

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. 23

Tuesday, March 8, 2005

Twenty-third Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:20 o'clock P.M.

The roll is called and a quorum is declared present with 36 Senators present and 2 Senators absent as follows:

PRESENT – 36: 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, Ruggiero, Tassoni, Walaska.

ABSENT – 2: Senators Sheehan, Sosnowski

INVOCATION

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

(See Appendix for Invocation)

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPOINTMENTS BY THE GOVERNOR

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

March 7, 2005

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 appointment to the Board of Regents for Elementary and Secondary Education:

Amy Beretta of East Greenwich

VICE
Jo-Eva Gaines

for a term expiring January 31, 2008.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Education.

Also:

February 28, 2005

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 appointment to the Board of Regents for Elementary and Secondary Education:

Maurice C. Paradis of North Smithfield

VICE
Sue Priest Duff

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 Education.

REPORTS OF COMMITTEES

COMMITTEE ON COMMERCE, HOUSING AND MUNICIPAL GOVERNMENT

Senator Caprio, from the Committee on Commerce, Housing and Municipal Government, reports back, with recommendation of passage of the following measure:

Senate Bill No. 290

BY Senators Tassoni, Fogarty P, Cote

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS (registration of businesses in the town of North Smithfield).

Read and referred to be placed on the Calendar

COMMITTEE ON GOVERNMENT OVERSIGHT

Senator Lenihan, from the Committee on Government Oversight, reports back, with recommendation of passage of the following measure:

Senate Bill No. 247 as amended

BY Senators Lenihan, Cote

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - LOBBYING (lobbyist/not required to report purchases or sales of goods)

Senator Lenihan requests unanimous consent for immediate consideration.

Unanimous consent for immediate consideration is granted.

Senator Lenihan moves passage, seconded by Senator Paiva Weed.

The act is read and passed, by unanimous consent, upon a roll call vote with 36 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 36: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Blais, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Polisena, Raptakis, Revens, Roberts, Ruggerio, Tassoni, Walaska.

NAYS- 0:

REPORTS OF COMMITTEES**TRANSFER OF BILLS**

Senator Caprio, for the Committee on Commerce, Housing and Municipal Government reports back the following measure, with recommendation of transfer to the Committee on Environment and Agriculture.

Senate Bill No. 492

BY Senator Breene

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- DAM MANAGEMENT DISTRICTS (cities and towns/adopt ordinances creating management districts for dams).

Read and referred to the Committee on Environment and Agriculture

NEW BUSINESS

Senate Bill No. 924

BY Senators Felag, Gibbs

ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF TIVERTON.

Read and ordered to be placed on the Consent Calendar

CONSENT CALENDAR

In order for the day is taken up as follows:

Upon motion of Senate Majority Leader Paiva Weed, seconded by Senator Algieri, the following measure on today's Consent Calendar, by unanimous consent, is read and passed, upon a voice vote:

1 2005-S 921

BY Breene

ENTITLED, AN ACT TO VACATE THE FORFEITURE OR REVOCATION OF THE CHARTER OF CENTRAL COVENTRY LAND COMPANY, INC.

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

Senator Ciccone announces that the Committee on Labor will meet on Wednesday, March 9, 2005, at 3:00 o'clock P.M. in Room 212 of the State House.

TRANSMITTAL

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

ADJOURNMENT

Upon motion of Senator DaPonte, seconded by Senator Algieri, the Senate adjourns at 4:27 o'clock P.M.

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

INVOCATION

SENATOR FRANK A. CICCONE III

Almighty God, we ask today that You help us to live wisely, to fight for justice and truth, and to always try to live up to the expectations of our constituents. Amen.

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 9, 2005:

1 2005-S 924

BY Felag

**ENTITLED, AN ACT VALIDATING AND RATIFYING AMENDMENTS TO THE
CHARTER OF THE TOWN OF TIVERTON**

Ordered to be placed on the Consent Calendar

Tuesday, March 8, 2005

Appendix

CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 9, 2005:

1 2005-S 27

BY Paiva-Weed

ENTITLED, AN ACT RELATING TO VALIDATING AND RATIFYING AMENDMENTS TO THE CHARTER OF THE TOWN OF JAMESTOWN

Committee on Commerce, Housing & Municipal Government recommends passage.

2 2005-S 95

BY Tassoni

ENTITLED, AN ACT RELATING TO MOTOR VEHICLES - EMERGENCY VEHICLES

Committee on Commerce, Housing & Municipal Government recommends passage.

3 2005-S 96

BY Algieri

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

Committee on Commerce, Housing & Municipal Government recommends passage.

4 2005-S 166

BY Algieri

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

Committee on Commerce, Housing & Municipal Government recommends passage.

5 2005-S 168

BY Algieri

ENTITLED, AN ACT RELATING TO THE WATCH HILL FIRE DISTRICT

Committee on Commerce, Housing & Municipal Government recommends passage.

6 2005-S 754

BY Breene

ENTITLED, AN ACT RELATING TO HOMESTEAD EXEMPTION IN THE TOWN OF WEST GREENWICH

Committee on Commerce, Housing & Municipal Government recommends passage.

7 2005-S 425

BY Gibbs

ENTITLED, AN ACT RELATING TO PATERNITY

Committee on Health & Human Services recommends passage.

IN ORDER FOR THURSDAY, MARCH 10, 2005:

1 2005-S 290

BY Tassoni

ENTITLED, AN ACT RELATING TO BUSINESSES AND PROFESSIONS

Committee on Commerce, Housing & Municipal Government recommends passage.

Tuesday, March 8, 2005