

**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. 46

Thursday, May 20, 2004

Forty-sixth Day

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The Senate meets pursuant to adjournment and is called to order by the Honorable John C. Revens, Jr., President Pro Tempore of the Senate, at 4:24 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, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

**ABSENT** – 3: Senators Damiani, DaPonte, Lanzi.

**INVOCATION**

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

(See Appendix for Invocation)

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

**APPROVAL OF RECORD**

The Senate Journal of Wednesday, May 19, 2004 proceedings is read in part.

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

**APPOINTMENTS BY THE GOVERNOR**

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

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE**

Donald L. Carcieri  
Governor

April 20, 2004

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-59-2 of the Rhode Island General Laws, I have made the following reappointment to the Board of Governors for Higher Education:

**Pierre L. LaPerriere of Exeter**

for a term expiring January 31, 2007.

To this reappointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Education.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE**

Donald L. Carcieri  
Governor

April 20, 2004

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-63-5 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Economic Development Corporation:

**Keith W. Stokes of Newport**

for a term expiring February 1, 2008.

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

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Financial Services, Technology and Regulatory Issues.

Also:

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
EXECUTIVE CHAMBER, PROVIDENCE**

Donald L. Carcieri  
Governor

April 21, 2004

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Public Law 2003 Chapter 344, I have made the following appointment to the East Providence Waterfront District Commission:

**Luis A. Torrado, AIA of Providence**

(expertise in the field of Architecture)

for a term expiring March 31, 2008.

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

Sincerely,



Donald L. Carcieri  
Governor

Read and referred to the Committee on Judiciary.

## REPORTS OF COMMITTEES

### 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** SUB A

**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** SUB A

**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** SUB A

**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. 3040** SUB A

**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

Also:

**Senate Bill No. 3113**

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

**ENTITLED**, AN ACT RELATING TO WATERS AND NAVIGATION -- THE RHODE ISLAND BAYS, RIVERS, AND WATERSHEDS COORDINATION TEAM

Read and ordered to be placed on the Calendar

**COMMITTEE ON LABOR**

Senator Badeau, from the Committee on Labor, reports back, with recommendation of passage of the following measure:

**Senate Bill No. 2747** SUB A

**BY** Senators Connors, Badeau, McBurney

**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PLUMBERS AND IRRIGATORS

Read and ordered to be placed on the Calendar

**COMMITTEE ON HEALTH AND HUMAN SERVICES**

Senator Roberts, from the Committee on Health and Human Services, reports back, with recommendation of passage of the following measures:

**Senate Bill No. 2280** SUB A

**BY** Senators Gibbs, Goodwin, Roberts, Parella, Blais

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE FOR WORKING PEOPLE FOR WORKING PEOPLE WITH DISABILITIES

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2504** as amended (Lt. Governor)

**BY** Senators Fogarty P, Goodwin, Gibbs, Connors, Roberts

**ENTITLED**, AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2585** SUB A

**BY** Senators Roberts, Gibbs, Tassoni, Felag, Issa

**ENTITLED**, AN ACT RELATING TO HUMAN SERVICES

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2693**

**BY** Senator Roberts

**ENTITLED**, AN ACT RELATING TO INSURANCE

Read and ordered to be placed on the Calendar

#### **FROM THE HOUSE OF REPRESENTATIVES**

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

**House Bill No. 8340**

**BY** Crowley, Shavers

**ENTITLED**, AN ACT RELATING TO CITIES AND TOWNS

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

Also:

**House Bill No. 8475**

**BY** Menard, McManus, Petrarca

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

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

Also:

**House Bill No. 8483****BY** Menard, Petrarca, McManus**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF LINCOLN TO ISSUE GENERAL OBLIGATION BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$5,000,000 FOR THE IMPROVEMENT, REPAIR, AND RENOVATIONS TO PUBLIC MUNICIPAL BUILDINGS (OTHER THAN SCHOOLS) AND FOR REPAIRS AND IMPROVEMENTS TO SEWER INFRASTRUCTURE IN THE TOWN

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

Also:

**House Bill No. 8544****BY** Flaherty, Gemma, Naughton, McNamara, Trillo**ENTITLED**, AN ACT RELATING TO THE CITY OF WARWICK TO PLACE ON THE BALLOT A QUESTION AUTHORIZING \$2,000,000 IN BONDS TO PURCHASE OPEN SPACE

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

Also:

**House Bill No. 8542****BY** Carter, Rose, Malik, Brien T, Gallison**ENTITLED**, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -- RHODE ISLAND VETERANS' HOME

Received and referred to the Senate Committee on Finance

Also:

**House Bill No. 7666** as amended**BY** Senators Handy, Coderre E, Anderson R, Anguilla, Ajello**ENTITLED**, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Received and referred to the Senate Committee on Health and Human Services

**GUESTS**

Upon suggestion of Senators Paiva-Weed, Montalbano, Felag, Ruggerio, Walaska and McBurney and by unanimous consent, the Honorable President welcomes to the Chamber "Be a Hero to a Child" Participants and their Heroes, Jarrod Holgate and Dad, Julianna Maccarone and Dad, Lori Chace and Brother, Rui Bairos and Uncle Jimain, Simone Letendre and her two brothers and Tara O'Shea and Mom.

Upon suggestion of Senator Gibbs and by unanimous consent, the Honorable President welcomes to the Chamber Richard Kasper President and Chief Operating Officer of Gemcar Corporation.

## NEW BUSINESS

**Senate Resolution No. 3127****BY** Senator Algieri**ENTITLED**, SENATE RESOLUTION CELEBRATING "NEIGHBOR DAY" ON MAY 23, 2004 IN THE STATE OF RHODE ISLAND AND MEMORIALIZING THE UNITED STATES CONGRESS TO ENACT SIMILAR LEGISLATION THROUGHOUT THE UNITED STATES.

Senator Algieri requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Algieri moves passage, seconded by the entire Senate.

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

Also:

**Senate Resolution No. 3128****BY** Senator Tassoni**ENTITLED**, SENATE RESOLUTION EXPRESSING PROFOUND SYMPATHY ON THE PASSING OF JOHN R. DEVINE.

Senator Tassoni requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Tassoni moves passage, seconded by the entire Senate.

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

Also:

**Senate Resolution No. 3129****BY** Senators Ciccone, Pichardo, Ruggiero**ENTITLED**, SENATE RESOLUTION MEMORIALIZING CONGRESS TO VOTE AGAINST ANY FUTURE TAX BREAKS OR MAKING PERMANENT THE 2001 AND 2003 TAX CUTS FOR WEALTHY AMERICANS AND LARGE CORPORATIONS AND INSTEAD INCREASE SPENDING ON EDUCATION AND INVEST IN OUR SCHOOLS AND CHILDREN.

Senator Ciccone requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Ciccone moves passage, seconded by the entire Senate.

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



Also:

**Senate Bill No. 3130**

**BY** Senator Breene

**ENTITLED**, AN ACT CREATING THE WEST GREENWICH FIRE DISTRICT.

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

Also:

**Senate Bill No. 3131**

**BY** Senators Connors, Badeau

**ENTITLED**, AN ACT RELATING TO EDUCATION - FOUNDATION LEVEL SCHOOL SUPPORT.

Read and referred to the Senate Committee on Finance

Also:

**Senate Bill No. 3132**

**BY** Senators Bates, Felag, Parella

**ENTITLED**, AN ACT AUTHORIZING THE BRISTOL WARREN REGIONAL SCHOOL DISTRICT TO FINANCE PHASE ONE OF THE ELEMENTARY FACILITIES PROGRAM FOR CONSTRUCTION OF ADDITIONS, IMPROVEMENTS AND RENOVATIONS TO HUGH COLE ELEMENTARY SCHOOL IN WARREN, RHODE ISLAND AND TO COLT MEMORIAL, ANDREWS AND ROCKWELL SCHOOLS IN BRISTOL, RHODE ISLAND, INCLUDING SITE INFRASTRUCTURE AND IMPROVEMENTS, THE FURNISHING AND EQUIPPING THEREOF AND THE PROVISION OF ARCHITECTURAL, ENGINEERING, SURVEYING AND OTHER SERVICES NECESSARY OR APPROPRIATE THEREFOR, AND TO ISSUE NOT MORE THAN \$22,800,000 BONDS AND NOTES THEREFOR.

Read and referred to the Senate Committee on Finance

Also:

**Senate Bill No. 3133**

**BY** Senator Caprio F

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

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

Also:

**Senate Resolution No. 3134**

**BY** Senator Roberts

**ENTITLED**, SENATE RESOLUTION PROCLAIMING MAY 23 - MAY 29, 2004 AS "FALL PREVENTION AWARENESS WEEK" IN THE STATE OF RHODE ISLAND.

Senator Roberts requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Roberts moves passage, seconded by the entire Senate.

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

### CALENDAR

#### IN ORDER FOR THURSDAY, MAY 20, 2004:

1. Appointment of Jerry L. McIntyre, Esquire of Jamestown VICE Alan S. Flink to the Commission on Judicial Tenure and Discipline for a term expiring April 1, 2006.

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

Senator Paiva-Weed, seconded by Senators Algieri, Blais, Perry, Breene, McCaffrey, Sheehan and McBurney, 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 31 Senators voting in the affirmative and 0 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 31: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisen, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Montalbano.

### GUESTS

Upon suggestion of Senator Paiva-Weed and by unanimous consent, the Honorable President welcomes to the Chamber Jerry L. McIntyre of Jamestown, newly confirmed member of the Commission on Judicial Tenure and Discipline.

### NOW PRESIDING

The Honorable President Pro Tempore yields the rostrum to the Honorable President Joseph A. Montalbano at 4:45 o'clock P.M.

## CALENDAR

**2. 2004-S 2825 SUB A as amended****BY Polisena****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS - -  
CORRECTIONAL OFFICERS -- ARBITRATORS

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

Senator Polisena moves passage, seconded by Senators Goodwin and many others.

The bill marked Substitute "A" is read and passed, as amended, and the original bill indefinitely postponed, upon 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, Badeau, Blais, Caprio, Ciccone, Connors, Felag, Fogarty, Gallo, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

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

**3. 2004-S 2527****BY Connors****ENTITLED,** AN ACT RELATING TO HOMESTEAD EXEMPTIONS IN THE TOWN  
OF LINCOLN

Committee on Commerce, Housing & Municipal Government recommends passage.

Upon suggestion of Senator Connors, and without objection, ordered to be recommitted to the committee on Commerce.

**4. 2004-S 2990****BY Parella****ENTITLED,** AN ACT RELATING TO TAXATION -- PROPERTY SUBJECT TO  
TAXATION

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Parella moves passage, seconded by Senators Bates, Felag and McBurney.

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, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan,

McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

**5. 2004-S 2991**

**BY Parella**

**ENTITLED,** AN ACT AMENDING AN ACT EXEMPTING FROM TAXATION AND AUTHORIZING THE HERRESHOFF MARINE MUSEUM TO INCREASE ITS HOLDINGS FROM AN AMOUNT NOT EXCEEDING ONE MILLION SIX HUNDRED THOUSAND DOLLARS (\$1,600,000) TO AN AMOUNT NOT EXCEEDING FOUR MILLION SIX HUNDRED THOUSAND DOLLARS (\$4,600,000)

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Parella moves passage, seconded by Senators Bates and Felag.

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

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

NAYS- 0:

**6. 2004-S 3030**

**BY Felag**

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

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Felag moves passage, seconded by Senators Bates and Parella.

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

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

NAYS- 0:

**7. 2004-S 3031****BY Revens****ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Revens moves passage, seconded by Senators Roberts, Walaska and McCaffrey.

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

NAYS- 0:

**8. 2004-S 3043****BY Connors****ENTITLED, AN ACT RELATING TO ANIMALS - DOGS**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Connors moves passage, seconded by Senator Issa.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, 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 3059****BY Revens****ENTITLED, AN ACT RELATING TO TAX CREDIT IN THE CITY OF WARWICK**

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Revens moves passage, seconded by Senators McCaffrey, Walaska and Roberts.

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

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

NAYS- 0:

**Statement of Conflict of Interest  
Pursuant to R.I. Gen. Laws § 36-14-6**

I, Senator John J. Tassoni, Jr., holding the position of

Rhode Island State Senator, hereby under oath depose and say:  
(job title or appointed/elected position and name of board/commission/agency/department)

1. A matter involving 2004S – 3060, An Act Exempting from Taxation Property of Harmony Hill School, Inc. to an Amount Not Exceeding Ten Million Dollars (\$10,000,000).

is presently before The Rhode Island State Senate.  
(name of board/commission/agency/department)

2. I have the following interest in the matter noted in paragraph 1 above:

Advisory Board

3. [Please select one of the following]:

(X) A. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby recuse from participating in the discussion of or taking official action relating to said matter. (This does not prohibit participation as a member of the public in an open meeting, pursuant to Commission Regulation 7003.)

( ) B. In compliance with R.I. Gen. Laws § 36-14-6(1), I hereby state that despite the interest described above, I believe I am able to participate fairly, objectively and in the public interest regarding said matter for the following reasons:

Signed under the penalties of perjury this 20th day of May, 2004.

John J. Tassoni, Jr.  
Signature

## CALENDAR

**10. 2004-S 3060****BY Fogarty P****ENTITLED,** AN ACT EXEMPTING FROM TAXATION PROPERTY OF HARMONY HILL SCHOOL, INC. TO AN AMOUNT NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000)

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Fogarty moves passage, seconded by Senator Walaska.

Senator Fogarty seconded by Senator Blais offers an oral motion to amend.

The motion to amend prevails 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: Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Walaska.

NAYS- 0:

ABSTAINED- 1: Senator Tassoni.

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

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

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

NAYS- 0:

ABSTAINED- 1: Senator Tassoni.

**11. 2004-S 3065****BY Sheehan****ENTITLED,** AN ACT NAMING THE LONG TERM CARE PROGRAM, AND ASSOCIATED HOSPITAL WARDS, LOCATED AT THE R.I. INSTITUTE OF MENTAL HEALTH AFTER DR. ANDO SUVARI

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Sheehan moves passage, seconded by Senator Fogarty.

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

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

NAYS- 0:

**12. 2004-S 3071**

**BY Issa**

**ENTITLED,** AN ACT AUTHORIZING THE CITY OF CENTRAL FALLS TO ISSUE BONDS AND NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR CAPITAL IMPROVEMENTS TO VARIOUS CITY BUILDINGS IN ORDER TO COMPLY WITH THE RECENTLY REVISED STATE MANDATED BUILDING CODE REGULATIONS

Committee on Commerce, Housing & Municipal Government recommends passage.

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

**13. 2004-S 3083**

**BY Sosnowski**

**ENTITLED,** AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD

Committee on Commerce, Housing & Municipal Government recommends passage.

Upon suggestion of Senator Sosnowski and without objection, ordered to be placed on the Calendar for Tuesday, May 25, 2004.

**14. 2004-S 3084**

**BY Felag**

**ENTITLED,** AN ACT RELATING TO CITIES AND TOWNS - WARREN

Committee on Commerce, Housing & Municipal Government recommends passage.

Upon suggestion of Senator Felag and without objection, ordered to be placed on the Calendar for Tuesday, May 25, 2004.

**15. 2004-S 2351**

**BY McBurney**

**ENTITLED,** AN ACT RELATING TO VICTIMS ECONOMIC SECURITY AND SAFETY

Committee on Judiciary recommends passage.



Senator McBurney moves passage, seconded by Senators Tassoni, Goodwin and Polisena.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, 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 Goodwin announces that the Committee on Constitutional and Gaming Issues will meet on Monday, May 24, 2004, at 1:00 o'clock P.M. in Room 313 of the State House.

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

### FROM THE DESK

Upon Suggestion of Senator Paiva-Weed, and with out objection, the following item is removed from the desk and acted on as follows:

**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

### 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.

### DESK TO REMAIN OPEN

Upon suggestion of Senator Paiva-Weed, and without objection, the desk will remain open upon adjournment, in order to receive items of new business, Committee reports, messages from the House and any other items as ordered by the President.

As ordered, the following items were received after adjournment and included in the Senate Journal for Thursday, May 20, 2004.

### 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. 2551** SUB A

**BY** Senator Goodwin

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES

Read and ordered to be placed on the Calendar

Also:

**Senate Bill No. 2554** SUB A as amended

**BY** Senator Goodwin

**ENTITLED**, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES

Read and ordered to be placed on the Calendar

### NEW BUSINESS

**Senate Resolution No. 3135**

**BY** Senator Roberts

**ENTITLED**, JOINT RESOLUTION MAKING AN APPROPRIATION OF \$316.79 TO PAY NORMAN G. ORODENKER, 32 FORT AVENUE, CRANSTON, RHODE ISLAND 02905.

Read and referred to the Senate Committee on Finance

Also:

**Senate Bill No. 3136**

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

**ENTITLED**, AN ACT AUTHORIZING THE TOWN OF BURRILLVILLE TO FINANCE THE CONSTRUCTION, EQUIPPING AND FURNISHING OF AN ADDITION TO AND REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY REPAIRS TO THE W.L. CALLAHAN ELEMENTARY SCHOOL AND TO ISSUE NOT MORE THAN \$7,500,000 BONDS THEREFOR.

Read and referred to the Senate Committee on Finance

Also:

**Senate Bill No. 3137**

**BY** Senator Montalbano J

**ENTITLED**, AN ACT RELATING TO THE GENERAL ASSEMBLY -- COMPOSITION OF THE SENATE.

Read and referred to the Senate Committee on Judiciary

**ADJOURNMENT**

Upon motion of Senator Ruggerio, seconded by Senator Algieri, and upon suggestion of Senator Tassoni, the Senate adjourns at 4:50 o'clock P.M. in memory of John R. Devine of Smithfield.

RAYMOND T. HOYAS, JR.  
Secretary of the Senate

**Appendix**

**INVOCATION**

**SENATOR KEVIN A. BREENE**

Heavenly Father, You knew that in our highest and best moments, we deeply desire to be true servants of Your will. Impart to us now the grace and strength we need for our solemn responsibilities. Amen.

**Appendix****CALENDAR****IN ORDER FOR TUESDAY, MAY 25, 2004:****1 2004-S 3083****BY Sosnowski****ENTITLED, AN ACT RELATING TO THE BLOCK ISLAND HOUSING BOARD**

Committee on Commerce, Housing &amp; Municipal Government recommends passage.

**2 2004-S 3084****BY Felag****ENTITLED, AN ACT RELATING TO CITIES AND TOWNS - WARREN**

Committee on Commerce, Housing &amp; Municipal Government recommends passage.

**3 2004-S 2725 as amended****BY Ciccone****ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - ABANDONED CARS**

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

**4 2004-S 2791****BY Goodwin****ENTITLED, AN ACT RELATING TO PUBLIC UTILITIES AND CARRIERS --  
TOWING STORAGE ACT**

Committee on Commerce, Housing &amp; Municipal Government recommends passage.

**5 2004-S 2032 SUB A****BY Blais****ENTITLED, AN ACT RELATING TO HUMAN SERVICES - ABUSED AND  
NEGLECTED CHILDREN**

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

**6 2004-S 2051****BY Blais****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT**

Committee on Judiciary recommends passage.

**7 2004-S 2921****BY Damiani****ENTITLED,** AN ACT RELATING TO CRIMINAL PROCEDURE -- DNA  
DETECTION OF FELONY OFFENDERS

Committee on Judiciary recommends passage.

**8 2004-S 3003****BY Pichardo****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
TRANSPORTATION OF WORKERS

Committee on Labor recommends passage.

**9 2004-H 7083 SUB A****BY Corvese****ENTITLED,** AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
CONTRACTORS' BONDSCommittee on Labor recommends indefinite postponement of the original bill and  
passage of Substitute A in concurrence.**10 2004-H 7084 SUB A****BY Corvese****ENTITLED,** AN ACT RELATING TO SAFETY AWARENESSCommittee on Labor recommends indefinite postponement of the original bill and  
passage of Substitute A in concurrence.**11 2004-H 7863****BY Williams****ENTITLED,** AN ACT RELATING TO LABOR AND LABOR RELATIONS -  
TRANSPORTATION OF WORKERS

Committee on Labor recommends passage in concurrence.

**12 2004-H 7875 SUB A as amended****BY Winfield****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --  
SUNDAY BUSINESSCommittee on Labor recommends indefinite postponement of the original bill and  
passage of Substitute A in concurrence.

**13 2004-H 7910 SUB A****BY Moura****ENTITLED, AN ACT RELATING TO LABOR -- PAYMENT OF WAGES**

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

**14 2004-H 7994****BY Carter****ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS --  
MECHANICAL TRADES**

Committee on Labor recommends passage in concurrence.

**15 2004-H 8150 SUB A****BY Trillo****ENTITLED, AN ACT RELATING TO MECHANICAL TRADES**

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

**IN ORDER FOR WEDNESDAY, MAY 26, 2004:****1 2004-S 2294 SUB A as amended****BY Lanzi****ENTITLED, AN ACT RELATING TO PUBLIC PROPERTY AND WORKS --  
GOVERNMENT OVERSIGHT AND FISCAL ACCOUNTABILITY  
REVIEW ACT**

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

**2 2004-S 3026 SUB A****BY Sosnowski****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION**

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

**3 2004-S 2551 SUB A****BY Goodwin****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES**

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

**4 2004-S 2554 SUB A as amended****BY Goodwin****ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES -- LICENSES**

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

**5 2004-S 3027 SUB A****BY Lenihan****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION**

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

**6 2004-S 3028 SUB A****BY Sosnowski****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -  
WATERS AND NAVIGATION**

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

**7 2004-S 3039****BY Sosnowski****ENTITLED, AN ACT RELATING TO FISH AND WILDLIFE**

Committee on Environment & Agriculture recommends passage.

**8 2004-S 3040 SUB A****BY Roberts****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- WATER  
POLLUTION**

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

**9 2004-S 3113****BY McCaffrey****ENTITLED, AN ACT RELATING TO WATERS AND NAVIGATION -- THE  
RHODE ISLAND BAYS, RIVERS, AND WATERSHEDS  
COORDINATION TEAM**

Committee on Environment & Agriculture recommends passage.

**10 2004-S 2280 SUB A****BY Gibbs****ENTITLED, AN ACT RELATING TO HUMAN SERVICES -- HEALTH CARE  
FOR WORKING PEOPLE FOR WORKING PEOPLE WITH**



## DISABILITIES

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

**11 2004-S 2504 as amended****BY Fogarty P****ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- RIGHTS OF NURSING HOME PATIENTS**

Committee on Health & Human Services recommends passage as amended.

**12 2004-S 2585 SUB A****BY Roberts****ENTITLED, AN ACT RELATING TO HUMAN SERVICES**

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

**13 2004-S 2693****BY Roberts****ENTITLED, AN ACT RELATING TO INSURANCE**

Committee on Health & Human Services recommends passage.

**14 2004-S 2747 SUB A****BY Connors****ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PLUMBERS AND IRRIGATORS**

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

**IN ORDER FOR THURSDAY, MAY 27, 2004:****1 2004-S 3089****BY Fogarty P****ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - MILL BUILDING AND ECONOMIC REVITALIZATION ACT**

Committee on Finance recommends passage.

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