

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 fourth day of January in the year of Our Lord two thousand and five.

Volume 132, No. 8

Thursday, January 20, 2005

Eighth Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:05 o'clock P.M.

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

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

ABSENT – 0:

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, January 19, 2005 proceedings is read in part.

Upon suggestion of Senator Gibbs, 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 presents the following communication from His Excellency, the Governor, transmitting the following appointments and requesting the advice and consent of the Senate thereto:

January 4, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-23-2 of the Rhode Island General Laws, I have made the following appointment to the Coastal Resources Management Council:

Bruce H. Dawson of North Kingstown
Public Member

VICE
Laurence W. Ehrhardt
(resigned)

for a term expiring January 31, 2006.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

Also:

January 3, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 46-15.1-2 of the Rhode Island General Laws, I have made the following appointment to the Water Resources Board:

Francis J. Perry, Jr. of Coventry
(Public Member)

VICE

John Milano
(resigned)

for a term expiring March 1, 2005.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Environment and Agriculture.

Also:

January 3, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 28-7-4 of the Rhode Island General Laws, I have made the following reappointment to the Rhode Island State Labor Relations Board:

Ellen L. Jordan of North Kingstown
(Representing General Public)

for a term expiring August 1, 2008.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Labor.

Also:

January 3, 2005

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 appointment to the Rhode Island Public Telecommunications Authority:

Karen M. Shuster of Lincoln

VICE
Kibbe S. Reilly

for a term expiring January 31, 2007.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Finance.

NEW BUSINESS

Senate Bill No. 95

BY Senators Tassoni, Cote, Doyle, Badeau, Damiani

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - EMERGENCY VEHICLES

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

Also:

Senate Bill No. 96

BY Senator Algieri

ENTITLED, AN ACT RELATING TO TAXATION -- ELDERLY EXEMPTION -- TOWN OF WESTERLY

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

Also:

Senate Bill No. 97

BY Senators Lanzi, Gallo

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- EXPLOSIVES - - SEISMIC LIMITS

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

Also:

Senate Bill No. 98

BY Senators Gallo, Fogarty P, Walaska, Lanzi

ENTITLED, AN ACT RELATING TO EDUCATION -- ESTABLISHMENT OF CHARTER PUBLIC SCHOOLS

Read and referred to the Senate Committee on Education

Also:

Senate Bill No. 99

BY Senators Raptakis, Blais, Breene, Polisena, Paiva-Weed

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

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

Also:

Senate Bill No. 100

BY Senators Tassoni, Lanzi, Connors, DaPonte, Felag

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE LOTTERY

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

Also:

Senate Bill No. 101

BY Senator Bates

ENTITLED, AN ACT RELATING TO NAMING A BUILDING, BRIDGE, EDIFICE AND OTHER STATE CONSTRUCTIONS

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

Also:

Senate Bill No. 102

BY Senators Tassoni, Polisen, Connors, Cote

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- INTERIOR DESIGNERS

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

Also:

Senate Bill No. 103

BY Senator Blais

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS -- BOARD OF MEDICAL LICENSURE AND DISCIPLINE

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 104

BY Senators Blais, Polisen, Damiani

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- MOTOR VEHICLE OFFENSES

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 105

BY Senator Montalbano J

ENTITLED, AN ACT RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 106

BY Senators Felag, Paiva-Weed, Levesque C, Issa, Doyle

ENTITLED, AN ACT RELATING TO ELECTIONS -- LOCAL CANVASSING AUTHORITY

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 107

BY Senator Blais

ENTITLED, AN ACT RELATING TO MEDICAL MALPRACTICE

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 108

BY Senators Raptakis, Polisena, Damiani, McCaffrey, Pichardo

ENTITLED, AN ACT RELATING TO CRIMINALS -- CORRECTIONAL INSTITUTIONS

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 109

BY Senators Raptakis, Sheehan, Polisena

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 110

BY Senators Raptakis, Blais, Tassoni, Polisena, Lenihan

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- RHODE ISLAND DEVELOPMENT
IMPACT FEES

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 111

BY Senators Raptakis, Blais, Tassoni, Polisena

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- STATE AID -- RHODE ISLAND
DEVELOPMENT IMPACT FEES

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 112

BY Senators Lanzi, Tassoni, Felag, Ciccone, Connors

ENTITLED, AN ACT RELATING TO DISABLED AMERICAN VETERANS -- EDUCATIONAL
BENEFITS

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 113

BY Senators Revens, Sosnowski, Alves, Bates, Montalbano J

ENTITLED, AN ACT RELATING TO EDUCATION -- THE PUBLIC HIGHER EDUCATION
ENDOWMENT INCENTIVE PROGRAM

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 114

BY Senators Blais, McCaffrey, Polisena, Paiva-Weed, Algieri

ENTITLED, AN ACT RELATING TO MOTOR AND OTHER VEHICLES -- ADJUDICATION OF
TRAFFIC OFFENSES

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 115

BY Senators Raptakis, Polisena, Damiani, Issa, McCaffrey

ENTITLED, AN ACT RELATING TO STATE POLICE TRAINING ACADEMY

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 116

BY Senators Felag, Polisena, Issa, Sheehan, Doyle

ENTITLED, AN ACT RELATING TO PUBLIC ACCESS DEFIBRILLATION

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 117

BY Senators Lenihan, Cote, Sheehan, Sosnowski, Polisena

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

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 118

BY Senators Tassoni, Connors, Lanzi, Ciccone

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES (medical coverage after a disability
pension is granted)

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 119

BY Senators Tassoni, Doyle, Lanzi

ENTITLED, AN ACT RELATING TO FIRE FIGHTERS -- ANNUITIES TO DEPARTMENTS

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 120 (Lieutenant Governor)

BY Senators DaPonte, Connors, Walaska, Doyle, Ciccone

ENTITLED, AN ACT RELATING TO TAXATION -- STATE TAX OFFICIALS

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 121

BY Senators Ciccone, Metts, Connors, DaPonte, Lanzi

ENTITLED, AN ACT RELATING TO POLICE AND FIRE FIGHTERS OPTIONAL RETIREMENT

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 122

BY Senator Blais

ENTITLED, AN ACT RELATING TO SCHOOL AND MUNICIPAL PLAYGROUND SAFETY

Read and referred to the Senate Committee on Finance

ANNOUNCEMENTS

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

Senator Felag announces that the Committee on Finance will meet on Tuesday, January 25, 2005, at 2:00 o'clock P.M. in Room 313 of the State House.

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:10 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR JUNE N. GIBBS

Almighty Father, let your spirit of wisdom transcend upon the leaders of our Nation. Today as our President was sworn to his second term, we look to you to guide his heart and all the hearts of all elected leaders as we strive to work for a better tomorrow fro all our citizens. Amen.