

State of Rhode Island and Providence Plantations

Journal of the Senate

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

Volume 131, No. 51

Wednesday, June 2, 2004

Fifty-first Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:18 o'clock P.M.

The roll is called and a quorum is declared present with 34 Senators present and 2 Senators absent as follows:

PRESENT – 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, Polisen, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 2: Senators Revens, Roberts.

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Thursday, May 27, and Tuesday, June 1, 2004 proceedings are read in part.

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

GUESTS

Upon suggestion of Senator Alves and by unanimous consent, the Honorable President welcomes to the Chamber Brenna McCaffrey, daughter of Senator McCaffrey.

APPOINTMENTS BY THE GOVERNOR

The Honorable President 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

May 14, 2004

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-61-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island Public Telecommunications Authority:

Kibbe S. Reilly of Providence

For a term expiring January 31, 2007.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Finance.

Also:

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

Donald L. Carcieri
Governor

May 7, 2004

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 16-60-2 of the Rhode Island General Laws, I have made the following reappointment to the Board of Regents for Elementary and Secondary Education:

Karin L. Forbes of North Kingstown

VICE
Vidal P. Perez

To this reappointment, I respectfully 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

May 7, 2004

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-55-4 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Housing and Mortgage Corporation:

Jose V. Monteiro, Jr. of Providence

VICE
Victor Capellan

For a term to expire July 1, 2007.

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

Sincerely,



Donald L. Carcieri
Governor

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

Also:

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

Donald L. Carcieri
Governor

May 21, 2004

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 5-1-3 of the Rhode Island General Laws, I have made the following appointment to the Board of Registration and Examination of Architects:

Wilbur E. Yoder, AIA, PE of Providence

VICE
Andrew Yates

For a term expiring April 1, 2009.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 8588

BY Fox, Watson

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Senator McCaffrey requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator McCaffrey moves passage, seconded by Senator Paiva-Weed.

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

YEAS- 31: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Parella, Perry, Pichardo, Polisen, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

House Bill No. 8575

BY Watson, Anderson R

ENTITLED, AN ACT CREATING THE WEST GREENWICH FIRE DISTRICT.

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

Also:

House Resolution No. 8514 as amended

BY Corvese, Anguilla, Story, Menard, Lima

ENTITLED, JOINT RESOLUTION RESPECTFULLY REQUESTING THE DEPARTMENT OF BUSINESS REGULATION TO CONDUCT A COMPREHENSIVE STUDY OF HEALTH INSURANCE MARKET REFORM - THE RHODE ISLAND HEALTH CARE REFORM ACT OF 2004: EVALUATION OF INSURANCE REFORMS.

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

Also:

House Bill No. 7658 as amended

BY Giannini, Aubin, Gallison

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS - BOARD OF RADIOLOGIC TECHNOLOGY.

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

Also:

House Bill No. 8584

BY Kilmartin

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PRINCETON REVIEW OF RHODE ISLAND, INC..

Read and referred to the Consent Calendar

Also:

Senate Resolution No. 2550 as amended

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.

Read and referred to the Calendar

REPORTS OF COMMITTEES

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

Senator Sosnowski, from the Committee on Environment and Agriculture, reports back, with recommendation that advice and consent of the Senate be given to the following:

Appointment of Everett A. Petronio, Jr. of Johnston VICE Gil Pope to the Atlantic State Marine Fisheries Commission for a term expiring January 1, 2005.

Read and referred to the Consent Calendar.

Also:

Appointment of Andrew E. Tate of Bristol VICE Dr. J. Stanley Cobb to the Marine Fisheries Council for a term expiring April 1, 2008.

Read and referred to the Consent Calendar.

Also:

Appointment of Stephen Parente (representing the commercial fishing industry) of Wakefield to the Marine Fisheries Council for a term expiring April 1, 2007.

Read and referred to the Consent Calendar.

COMMITTEE ON LABOR

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

House Bill No. 7085 SUB A as amended

BY Corvese, Brien T, Laroche, San Bento, Almeida

ENTITLED, AN ACT RELATING TO LABOR AND LABOR RELATIONS - -
CORRECTIONAL OFFICERS -- ARBITRATORS

Read and ordered to be placed on the Calendar.

NEW BUSINESS

Senate Resolution No. 3157

BY Senators Walaska, Gallo, Fogarty P, Felag, McCaffrey

ENTITLED, SENATE RESOLUTION HONORING THE 2ND SQUADRON OF THE 3RD ARMORED CAVALRY REGIMENT FOR THEIR HEROIC DUTY IN IRAQ AND FOR THE "ESPRIT DE CORPS" THEY EXTENDED TO ALL THE SOLDIERS OF THE RHODE ISLAND ARMY NATIONAL GUARD.

Senator Walaska requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Walaska moves passage, seconded by the entire Senate.

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

Also:

Senate Resolution No. 3158

BY Senator Montalbano J

ENTITLED, SENATE RESOLUTION PROCLAIMING MAY 15, 2004 THROUGH JUNE 15, 2004 AS TOURETTE SYNDROME AWARENESS MONTH.

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.

GUESTS

Upon suggestion of Senator Paiva-Weed and by unanimous consent, the Honorable President welcomes to the Chamber from the Tourette Syndrome Association of Rhode Island Board Members: Dr. Barbara Baron, Dan and Mary Schatz with their son Christian, who is a peer mentor, Vera DeMarco, Annette Harris, Ann Marie Vittoria, and association members: Mercy Rico with her son Adrienne, and Emilie Joyal with her son Joseph.

NEW BUSINESS

Senate Bill No. 3159

BY Senator Sheehan

ENTITLED, AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES.

Senator Sheehan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Sheehan moves passage, seconded by Senator Paiva-Weed.

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, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Also:

Senate Bill No. 3160

BY Senators DaPonte, Damiani

ENTITLED, AN ACT AUTHORIZING THE CITY OF EAST PROVIDENCE, TO FINANCE THE ACQUISITION OF A SITE AND THE DESIGN AND CONSTRUCTION OF A MULTI-PURPOSE COMMUNITY/RECREATION COMPLEX IN LIEU OF CONVERTING MARTIN MIDDLE SCHOOL TO SUCH PURPOSE, AS WAS PREVIOUSLY APPROVED BY THE VOTERS OF EAST PROVIDENCE, AND TO ISSUE NOT MORE THAN \$5,000,000 BONDS AND NOTES THEREFOR.

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 3161

BY Senator Perry

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

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

Also:

Senate Bill No. 3162

BY Senator Pichardo

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

Read and referred to the Senate Committee on Finance

FROM THE DESK

Upon suggestion of Senator Ruggerio, and without objection, the following item is removed from the desk and acted on as follows:

House Bill No. 7326

BY Shanley, Lally, Caprio D, Slater

ENTITLED, AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION -- SOUTH KINGSTOWN.

Read and ordered to be placed on the Calendar.

Statement of Potential Conflict

TO THE HONORABLE SENATE:

I Leo R. Blais hereby under oath depose and say:

1. I am a duly elected member of the Rhode Island Senate.
2. This statement is made in accord with Rhode Island General Law section 36-14-6
3. In my official capacity, I may be expected or required to vote or participate in the deliberations of bill(s) 04-H 7240 now pending before the Senate or a committee thereof.
4. I request that I be excused from voting, deliberating or taking action on the matter.
5. I do not desire to vote or deliberate because I have a potential conflict of interest as follows:
I am a pharmacist and owner of the Pawtuxet Valley Prescription and Surgical Center, Inc.
6. This statement is true to the best of my knowledge.

Leo R. Blais

Signed and sworn to before me this 2nd day of June, 2004

Raymond T. Hoyas, Jr.
Notary Public

CALENDAR

IN ORDER FOR WEDNESDAY, JUNE 2, 2004:

Upon suggestion of Senate Majority Leader Paiva-Weed, and without objection, the following acts will be considered in one vote:

15. 2004-H 7182 as amended

BY Lowe

ENTITLED, AN ACT RELATING TO TAXATION -- MUNICIPAL LIEN CERTIFICATES

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

16. 2004-H 7194 SUB A

BY San Bento

ENTITLED, AN ACT RELATING TO INSURANCE - FIRE INSURANCE APPLICATIONS

Committee on Financial, Technology, Regulatory recommends indefinite postponement of the original bill and passage of Substitute A in concurrence.

17. 2004-H 7240

BY Gallison

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- LYME DISEASE AND TREATMENT

Committee on Health & Human Services recommends passage in concurrence.

19. 2004-H 7383

BY Shanley

ENTITLED, AN ACT RELATING TO AGRICULTURE AND FORESTRY --
RIGHT TO FARM

Committee on Environment & Agriculture recommends passage in concurrence.

20. 2004-H 7423 as amended

BY Kennedy

ENTITLED, AN ACT RELATING TO LIABILITY INSURANCE - RENTAL
VEHICLE COVERAGE

Committee on Financial, Technology, Regulatory recommends passage as amended in
concurrence.

21. 2004-H 7480

BY Carter

ENTITLED, AN ACT RELATING TO THE EXETER - WEST GREENWICH
SCHOOL DISTRICT

Committee on Finance recommends passage in concurrence.

22. 2004-H 7457

BY Flaherty

ENTITLED, AN ACT RELATING TO AERONAUTICS - UNIFORM
AERONAUTICAL REGULATORY ACT

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

23. 2004-H 7504

BY Montanaro

ENTITLED, AN ACT RELATING TO MILITARY AFFAIRS AND DEFENSE -
EMERGENCY MANAGEMENT

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

24. 2004-H 7611

BY Rose

ENTITLED, AN ACT RELATING TO PUBLIC FINANCE MANAGEMENT
BOARD

Committee on Finance recommends passage in concurrence.

25. 2004-H 7640**BY Corvese****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS --
ARCHITECTS, ENGINEERS, LAND SURVEYORS AND
LANDSCAPE ARCHITECTS

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

26. 2004-H 7679**BY Rose****ENTITLED,** AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE
-- UNCLAIMED INTANGIBLE AND TANGIBLE PROPERTY

Committee on Finance recommends passage in concurrence.

27. 2004-H 7700**BY Anderson R****ENTITLED,** AN ACT RELATING TO REGIONAL SCHOOL DISTRICTS -
EXETER - WEST GREENWICH

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

28. 2004-H 7717**BY Ginaitt****ENTITLED,** AN ACT RELATING TO ASSISTED LIVING RESIDENCES

Committee on Health & Human Services recommends passage in concurrence.

29. 2004-H 7767**BY Lewiss****ENTITLED,** AN ACT IN AMENDMENT OF SECTION 2 OF AN ACT ENTITLED
"AN ACT TO INCORPORATE THE WATCH HILL FIRE DISTRICT",
APPROVED MAY 2, 1941

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

30. 2004-H 7792 SUB A as amended**BY Winfield****ENTITLED,** AN ACT RELATING TO BUSINESSES AND PROFESSIONS

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

31. 2004-H 7798 SUB A**BY Kennedy****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 in concurrence.

32. 2004-H 7913**BY Kennedy****ENTITLED, AN ACT RELATING TO DEER HUNTING**

Committee on Environment & Agriculture recommends passage in concurrence.

34. 2004-H 8032 SUB A**BY Lowe****ENTITLED, AN ACT RELATING TO TAXES -- BURRILLVILLE**

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

35. 2004-H 8034**BY Lowe****ENTITLED, AN ACT RELATING TO TAXATION**

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

36. 2004-H 8039 SUB A**BY Fox****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 in concurrence.

37. 2004-H 8048 SUB A**BY Ginaitt****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 in concurrence.

39. 2004-H 8117**BY Gallison****ENTITLED, AN ACT IN AMENDMENT TO AN ACT RELATING TO THE PORTSMOUTH WATER AND FIRE DISTRICT**

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

40. 2004-H 8159

BY Watson

ENTITLED, AN ACT RELATING TO INSURANCE -- RHODE ISLAND LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION ACT

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

41. 2004-H 8165

BY Story

ENTITLED, AN ACT RELATING TO INSURANCE -- MANDATORY PRELICENSING EDUCATION REQUIREMENTS

Committee on Financial, Technology, Regulatory recommends passage in concurrence.

42. 2004-H 8167 SUB A

BY Story

ENTITLED, AN ACT RELATING TO INSURANCE

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

45. 2004-H 8340

BY Crowley

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS

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

53. 2004-H 8404

BY Malik

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

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

58. 2004-H 8475

BY Menard

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

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

60. 2004-H 8490 SUB A**BY Malik****ENTITLED, AN ACT RELATING TO CITIES AND TOWNS -- WARREN**

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

Senator Ruggerio moves passage, seconded by Senator Algieri.

The acts are 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 and 1 Senator Abstaining on 04-H 7240 as follows:

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

NAYS- 0:

ABSTAINED ON 04-H 7240: Senator Blais

1. 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.

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

2. 2004-S 2035**BY Blais****ENTITLED, AN ACT RELATING TO THE REGULATION OF EARTH
REMOVAL AND GRAVEL PROCESSING IN THE TOWN OF
COVENTRY**

Committee on Commerce, Housing & Municipal Government recommends passage.

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

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, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3. 2004-S 2176

BY Tassoni

ENTITLED, AN ACT RELATING TO TAXATION -- MUNICIPAL LIEN
CERTIFICATES

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Tassoni moves passage, seconded by Senator Felag.

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, Polisen, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4. 2004-S 2510 SUB A

BY Caprio F

ENTITLED, AN ACT RELATING TO COMMERCIAL LAW -- GENERAL
REGULATORY PROVISIONS -- UNIT PRICING

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 Ruggerio, Tassoni and DaPonte.

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

NAYS- 0:

5. 2004-S 2675

BY Gibbs

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Gibbs moves passage, seconded by Senators Bates, Algieri, Polisen, Damiani and Paiva-Weed.

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

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

TO

2004 -- S 2675

AN ACT RELATING TO MOTOR AND OTHER VEHICLES

Mr. President:

I hereby move to amend 2004 -- S 2675, entitled "AN ACT RELATING TO MOTOR AND OTHER VEHICLES", as follows:

1. On page 1, line 7, by deleting all of the language following the word and semicolon "free;"
2. On page 1, lines 8 and 9, by deleting all of the language appearing on said lines;
3. On page 1, line 10, by deleting the language "maximum safety equipment" and inserting in place thereof the language "definition and";
4. On page 1, line 10, by inserting the language "for low-speed vehicles" after the word "requirements";
5. On page 2, by inserting the following language between lines 12 and 13:
"(g) Low-speed vehicles are subject to inspection biannually in accordance with applicable federal safety standards pursuant to regulations to be promulgated by the division of motor vehicles. Low-speed vehicles shall also be subject to registration pursuant to regulations to be promulgated by the division.";
6. On page 1, at lines 11, 12, 14, 16, 17 and 18 and page 2, at lines 3, 4, 6, 8, 10 and 11, by inserting a hyphen between the words "low" and "speed".

Respectfully submitted,
SENATOR GIBBS

The motion to amend prevails 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, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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

Senator Polisena discusses the act.

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

NAYS- 0:

6. 2004-S 3022

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO CITIES AND TOWNS

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Paiva-Weed moves passage, seconded by Senator Felag.

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, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

7. 2004-S 3116

BY Tassoni

ENTITLED, AN ACT RELATING TO TAXATION - LEVY AND ASSESSMENT OF LOCAL TAXES

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Tassoni moves passage, seconded by Senator Walaska.

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, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8. 2004-S 3118

BY Parella

ENTITLED, AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$3,500,000 TO CONSTRUCT A GYMNASIUM, FOR PORTSMOUTH HIGH SCHOOL

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Parella moves passage, seconded by Senator Blais.

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, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9. 2004-S 3133

BY Caprio F

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

Committee on Commerce, Housing & Municipal Government recommends passage.

Senator Caprio moves passage, seconded by Senator Tassoni.

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 as follows:

YEAS- 31: 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, Perry, Pichardo, Polisen, Raptakis, Ruggerio, Sheehan, Sosnowski.

NAYS- 0:

10. 2004-S 2016 SUB A

BY Roberts

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
PHARMACEUTICAL ASSISTANCE TO THE ELDERLY ACT

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

Upon suggestion of Senator Goodwin and without objection, ordered to be placed on the Calendar for Thursday, June 3, 2004.

11. 2004-S 2222

BY Lanzi

ENTITLED, AN ACT RELATING TO DISABILITY BUSINESS ENTERPRISES

Committee on Finance recommends passage.

Senator Lanzi moves passage, seconded by Senators Connors, Ciccone, Badeau, Polisen and Damiani.

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, Polisen, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

12. 2004-S 2749 SUB A as amended

BY Badeau

ENTITLED, AN ACT RELATING TO WORKERS' COMPENSATION --
PROCEDURE

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

Senator Badeau moves passage, seconded by Senators Ruggerio, Ciccone, Lanzi, Bates and Damiani.

Senator Badeau seconded by Senators Ciccone, Ruggerio, Lanzi, Bates, Damiani, offers the following written motion to amend.

FLOOR AMENDMENT

TO

2004 -- S 2749 SUBSTITUTE A, As Amended

AN ACT RELATING TO WORKERS' COMPENSATION -- PROCEDURE

Mr. President:

I hereby move to amend 2004 -- S 2749 SUBSTITUTE A, As Amended entitled "AN ACT AN ACT RELATING TO WORKERS' COMPENSATION -- PROCEDURE", as follows:

(1) On page 12, line 34, by deleting all language in its entirety.

(2) On page 13, lines 1 through 22, by deleting all language in its entirety and inserting in place thereof the following:

"SECTION 5. Section 42-35-18 of the General Laws in Chapter 42-35 entitled "Administrative Procedures" is hereby amended to read as follows:

42-35-18. Effective date of chapter -- Scope of application and exemptions. -- (a) This chapter shall take effect upon January 1, 1964, and thereupon all acts and parts of acts inconsistent herewith shall stand repealed, provided, however, that except as to proceedings pending on June 30, 1963, this chapter shall apply to all agencies and agency proceedings not expressly exempted.

(b) None of the provisions of this chapter shall apply to the following sections and chapters:

(1) Section 16-32-10 (University of Rhode Island);

(2) Chapter 41 of title 16 (New England Higher Education Compact);

(3) Section 16-33-6 (Rhode Island College);

(4) Chapter 16 of title 23 (Health Facilities Construction Act);

(5) Chapter 8 of title 20 (Atlantic States Marine Fisheries Compact);

(6) ~~Chapter 29 of title 28 (Workers' Compensation -- General Provisions);~~

(7) ~~Chapter 30 of title 28 (Workers' Compensation Commission);~~

(8) ~~Chapter 31 of title 28 (Workers' Compensation -- State and Municipal Employees);~~

(9) ~~Chapter 32 of title 28 (Workers' Compensation -- Report of Injuries);~~

(10) ~~Chapter 33 of title 28 (Workers' Compensation -- Benefits);~~

(11) ~~Chapter 34 of title 28 (Workers' Compensation -- Occupational Diseases);~~

(12) ~~Chapter 36 of title 28 (Workers' Compensation -- Insurance);~~

(13) ~~Chapter 35 of title 28 (Workers' Compensation -- Procedure);~~

(14) ~~Chapter 37 of title 28 (Workers' Compensation -- Second Injury Indemnity Fund);~~

(15) Chapter 38 of title 28 (Dr. John E. Donley Rehabilitation Center);

(16) [Deleted by P.L. 2002, ch. 316, section 1 and by P.L. 2002, ch. 387, section 1.]

(17) [Deleted by P.L. 2002, ch. 316, section 1 and by P.L. 2002, ch. 387, section 1.]

(18) [Deleted by P.L. 2002, ch. 316, section 1 and by P.L. 2002, ch. 387, section 1.]

(19) [Deleted by P.L. 2002, ch. 316, section 1 and by P.L. 2002, ch. 387, section 1.]

(20) [Deleted by P.L. 2002, ch. 316, section 1 and by P.L. 2002, ch. 387, section 1.]

(21) [Deleted by P.L. 2002, ch. 316, section 1 and by P.L. 2002, ch. 387, section 1.]

(22) Chapter 7 of title 17 (State Board of Elections);

(23) Chapter 16 of title 8 (Judicial Tenure and Discipline);

(24) Chapter 61 of title 42 (State Lottery);

(25) Chapter 59 of title 16 (Board of Governors for Higher Education);

(26) Chapter 60 of title 16 (Board of Regents for Elementary and Secondary Education);

(27) Chapter 24.4 of title 45 (Special Development Districts);

(28) Chapter 12 of title 35 (The University of Rhode Island Research Corporation).

(c) The provisions of sections 42-35-9, 42-35-10, 42-35-11, 42-35-12 and 42-35-13 shall not apply to:

(1) Any and all acts, decisions, findings, or determinations by the board of review of the department of labor and training or the director of the department of labor and training or his, her, its or their duly authorized agents and to any and all procedures or hearings before and by the director or board of review of the department of labor and training or his or her agents under the provisions of chapters 39 -- 44 of title 28.

(2) Section 28-5-17 (Conciliation of charges of unlawful practices).

(3) Chapter 8 of title 13 (Parole).

(4) Any and all acts, decisions, findings or determinations by the administrator of the division of motor vehicles or his or her duly authorized agent and to any and all procedures or hearings before and by said administrator or his or her said agent under the provisions of chapters 10, 11, 31 to 33, inclusive, of title 31.

(5) Procedures of the board of examiners of hoisting engineers under chapter 26 of title 28.

(6) Any and all acts, decisions, findings, or determinations made under authority from the provisions of chapters 29 -- 38 of title 28, concerning workers' compensation administration, procedure and benefits."

Respectfully submitted,
SENATOR BADEAU

The motion to amend prevails 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, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Badeau moves passage of the act as amended, seconded by Senators Lanzi, Ciccone, Damiani, Bates and Ruggerio.

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

NAYS- 0:

13. 2004-S 2784 SUB A

BY Ruggerio

ENTITLED, AN ACT RELATING TO ELECTRICAL TRADES

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

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

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

NAYS- 0:

14. 2004-S 2787

BY Ruggerio

ENTITLED, AN ACT RELATING TO ELECTRICIANS

Committee on Labor recommends passage.

Senator Ruggerio moves passage, seconded by Senators Damiani, Badeau and Ciccone.

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 as follows:

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

NAYS- 0:

18. 2004-H 7308 SUB B

BY Moura

ENTITLED, AN ACT RELATING TO LABOR AND PAYMENT OF DEBTS BY CONTRACTORS

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

Senator Badeau moves passage, seconded by Senators Ciccone and Ruggerio.

The bill marked Substitute "B" is read and passed, and the original bill indefinitely postponed, by unanimous consent, upon roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

33. 2004-H 8021

BY Wasylyk

ENTITLED, AN ACT RELATING TO INSURANCE

Committee on Health & Human Services recommends passage in concurrence.

Upon suggestion of Senator Ruggerio and without, objection ordered to be placed on the Calendar for June 3, 2004.

38. 2004-H 8063 SUB A

BY Palumbo

**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 concurrence.

Senator Badeau moves passage, seconded by Senator Connors.

Senator Badeau seconded by Senator Connors, offers the following written motion to amend.

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

TO

2004 -- H 8063 SUBSTITUTE A

AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PLUMBERS AND IRRIGATORS

Mr. President:

I hereby move to amend 2004 -- H 8063 SUBSTITUTE A, entitled "AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- PLUMBERS AND IRRIGATORS", as follows:

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

"SECTION 1. Section 5-20-2 of the General Laws in Chapter 5-20 entitled "Plumbers and Irrigators" is hereby amended to read as follows:

5-20-2. "Plumbing" and "source of water" defined. -- (a) The term "plumbing", as used in this chapter, means:

(1) All fittings, fixtures, appliances, and connections, ~~connecting~~ which are located within a building or a structure, or within five (5) feet of the outer walls of a building or structure and which connect said building or premises structure, where a person or persons, live, work, or assemble, with the source of

public or private water supply used or intended for domestic or personal use, as well as any interconnecting piping between buildings or structures;

(2) All piping, fittings, fixtures, and appliances for a sanitary drainage and related ventilation system, direct or indirect, within that building; and

(3) Air piping, medical and laboratory gas systems, including but not limited to oxygen and nitrous oxide.

(b) The term "source of private water supply" means the water connection located at the mean water level.

(c) The term "source of public water supply" means ~~the any~~ any water connection located at the curb line of any actual or platted public highway within five (5) feet of the outer walls of or within a building or structure, including any interconnecting piping between buildings or structures.

SECTION 2. Section 28-27-28 of the General Laws in Chapter 28-27 entitled "Mechanical Trades" is hereby amended to read as follows:

28-27-28. Practices for which a license is required. -- (a) A license is required for the installation, repair, replacement, servicing, maintenance, and alteration of:

(1) Any devices or accessories for what is normally considered heating/cooling equipment, air distribution equipment, duct work, process piping, power piping, pipefitting, and fire protection sprinkler with no reference to the plumbing industry.

(2) Vacuum and pneumatic systems, oil and petroleum products, ice making machinery, refrigeration and air conditioning equipment, and piping systems used for the conveyance and storage of liquids, solids, and industrial type gases as per section 28-27-1, and vacuum piping used for domestic vacuum cleaning systems and natural or manufactured gas piping used for emergency electric generators.

Heating piping system does not mean or include, and nothing in the regulation shall be held or construed to have any application to, the installation or servicing as detailed of factory manufactured domestic plug-in units or other package assemblies not requiring special wiring over and above the normal #5 AWG wire used in domestic two hundred twenty (220) volt household duplex receptacles for sixteen (16) AMP branch circuits with two (2) or three (3) outlets, field hook up or checking by qualified licensed pipefitters/refrigeration technicians. "Servicing" as defined for these units means the seasonal filter changes or general cleaning, and shall be made obvious to the consumer by clearly printing on the work order or bills that the consumer is not paying for state licensed masters or journeypersons doing mechanical service work. Commercial applications of domestic units shall be regulated pursuant to section 28-27-1.

(b) A license is required for any of the following work when, and only when, carried out within a building or structure, or within five (5) feet of the outer wall of a building or structure: the installation, repair, replacement, alteration, or maintenance of fire protection apparatus within a structure, standpipes which are not connected to sprinkler systems, also including the layout, onsite fabrication, installation, alteration, or repair of any automatic or manual sprinkler system designed for the protection of the interior or exterior of a building or structure from fire, also any piping or tubing and appurtenances and equipment pertaining to the system including overhead and underground water mains, fire hydrants and hydrant mains, standpipes and hose connections to sprinkler systems, sprinkler tank heaters, air lines and thermal systems used in connection with sprinkler and alarm systems, or special hazard systems including water sprays, foam, carbon dioxide or dry chemical systems, halon and other liquid or gas fire suppression systems, and excluding any engineering design work connected with the layout of fire protection sprinkler systems.

(c) A license is required for sheet metal work, which is defined as the manufacturing, fabrication, assembling, handling, erection, installation, dismantling, conditioning, adjustment, alteration, repairing and servicing of all ferrous or nonferrous metal work and all other materials in lieu thereof and air-handling systems regardless of the material used, including specifically: the handling, fabrication,

setting, installation, assembling, dismantling, adjustment, alteration, reconditioning, repairing of all duct work, installation of fans, sheaves, belt guards, dampers, louvers, screens, registers, grills, diffusers, sound traps, attenuators, mixing boxes, access doors to air-handling systems, breaching, hoods and all appurtenances relating to HVAC and exhaust systems and the testing, adjusting and balancing of all air-handling equipment and duct work. Holder of the NEBB (National Environmental Balancing Bureau), AABC (Associated Air Balancing Council) or a TABB (Testing, Adjusting and Balancing Bureau) certificate are exempt for the purposes of testing and balancing HVAC systems.

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

Respectfully submitted,
SENATOR BADEAU

The motion to amend prevails upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative and 3 Senators abstaining as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 3: Senators Ciccone, Fogarty, Ruggerio.

Senator Badeau moves passage of the act as amended, seconded by Senator Connors.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative and 3 Senators abstaining as follows:

YEAS- 29: The Honorable President Montalbano and Senators Badeau, Bates, Blais, Breene, Caprio, Connors, Cote, Damiani, DaPonte, Felag, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Sosnowski, Tassoni, Walaska.

NAYS- 0:

ABSTAINED- 3: Senators Ciccone, Fogarty, Ruggerio.

43. 2004-H 8303

BY Corvese

ENTITLED, AN ACT AMENDING AN ACT TO INCORPORATE THE TOWN OF NORTH PROVIDENCE

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

Senator Caprio moves passage, seconded by Senator Tassoni.

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

NAYS- 0:

44. 2004-H 8330

BY Anguilla

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 in concurrence.

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

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

NAYS- 0:

46. 2004-H 8372

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND IMPROVEMENT OF PUBLIC BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,025,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006

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

Senator McBurney moves passage, seconded by Senator Caprio.

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

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Goodwin, Issa, Lanzi, Lenihan, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

47. 2004-H 8373

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND RECONSTRUCTION AND EQUIPPING OF PUBLIC RECREATION FACILITIES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$500,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006

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

Senator McBurney moves passage, seconded by Senator Caprio.

The act is read and passed, by unanimous consent, in concurrence, upon a roll call vote with 29 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 29: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

48. 2004-H 8374

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RENOVATION AND EQUIPPING OF PUBLIC SCHOOL BUILDINGS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$3,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006

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

Senator McBurney moves passage, seconded by Senator Caprio.

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

YEAS- 30: The Honorable President Montalbano and Senators Algieri, Badeau, Bates, Blais, Caprio, Ciccone, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, McBurney, McCaffrey, Paiva-Weed, Parella, Perry, Pichardo, Polisena, Raptakis, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

49. 2004-H 8375

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE RECONSTRUCTION OF BRIDGES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$50,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006

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

Senator McBurney moves passage, seconded by Senator Caprio.

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

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

NAYS- 0:

50. 2004-H 8377

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE IMPROVEMENT AND REPLACEMENT OF ROAD AND TRAFFIC CONTROL DEVICES IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$125,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006

Committee on Commerce, Housing & Municipal Government recommends passage in

concurrence.

Senator McBurney moves passage, seconded by Senator Caprio.

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

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

NAYS- 0:

51. 2004-H 8378

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR CONSTRUCTION AND RECONSTRUCTION OF THE SEWER AND SANITATION SYSTEM IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$300,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006

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

Senator McBurney moves passage, seconded by Senator Caprio.

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

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

NAYS- 0:

52. 2004-H 8379

BY Coderre E

ENTITLED, AN ACT AUTHORIZING THE CITY OF PAWTUCKET TO PROVIDE FOR THE CONSTRUCTION AND RECONSTRUCTION OF STREETS AND SIDEWALKS IN THE CITY OF PAWTUCKET AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$1,000,000 BONDS AND NOTES THEREFOR, TO FUND THE CAPITAL IMPROVEMENT PROGRAM FOR THE TWO FISCAL YEARS 2005 AND 2006

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

Senator McBurney moves passage, seconded by Senator Caprio.

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

NAYS- 0:

54. 2004-H 8417

BY Anguilla

ENTITLED, AN ACT AUTHORIZING THE TOWN OF BRISTOL TO FINANCE ROAD AND SIDEWALK IMPROVEMENT PROJECTS BY ISSUANCE OF NOT MORE THAN \$5,000,000 BONDS THEREFOR

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

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

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

NAYS- 0:

55. 2004-H 8472

BY Shanley

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE CAPITAL TRANSPORTATION IMPROVEMENT PROJECTS AND TO ISSUE NOT MORE THAN \$200,000 BONDS THEREFOR

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

Senator Sosnowski moves passage, seconded by Senator Sheehan.

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

NAYS- 0:

56. 2004-H 8473

BY Shanley

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE CONSTRUCTION OF A SCHOOL/COMMUNITY GYMNASIUM AND TO ISSUE NOT MORE THAN \$1,550,000 BONDS THEREFOR

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

Senator Sosnowski moves passage, seconded by Senator Sheehan.

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

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

NAYS- 0:

57. 2004-H 8474

BY Shanley

ENTITLED, AN ACT AUTHORIZING THE TOWN OF SOUTH KINGSTOWN TO FINANCE THE ACQUISITION OF LAND FOR OPEN SPACE, RECREATION AND AGRICULTURAL PURPOSES AND TO ISSUE NOT MORE THAN \$2,000,000 BONDS THEREFOR

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

Senator Sosnowski moves passage, seconded by Senator Sheehan.

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

NAYS- 0:

59. 2004-H 8483

BY Menard

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

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

Senator Connors moves passage, seconded by Senator Lanzi.

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

NAYS- 0:

61. 2004-H 8544

BY Flaherty

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

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

Senator McCaffrey moves passage, seconded by Senator Walaska.

The act is read and passed, by unanimous consent, in concurrence, 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, Bates, Blais, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi,

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

NAYS- 0:

RECONSIDERATION

Upon suggestion of Senator Connors, seconded by Senator Lanzi, item 11, S-2222, is reconsidered, by unanimous consent, upon a voice vote.

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

ANNOUNCEMENTS

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

TRANSMITTAL

By unanimous consent, some 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, the Senate adjourns at 5:15 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR MICHAEL J. MCCAFFREY

Dear God, we beseech you to fit us for today's work and for the work in days ahead. May we profit by this moment by being still and knowing that You alone are sufficient for all our needs. Amen.

Appendix**CONSENT CALENDAR****IN ORDER FOR THURSDAY, JUNE 3, 2004:**

- 1** Appointment of Everett A. Petronio, Jr. of Johnston VICE Gil Pope to the Atlantic State Marine Fisheries Commission for a term expiring January 1, 2005.

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

- 2** Appointment of Andrew E. Tate of Bristol VICE Dr. J. Stanley Cobb to the Marine Fisheries Council for a term expiring April 1, 2008.

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

- 3** Appointment of Stephen Parente (representing the commercial fishing industry) of Wakefield to the Marine Fisheries Council for a term expiring April 1, 2007..

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

- 4** **2004-H 8584**

BY Kilmartin

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF PRINCETON REVIEW OF RHODE ISLAND, INC.

Ordered to be placed on the Consent Calendar

Raymond T. Hoyas, Jr.
Secretary of the Senate

Appendix**CALENDAR****IN ORDER FOR THURSDAY, JUNE 3, 2004:****1 2004-S 2016 SUB A****BY Roberts****ENTITLED,** AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT --
PHARMACEUTICAL ASSISTANCE TO THE ELDERLY ACT

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

2 2004-S 3004**BY Alves****ENTITLED,** AN ACT RELATING TO PROPERTY

Committee on Judiciary recommends passage.

3 2004-H 8021**BY Wasylyk****ENTITLED,** AN ACT RELATING TO INSURANCE

Committee on Health & Human Services recommends passage in concurrence.

4 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.

5 2004-H 8466 SUB A**BY Scott****ENTITLED,** AN ACT RELATING TO THE TOWN OF RICHMOND

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

IN ORDER FOR TUESDAY, JUNE 8, 2004:**1 2004-S 2550 as amended****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

Ordered on the Calendar

2 2004-H 7085 SUB A as amended**BY Corvese****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.

3 2004-H 7305 SUB A**BY Anguilla****ENTITLED,** AN ACT RELATING TO EDUCATION - - HEALTH AND SAFETY OF PUPILS

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

4 2004-H 7326**BY Shanley****ENTITLED,** AN ACT RELATING TO PROPERTY SUBJECT TO TAXATION -- SOUTH KINGSTOWN

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

5 2004-H 7397 SUB A as amended**BY Winfield****ENTITLED,** AN ACT RELATING TO EDUCATION

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

6 2004-H 7476 SUB A**BY Ajello****ENTITLED,** AN ACT RELATING TO THE RHODE ISLAND EDUCATIONAL RECORDS BILL OF RIGHTS

Committee on Education recommends indefinite postponement of the original bill and

passage of Substitute A in concurrence.

7 2004-H 7788

BY Gallison

ENTITLED, AN ACT RELATING TO EDUCATION -- PRIVATE SCHOOLS

Committee on Education recommends passage in concurrence.

Raymond T. Hoyas, Jr.
Secretary of the Senate