

## 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. 33

Wednesday, April 21, 2004

Thirty-third 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 4:11 o'clock P.M.

The roll is called and a quorum is declared present with 33 Senators present and 3 Senators absent as follows:

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

**ABSENT** – 3: Senators Bates, Blais, DaPonte.

### INVOCATION

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

(See Appendix for Invocation)

### PLEDGE OF ALLEGIANCE TO THE FLAG

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

### APPROVAL OF RECORD

The Senate Journal of Wednesday, April 7, 2004 and Tuesday, April 20, 2004 proceedings is read in part.

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

**GUESTS**

Upon suggestion of Senators Tassoni and Perry and by unanimous consent, the Honorable President welcomes to the Chamber Jennifer Hanley, President of the Autism Society of R.I and Eve Bisard of the Families for Effective Autism Treatment.

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President welcomes to the Chamber Robert Kitson, Kevin Kitson, Dan Giammarco, and Howard and Debbie Clifton.

**COMMUNICATION**

The Honorable President presents the following communication:

April 20, 2004

Honorable Joseph A. Montalbano  
President of the Senate  
318 State House  
Providence, RI 02903

Dear Mr. President:

Please be advised that I will be attending an out-of-state conference on Wednesday and Thursday, April 21 and 22, 2004, and thus, will be absent from Senate sessions held on those days.

I would appreciate your recording my letter in the appropriate Senate Journal.  
Thank you.

Sincerely,  
Leo R. Blais  
Deputy President Pro Tempore – Minority

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

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

**Senate Bill No. 2040**

**BY** Senators Issa, Felag, Tassoni, Caprio F, Connors

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- REGISTRATION OF VEHICLES (veterans plates)

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2042**

**BY** Senators Tassoni, Issa, Goodwin, DaPonte, Ruggerio

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - - REGISTRATION OF VEHICLES (reserve forces plates)

Read and ordered to be placed on the Calendar

Also:

**Senate Resolution No. 2102 SUB A**

**BY** Senators Cote, Lenihan, Sheehan, Parella, Breene

**ENTITLED**, JOINT RESOLUTION PROVIDING FOR BI-PARTISAN PREPARATORY COMMISSION TO ASSEMBLE INFORMATION ON CONSTITUTIONAL QUESTIONS IN PREPARATION FOR A VOTE BY THE QUALIFIED ELECTORS ON THE HOLDING OF A CONSTITUTIONAL CONVENTION IN ACCORDANCE WITH ARTICLE XIV SECTION 2 OF THE RHODE ISLAND CONSTITUTION

Read and ordered to be placed on the Calendar

Also:

**Senate Resolution No. 2550**

**BY** Senators Roberts, Perry, Paiva-Weed, Gibbs

**ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CURRENT STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN THE STATE OF RHODE ISLAND.

Placed on the Senate Consent Calendar

Also:

**Senate Resolution No. 2555**

**BY** Senators Tassoni, McBurney, Issa, Paiva-Weed, Fogarty P

**ENTITLED**, SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY THE IMPACT AND FEASIBILITY OF MOVING REGULATORY AUTHORITY FOR THE AUTO BODY INDUSTRY FROM THE DEPARTMENT OF BUSINESS REGULATION TO THE PUBLIC UTILITIES COMMISSION.

Placed on the Senate Consent Calendar

Also:

**Senate Resolution No. 2993****BY** Senators Issa**ENTITLED**, SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND CONGRESSIONAL DELEGATION TO SPONSOR AND VIGOROUSLY SUPPORT THE ENACTMENT OF THE "INSTRUCTIONAL MATERIALS ACCESSIBILITY ACT" IN THE 108TH SESSION OF CONGRESS.

Placed on the Senate Consent Calendar

Also:

**Senate Resolution No. 3015****BY** Senators Goodwin**ENTITLED**, JOINT RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO REVISE CERTAIN PROVISIONS OF THE MEDICARE PRESCRIPTION DRUG, IMPROVEMENT AND MODERNIZATION ACT OF 2003 (HR-1).

Placed on the Senate Consent 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. 3026** as amended**BY** Senators Sosnowski, Lenihan, Roberts, Walaska, Gibbs**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3027** as amended**BY** Senators Lenihan, Sosnowski, Sheehan, Walaska, Roberts**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3028****BY** Senators Sosnowski, Lenihan, Roberts, Walaska, Gibbs**ENTITLED**, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - WATERS AND NAVIGATION.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3039**

**BY** Senators Sosnowski, Roberts, Paiva-Weed, Sheehan, Lenihan  
**ENTITLED**, AN ACT RELATING TO FISH AND WILDLIFE.

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 3040**

**BY** Senators Roberts, Lenihan, Sosnowski, Paiva-Weed, Sheehan  
**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION.

Read and ordered to be placed on the Calendar

**COMMITTEE ON FINANCE**

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

**Senate Bill No. 2059**

**BY** Senators Issa, Felag, Tassoni, Caprio F, Lenihan  
**ENTITLED**, AN ACT RELATING TO LEVY AND SALE ON EXECUTION

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2709**

**BY** Senator Issa  
**ENTITLED**, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES - RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS.

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. 2619**

**BY** Senators Connors, Goodwin, Walaska

**ENTITLED**, AN ACT RELATING TO INSURANCE.

Read and ordered to be placed on the Calendar

**COMMITTEE ON JUDICIARY**

Senator McCaffrey, from the Committee on Judiciary, reports back, with recommendation that advice and consent be given to the following without objection:

Appointment of William C. Clifton of Cranston VICE Associate Justice Robert Rahill as Associate Justice of the Rhode Island District Court.

Read and ordered to be placed on the top of the Calendar for Thursday, April 22, 2004.

**FROM THE HOUSE OF REPRESENTATIVES**

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

**House Resolution No. 7736** SUB A as amended

**BY** Fox

**ENTITLED**, JOINT RESOLUTION PROVIDING FOR A BI-PARTISAN PREPARATORY COMMISSION TO ASSEMBLE INFORMATION ON CONSTITUTIONAL QUESTIONS IN PREPARATION FOR A VOTE BY THE QUALIFIED ELECTORS ON THE HOLDING OF A CONSTITUTIONAL CONVENTION IN ACCORDANCE WITH ARTICLE XIV SECTION 2 OF THE RHODE ISLAND CONSTITUTION

Received and referred to the Senate Committee on Constitutional and Gaming Issues

**NEW BUSINESS**

**Senate Bill No. 3043**

**BY** Senators Connors, Montalbano J

**ENTITLED**, AN ACT RELATING TO ANIMALS - DOGS.

Read and referred to the Senate Committee on Commerce, Housing and Municipal Government

Also:

**Senate Bill No. 3044**

**BY** Senator Bates

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

Read and referred to the Senate Committee on Judiciary

Also:

**Senate Bill No. 3045** (by request)

**BY** Senator Sosnowski

**ENTITLED**, AN ACT RELATING TO APTITUDE AND PSYCHOLOGICAL TESTS FOR LAW ENFORCEMENT CANDIDATES.

Read and referred to the Senate Committee on Judiciary

Also:

**Senate Bill No. 3046** (Attorney General)

**BY** Senators Damiani, Polisena

**ENTITLED**, AN ACT RELATING TO CRIMINAL LAW.

Read and referred to the Senate Committee on Judiciary

Also:

**Senate Bill No. 3047**

**BY** Senator Tassoni

**ENTITLED**, AN ACT RELATING TO MOTOR AND OTHER VEHICLES - - REGISTRATION OF VEHICLES.

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

Also:

**Senate Bill No. 3048**

**BY** Senators Lenihan, Perry, Goodwin, Gallo, Parella

**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS.

Read and referred to the Senate Committee on Government Oversight

Also:

**Senate Bill No. 3049**

**BY** Senators Lenihan, Cote, Tassoni, Fogarty P, Ciccone

**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS.

Read and referred to the Senate Committee on Government Oversight

Also:

**Senate Bill No. 3050**

**BY** Senators Sheehan, Lenihan, Sosnowski, Paiva-Weed, Montalbano J

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

Read and referred to the Senate Committee on Government Oversight

Also:

**Senate Bill No. 3051**

**BY** Senators Lenihan, Montalbano J, Paiva-Weed, Connors, Blais

**ENTITLED**, AN ACT RELATING TO SEPARATION OF POWERS.

Read and referred to the Senate Committee on Government Oversight

Also:

**Senate Resolution No. 3052**

**BY** Senators Sosnowski, Paiva-Weed, Lenihan, Damiani, McCaffrey

**ENTITLED**, JOINT RESOLUTION PROCLAIMING MAY 7, 2004 "URI COMMERCIAL FISHERIES DAY".

Placed on the Senate Consent Calendar

Also:

**Senate Resolution No. 3053**

**BY** Senator Sosnowski

**ENTITLED**, SENATE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL SENATE COMMISSION TO STUDY WASTEWATER RECLAMATION AND REUSE IN RHODE ISLAND.

Placed on the Senate Consent Calendar

Also:

**Senate Resolution No. 3054**

**BY** Senator Paiva-Weed

**ENTITLED**, SENATE RESOLUTION PROCLAIMING APRIL, 2004 AS "PARKINSON'S DISEASE AWARENESS MONTH" IN THE STATE OF RHODE ISLAND.

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 voice vote.

Also:

**Senate Resolution No. 3055**

**BY** Senators Montalbano J, Issa

**ENTITLED**, SENATE RESOLUTION EXPRESSING CONDOLENCES ON THE PASSING OF LANCE CORPORAL MATTHEW KENNETH SERIO.

Senator Issa requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Issa moves passage, seconded by the entire Senate.

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

## REPORTS OF COMMITTEES

### TRANSFER OF BILLS

Senator McCaffrey, for the Committee on Judiciary reports back the following measure, with recommendation of transfer to the Committee on Finance:

**Senate Bill No. 2668**

**BY** Senators Perry, Roberts, Sosnowski, Goodwin, Alves

**ENTITLED**, AN ACT RELATING TO TAXATION.

Read and referred to the Committee on Finance.

## CALENDAR

### IN ORDER FOR WEDNESDAY, APRIL 21, 2004:

- 1 Appointment of Leonard Gemma (Representing Master Plumbers) of Lincoln VICE John Cronin, Jr. (resigned) to the State Building Codes Standards Committee for a term expiring May 1, 2006.

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

Senator Alves, seconded by Senators McBurney, Goodwin and Walaska, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, by unanimous consent, 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, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

### GUESTS

Upon suggestion of Senators Goodwin and Alves and by unanimous consent, the Honorable President welcomes to the Chamber Leonard Gemma, newly confirmed member of the State Building Codes Standards Committee, along with his wife Liz and daughter Kristen.

- 2** Appointment of Joseph Kimball of East Greenwich VICE Bradley J. Waugh (resigned) to the Narragansett Bay Commission for a term expiring April 1, 2005.

Committee on Environment & Agriculture recommends that the Senate give its Advice and Consent to this appointment.

Senator Sosnowski, seconded by Senators Lenihan and Algieri, moves that advice and consent of the Senate be given this appointment.

The advice and consent of the Senate is given this appointment, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 1 Senators voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 1: Senator Polisen.

**3 2004-S 2270**

**BY Algieri**

**ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
OPERATION OF BICYCLES**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Algieri, moves passage, seconded by Senator Breene.

The act is read and passed, by unanimous consent, upon a roll call vote with 32 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 32: Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

ABSTAINED- 1: Senator Montalbano.

**4 2004-S 2674 SUB A**

**BY Breene**

**ENTITLED,** AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
RHODE ISLAND UNIFORM COMMERCIAL DRIVER'S LICENSE  
ACT

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

Senator Breene, 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 roll call vote with 33 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

**5 2004-S 2726**

**BY McCaffrey**

**ENTITLED,** AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND  
PARTNERSHIPS

Committee on Commerce, Housing & Municipal Government recommends passage.

Upon suggestion of Senator McCaffrey and without objection ordered to be recommitted to the Committee on Commerce, Housing and Municipal Government.

**6 2004-S 2776 SUB A**

**BY Ruggerio**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
PROFESSIONAL LAND SURVEYORS

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

Senator Caprio, moves passage, seconded by Senators Damiani.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

**7 2004-S 2097 SUB A**

**BY Sosnowski**

**ENTITLED, AN ACT RELATING TO GROUND WATER PROTECTION**

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

Senator Sosnowski, moves passage, seconded by Senators Paiva-Weed and Damiani.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

**8 2004-S 2198**

**BY Gibbs**

**ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND  
WORKS-LITTER CONTROL AND RECYCLING**

Committee on Environment & Agriculture recommends passage.

Senator Gibbs moves passage, seconded by Senators Roberts, Sheehan and Sosnowski.

The act is read and passed, by unanimous consent, upon a roll call vote with 28 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Badeau, Breene, Caprio, Ciccone, Cote, Damiani, Felag, Gibbs, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**9 2004-S 2975**

**BY Sosnowski**

**ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY --  
AGRICULTURAL FUNCTIONS**

Committee on Environment & Agriculture recommends passage.

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

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

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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 2396**

**BY Lenihan**

**ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES --  
MERIT SYSTEM**

Committee on Government Oversight recommends passage.

Senator Lenihan, moves passage, seconded by Senators Cote, Sheehan, Felag, Perry, Roberts, Breene, Polisena, Gibbs, Parella, Badeau and many others.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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 2193 SUB A**

**BY Ciccone**

**ENTITLED, AN ACT RELATING TO PUBLIC OFFICERS -- APPOINTMENTS**

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

Senator Ciccone moves passage, seconded by Senators Paiva-Weed and Tassoni.

Senator Paiva-Weed seconded by

Senators Ruggerio, Ciccone, Lenihan, Roberts, Perry, Sheehan and others, 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 2193 SUBSTITUTE A**

**AN ACT RELATING TO PUBLIC OFFICERS -- APPOINTMENTS**

Mr. President:

I hereby move to amend 2004 -- S 2193 SUBSTITUTE A, entitled "AN ACT RELATING TO PUBLIC OFFICERS -- APPOINTMENTS", as follows:

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

"SECTION 1. Sections 36-1-6 and 36-1-12 of the General Laws in Chapter 36-1 entitled "Appointment, Qualification, and Tenure of Officers" are hereby amended to read as follows:

**36-1-6. Tenure of officers appointed by governor.** – (a) All persons appointed by the governor, or appointed by the governor with the advice and consent of the senate, shall severally continue in and hold their respective offices for and during the term for which they were severally appointed and until their respective successors are qualified to act, unless sooner removed in accordance with law.

(b) Except as otherwise expressly provided by law, no person appointed to any office or position subject to the advice and consent of the senate shall assume such office or position or exercise any of the powers of such office or position until the senate shall have given its advice and consent to such appointment. In no case shall the governor appoint or designate any person to serve on an "interim" or "acting" basis in circumvention of this section.

**36-1-12. Time allowed for senate action on nominations -- Disapproval -- Withdrawal. --** Whenever the senate shall have been in session for ~~thirty (30)~~ sixty (60) legislative days after notice of the making of appointments by the governor and shall not have disapproved the appointments or shall have failed to act thereon, the appointment by the governor shall stand as confirmed. If the senate shall within the ~~thirty (30)~~ sixty (60) legislative days vote to disapprove the appointment, it forthwith shall notify the governor who, within seven (7) legislative days after notice, shall again make the appointments as

desired and notify the senate thereof and so on in like manner until the senate shall approve or fail to act upon or to disapprove in ~~thirty (30)~~ sixty (60) legislative days, as aforesaid, of the governor's appointments. The governor may withdraw any appointment of which he or she has given notice to the senate at any time within ~~thirty (30)~~ sixty (60) legislative days thereafter and before action has been taken thereon by the senate.

SECTION 2. Sections 42-6-3 and 42-6-11 of the General Laws in Chapter 42-6 entitled "Departments of State Government" are hereby amended to read as follows:

**42-6-3. Appointment of directors. --** (a) At the January session following his or her election to office, the governor shall appoint a director of administration, a director of human services, a director of mental health, retardation, and hospitals, a director of transportation, a director of business regulation, a director of labor and training, a director of environmental management, a director for children, youth and families, a director of elderly affairs, and a director of corrections. The governor shall, in all cases of appointment of a director while the senate is in session, notify the senate of his or her appointment and the senate shall, within ~~thirty (30)~~ sixty (60) legislative days after receipt of the notice, act upon the appointment. If the senate shall, within ~~thirty (30)~~ sixty (60) legislative days, vote to disapprove the appointment it shall so notify the governor, who shall forthwith appoint and notify the senate of the appointment of a different person as director and so on in like manner until the senate shall fail to so vote disapproval of the governor's appointment. If the senate shall fail, for ~~thirty (30)~~ sixty (60) legislative days next after notice, to act upon any appointment of which it has been notified by the governor, the person so appointed shall be the director. The governor may withdraw any appointment of which he or she has given notice to the senate, at any time within ~~thirty (30)~~ sixty (60) legislative days thereafter and before action has been taken thereon by the senate.

(b) Except as expressly provided in section 42-6-9, no director of any department shall be appointed or employed pursuant to any contract of employment for a period of time greater than the remainder of the governor's current term of office. Any contract entered into in violation of this section after [July 1, 1994] is hereby declared null and void.

**42-6-11. Appointment.** -- The governor shall appoint a director of health and in all cases of appointment of the director of health the governor shall while the senate is in session, notify the senate of his or her appointment and the senate shall, within ~~thirty (30)~~ sixty (60) legislative days after receipt of the notice, act upon the appointment. If the senate shall, within ~~thirty (30)~~ sixty (60) legislative days, vote to disapprove the appointment it shall notify the governor, who shall forthwith appoint and notify the senate of the appointment of a different person as director and so on in like manner until the senate shall fail to vote disapproval of the governor's appointment. If the senate shall fail, for ~~thirty (30)~~ sixty (60) legislative days next after notice, to act upon any appointment of which it has been notified by the governor, the person appointed shall be the director. The governor may withdraw any appointment of which he or she has given notice to the senate, at any time within ~~thirty (30)~~ sixty (60) legislative days thereafter and before action has been taken thereon by the senate.

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

Respectfully submitted,  
SENATOR PAIVA-WEED

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

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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 Ciccone, moves passage of the act as amended, seconded by Senators Paiva-Weed and Ruggerio.

Senators Algieri and Paiva-Weed, discuss the act.



The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 27 Senators voting in the affirmative and 5 Senators voting in the negative as follows:

YEAS- 27: The Honorable President Montalbano and Senators Badeau, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggiero, Sheehan, Sosnowski, Tassoni.

NAYS- 5: Senators Algieri, Alves, Breene, Gibbs, Parella.

**12 2004-S 2231 SUB A**

**BY McCaffrey**

**ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION - UNIFORM  
BOAT TITLE ACT**

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

Senator McCaffrey moves passage, seconded by Senators Damiani and Walaska.

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

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

NAYS- 0:

**13 2004-S 2303 as amended**

**BY Breene**

**ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS**

Committee on Judiciary recommends passage as amended.  
Senator Breene, moves passage, seconded by Senator Algieri.

Senators Perry, Damiani and Sheehan, discuss the act.

The act is read and passed, as amended, upon a roll call vote with 23 Senators voting in the affirmative and 7 Senators voting in the negative as follows:

YEAS- 23: The Honorable President Montalbano and Senators Algieri, Breene, Caprio, Ciccone, Cote, Damiani, Felag, Gallo, Gibbs, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Polisen, Raptakis, Revens, Roberts, Ruggiero, Sosnowski, Tassoni, Walaska.

NAYS- 7: Senators Alves, Connors, Fogarty, Parella, Perry, Pichardo, Sheehan.

**14 2004-S 2403****BY McCaffrey****ENTITLED, AN ACT RELATING TO PROPERTY -- MECHANICS' LIENS**

Committee on Judiciary recommends passage.

Senator McCaffrey, moves passage, seconded by Senators Damiani, Polisena and Badeau.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

**15 2004-S 2477****BY McCaffrey****ENTITLED, AN ACT RELATING TO ELECTIONS -- NOMINATION PAPERS**

Committee on Judiciary recommends passage.

Senator McCaffrey, moves passage, seconded by Senators McBurney, Goodwin, Ruggerio, Damiani and Polisena.

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

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

NAYS- 1: Senator Sheehan.

**16 2004-S 2482****BY Raptakis****ENTITLED, AN ACT RELATING TO ELECTIONS**

Committee on Judiciary recommends passage.

Senator Raptakis, moves passage, seconded by Senators Lenihan and Ciccone.

The act is read and passed, upon a roll call vote with 32 Senators voting in the affirmative and 1 Senator voting in the negative as follows:

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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- 1: Senator Alves.

**17 2004-S 2574**

**BY Paiva-Weed**

**ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE**

Committee on Judiciary recommends passage.

Senator Paiva-Weed moves passage, seconded by Senators Ruggerio.

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

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**18 2004-S 2584**

**BY Polisena**

**ENTITLED, AN ACT RELATING TO ELECTIONS -- REFERENDA ELECTIONS**

Committee on Judiciary recommends passage.

Upon suggestion of Senator Polisena, and without objection ordered to be recommitted to the

Committee on Judiciary.

**19 2004-S 2854**

**BY Lenihan**

**ENTITLED, AN ACT RELATING TO ELECTIONS -- CONDUCT OF  
ELECTION AND VOTING EQUIPMENT, AND SUPPLIES**

Committee on Judiciary recommends passage.

Senator Lenihan moves passage, seconded by Senators Sheehan.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

**20 2004-S 2857**

**BY Lenihan**

**ENTITLED,** AN ACT RELATING TO ELECTIONS - BALLOT SECURITY AND STORAGE

Committee on Judiciary recommends passage.

Senator Lenihan moves passage, seconded by Senators Cote, Sheehan and Ciccone.

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

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Cote, Damiani, 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:

**21 2004-S 2858**

**BY Lenihan**

**ENTITLED,** AN ACT RELATING TO ELECTIONS -- TABULATION AND CERTIFICATION OF RETURNS

Committee on Judiciary recommends passage.

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

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

**22 2004-S 2861 as amended****BY Felag****ENTITLED,** AN ACT RELATING TO ELECTIONS -- LOCAL CANVASSING  
AUTHORITY

Committee on Judiciary recommends passage as amended.

Upon suggestion of Senator Felag, and without objection ordered to be placed on the Calendar for Tuesday, April 27, 2004.

**23 2004-S 2934****BY DaPonte****ENTITLED,** AN ACT RELATING TO COURTS AND CIVIL PROCEDURE --  
PROCEDURE GENERALLY

Committee on Judiciary recommends passage.

Upon suggestion of Senator Ruggerio, and without objection ordered to be placed on the Calendar for Wednesday, April 28, 2004.

**24 2004-S 2950****BY Polisena****ENTITLED,** AN ACT RELATING TO MOTOR VEHICLE OFFENSES

Committee on Judiciary recommends passage.

Senator Polisena, moves passage, seconded by Senators Damiani, Sosnowski, Tassoni, Lenihan, Pichardo, Paiva-Weed and many others.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, 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:

**25 2004-S 2971****BY Fogarty P****ENTITLED,** AN ACT RELATING TO THE ELIMINATION OF SCHOOL  
COMMITTEE PRIMARY ELECTIONS IN THE TOWN OF  
GLOCESTER, RHODE ISLAND

Committee on Judiciary recommends passage.

Senator Fogarty, moves passage, seconded by Senators Tassoni, Gallo and Sheehan.

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

YEAS- 32: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Breene, Caprio, Ciccone, Connors, Cote, Damiani, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

#### **ANNOUNCEMENTS**

Senator Walaska announces that the Committee on Financial Services, Technology and Regulatory Issues will meet today, at the rise of the Senate, in the Senate Lounge of the State House.

Senator Goodwin announces that the Committee on Constitutional and Gaming Issues 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 on Thursday, April 22, 2004, at the rise of the Senate, in Room 313 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 Ruggerio, seconded by Senator Algieri, and upon suggestion of Senator Issa, the Senate adjourns at 5:11 o'clock P.M. in memory of Lance Corporal Matthew, Kenneth Serio of North Providence, who gave his life defending our nation.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR JOHN J. TASSONI, JR.**

Dear God, we pray that you keep our purposes clear and our visions keen that we may face today's challenges with high resolve. Amen.

## Appendix

## CONSENT CALENDAR

## IN ORDER FOR THURSDAY, APRIL 22, 2004:

**1 2004-S 3052****BY Sosnowski****ENTITLED,** JOINT RESOLUTION PROCLAIMING MAY 7, 2004 "URI COMMERCIAL FISHERIES DAY"

Ordered to be placed on the Consent Calendar

**2 2004-S 3053****BY Sosnowski****ENTITLED,** SENATE RESOLUTION EXTENDING THE REPORTING DATE OF THE SPECIAL SENATE COMMISSION TO STUDY WASTEWATER RECLAMATION AND REUSE IN RHODE ISLAND

Ordered to be placed on the Consent Calendar

**3 2004-S 2550****BY Roberts****ENTITLED,** JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION TO STUDY THE CURRENT STRENGTHS AND WEAKNESSES OF LIBRARY SERVICES IN THE STATE OF RHODE ISLAND

Committee on Constitutional &amp; Gaming Issues recommends passage.

**4 2004-S 2555****BY Tassoni****ENTITLED,** SENATE RESOLUTION CREATING A SPECIAL SENATE COMMISSION TO STUDY THE IMPACT AND FEASIBILITY OF MOVING REGULATORY AUTHORITY FOR THE AUTO BODY INDUSTRY FROM THE DEPARTMENT OF BUSINESS REGULATION TO THE PUBLIC UTILITIES COMMISSION

Committee on Constitutional &amp; Gaming Issues recommends passage.

**5 2004-S 2993****BY Issa****ENTITLED,** SENATE RESOLUTION RESPECTFULLY REQUESTING THE RHODE ISLAND CONGRESSIONAL DELEGATION TO SPONSOR AND VIGOROUSLY SUPPORT THE ENACTMENT OF THE "INSTRUCTIONAL MATERIALS ACCESSIBILITY ACT" IN THE 108TH SESSION OF CONGRESS



Committee on Constitutional & Gaming Issues recommends passage.

**6 2004-S 3015**

**BY Goodwin**

**ENTITLED,** JOINT RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO REVISE CERTAIN PROVISIONS OF THE MEDICARE PRESCRIPTION DRUG, IMPROVEMENT AND MODERNIZATION ACT OF 2003 (HR-1)

Committee on Constitutional & Gaming Issues recommends passage.

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

**Appendix****CALENDAR****IN ORDER FOR THURSDAY, APRIL 22, 2004:**

- 1** Appointment of William C. Clifton of Cranston VICE Associate Justice Robert Rahill as Associate Justice of the Rhode Island District Court.

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

**2** **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.

**3** **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.

**4** **2004-S 2047 SUB A**

**BY Tassoni**

**ENTITLED,** AN ACT RELATING TO INSURANCE -- NONPROFIT DENTAL  
SERVICE CORPORATIONS

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

**5** **2004-S 2134 SUB A**

**BY Polisena**

**ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
NURSES

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

**6 2004-S 2315 SUB A****BY Pichardo****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
NURSES

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

**7 2004-S 2382 SUB A****BY Blais****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS -  
MENTAL HEALTH COUNSELORS AND MARRIAGE AND FAMILY  
THERAPISTS

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

**8 2004-S 2412 SUB A****BY Roberts****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
DENTISTS AND DENTAL HYGIENISTS

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

**9 2004-S 2542 SUB A****BY Gallo****ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY

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

**10 2004-S 2636 SUB A****BY Roberts****ENTITLED,** AN ACT RELATING TO HUMAN SERVICES -- CERTIFICATION  
OF CHILD CARE AND YOUTH WORKERS

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

**11 2004-S 2680 SUB A****BY Alves****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
NURSING POOLS

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

**12 2004-S 2681 SUB A****BY Blais****ENTITLED, AN ACT RELATING TO PHYSICAL THERAPISTS**

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

**13 2004-S 2814 SUB A****BY Gibbs****ENTITLED, AN ACT RELATING TO INSURANCE**

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

**14 2004-S 2447 SUB A as amended****BY Ruggiero****ENTITLED, AN ACT RELATING TO SAFETY AWARENESS**

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

**15 2004-S 2778 SUB A****BY Ruggiero****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY**

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

**IN ORDER FOR TUESDAY, APRIL 27, 2004:****1 2004-S 2861 as amended****BY Felag****ENTITLED, AN ACT RELATING TO ELECTIONS -- LOCAL CANVASSING  
AUTHORITY**

Committee on Judiciary recommends passage as amended.

**2 2004-S 2040****BY Issa****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
REGISTRATION OF VEHICLES**

Committee on Constitutional & Gaming Issues recommends passage.

**3 2004-S 2042****BY Tassoni****ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES --  
REGISTRATION OF VEHICLES**

Committee on Constitutional & Gaming Issues recommends passage.

**4 2004-S 2102 SUB A**

**BY Cote**

**ENTITLED,** JOINT RESOLUTION PROVIDING FOR BI-PARTISAN PREPARATORY COMMISSION TO ASSEMBLE INFORMATION ON CONSTITUTIONAL QUESTIONS IN PREPARATION FOR A VOTE BY THE QUALIFIED ELECTORS ON THE HOLDING OF A CONSTITUTIONAL CONVENTION IN ACCORDANCE WITH ARTICLE XIV SECTION 2 OF THE RHODE ISLAND CONSTITUTION

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

**5 2004-S 3026 as amended**

**BY Sosnowski**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION

Committee on Environment & Agriculture recommends passage as amended.

**6 2004-S 3027 as amended**

**BY Lenihan**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION

Committee on Environment & Agriculture recommends passage as amended.

**7 2004-S 3028**

**BY Sosnowski**

**ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - WATERS AND NAVIGATION

Committee on Environment & Agriculture recommends passage.

**8 2004-S 3039**

**BY Sosnowski**

**ENTITLED,** AN ACT RELATING TO FISH AND WILDLIFE

Committee on Environment & Agriculture recommends passage.

**9 2004-S 3040**

**BY Roberts**

**ENTITLED,** AN ACT RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION

Committee on Environment & Agriculture recommends passage.

**10 2004-S 2059**

**BY Issa**

**ENTITLED,** AN ACT RELATING TO LEVY AND SALE ON EXECUTION

Committee on Finance recommends passage.

**11 2004-S 2709**

**BY Issa**

**ENTITLED,** AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES -  
RETIREMENT SYSTEM - CONTRIBUTIONS AND BENEFITS

Committee on Finance recommends passage.

**12 2004-S 2619**

**BY Connors**

**ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Financial, Technology, Regulatory recommends passage.

**IN ORDER FOR WEDNESDAY, APRIL 28, 2004:**

**1 2004-S 2934**

**BY DaPonte**

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

Committee on Judiciary recommends passage.

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