa

**ENTITLED,** AN ACT RELATING TO EDUCATION -- SCHOOL FOR THE DEAF

Committee on Education recommends passage.



**7 2004-S 2162 SUB A****BY Issa****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLES - OPERATORS' AND CHAUFFEURS' LICENSES

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

**8 2004-S 2590****BY Gallo****ENTITLED,** AN ACT RELATING TO EDUCATION -- THE RHODE ISLAND STUDENT INVESTMENT INITIATIVE

Committee on Education recommends passage.

**9 2004-S 2623****BY Gallo****ENTITLED,** AN ACT RELATING TO EDUCATION -- RHODE ISLAND LITERACY AND DROPOUT PREVENTION ACT

Committee on Education recommends passage.

**10 2004-S 2625****BY Gallo****ENTITLED,** AN ACT RELATING TO EDUCATION -- DUTIES OF COMMISSIONER OF ELEMENTARY AND SECONDARY EDUCATION

Committee on Education recommends passage.

**11 2004-S 2159****BY Sosnowski****ENTITLED,** AN ACT RELATING TO TAXATION - SALES AND USE TAXES - LIABILITY AND COMPUTATION

Committee on Finance recommends passage.

**12 2004-S 2859****BY DaPonte****ENTITLED,** AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE -- UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY

Committee on Finance recommends passage.

**13 2004-S 2892****BY DaPonte****ENTITLED,** AN ACT RELATING TO PUBLIC FINANCE MANAGEMENT BOARD

Committee on Finance recommends passage.

**14 2004-S 2154****BY Walaska****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Financial, Technology, Regulatory recommends passage.

**15 2004-S 2305****BY Blais****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS - BARBERS, HAIRDRESSERS, COSMETICIANS, MANICURIST AND ESTHETICIANS

Committee on Financial, Technology, Regulatory recommends passage.

**16 2004-S 2781****BY Ruggerio****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -- HOISTING ENGINEERS

Committee on Labor recommends passage.

**17 2004-S 2782****BY Ruggerio****ENTITLED,** AN ACT RELATING TO HOISTING ENGINEERS

Committee on Labor recommends passage.

**18 2004-S 2786****BY Ruggerio****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- ELECTRICIANS

Committee on Labor recommends passage.

**IN ORDER FOR TUESDAY, APRIL 20, 2004:****1 2004-S 2223****BY Blais****ENTITLED, AN ACT RELATING TO FREEWAYS**

Committee on Judiciary recommends passage.

**2 2004-S 2597****BY Gallo****ENTITLED, AN ACT RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS**

Committee on Education recommends passage.

**3 2004-S 2824****BY Felag****ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS**

Committee on Education recommends passage.

**4 2004-S 2963****BY Breene****ENTITLED, AN ACT RELATING TO REGIONAL SCHOOL DISTRICTS - EXETER - WEST GREENWICH**

Committee on Education recommends passage.

**5 2004-S 2113****BY Walaska****ENTITLED, AN ACT RELATING TO COASTAL RESOURCES MANAGEMENT COUNCIL -- ADMINISTRATIVE PENALTIES**

Committee on Environment &amp; Agriculture recommends passage.

**6 2004-S 2293****BY Bates****ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- DAM MANAGEMENT DISTRICTS**

Committee on Environment &amp; Agriculture recommends passage.

**7 2004-S 2330****BY Breene****ENTITLED, AN ACT RELATING TO DEER HUNTING**

Committee on Environment &amp; Agriculture recommends passage.

8 2004-S 2687

BY Roberts

ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS  
-- ADAPTIVE TELEPHONE EQUIPMENT LOAN PROGRAM  
COMMITTEE

Committee on Financial, Technology, Regulatory recommends passage.

**Raymond T. Hoyas, Jr.**  
**Secretary of the Senate**