

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. 31

Tuesday, March 29, 2005

Thirty-first Day

The Senate meets pursuant to adjournment and is called to order by the Honorable Joseph A. Montalbano, President of the Senate, at 4:10o'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, Polisenana, Raptakis, Revens, Roberts, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

ABSENT – 0:

INVOCATION

The Honorable President, by unanimous consent, presents Father Andrew George, of the Annunciation Greek Orthodox Church, in Cranston, to deliver the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

APPROVAL OF RECORD

The Senate Journal of Wednesday, March 23, 2005 proceedings is read in part.

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

GUESTS

Upon suggestion of Senator Fogarty and by unanimous consent, the Honorable President welcomes to the Chamber members of the Burrillville High School Hockey Team, Division II State Champions Athletic Director Peter J. Berthelette, Head Coach Shane McConnell, Matt Bisson, Andrew Beatson, Matthew Beatson, Daniel M. Chiovitti, Douglas A. Clark, John M. Coffey, Ryan M. Coffey, Derek Ducharme, Brandon A. Fournier, Sean A. Harriman, Jonathan A. Henault, Christopher J. Keegan Jr., Craig T. Koprusak, John R. Lacouture, Jr., Daniel L'Esperance, Justin S. Misiaszek, Matthew P. Obuchon, Nicholas J. Obuchon, Cpt. Nicholas J. Parkhurst, Kristopher G. Plante, Jolene E. Rambone, Nicholas P. Rambone, Ryan D. St. Pierre, Sean J. Trinque, Nicky McConnell, Patrick McConnell, Bryan McConnell.

Upon suggestion of Senators Gallo, McBurney, Raptakis, Lanzi, Caprio, Algieri, Levesque, Doyle and Sheehan and by unanimous consent, the Honorable President welcomes to the Chamber guests who are here in honor of Greek Independence Day, Father Andrew George, Ms. Koula Rougas, Ms. Eleni Trikoulis, Father George Economou, Honorable George Panichas, Harold Demopoulus, Vice Consul Elcaterina Economou Demeter, George Demeter, Elena Demeter, Ginger Pappas, Arthur Pappas and Ms. Despina Meskos.

Upon suggestion of Senator Paiva Weed and by unanimous consent, the Honorable President welcomes to the Chamber from the National Conference of State Legislatures, Sheri Steisel: Federal Affairs Counsel, Director, Human Services Policy and Sarah Hammond: Senior Policy Specialist, Criminal Justice.

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 28, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 17-7-3 of the Rhode Island General Laws, I have made the following appointment to the State Board of Elections:

Richard H. Pierce, Esquire of Cranston

VICE
Raymond Xavier

for a term expiring June 1, 2017.

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

Sincerely,



Donald L. Carcieri
Governor

Read and referred to the Committee on Judiciary.

Also:

March 28, 2005

TO THE HONORABLE, THE SENATE:

I have the honor to inform you that in accordance with the provisions of Section 42-102-2 of the Rhode Island General Laws, I have made the following appointment to the Rhode Island Human Resource Investment Council:

Michael McMahon of Saunderstown
(Representing Business)

VICE
D. Faye Sanders

for a term expiring January 1, 2007.

To this appointment, I request your advice and consent.

Sincerely,



Donald L. Carcieri
Governor

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

FROM THE HOUSE OF REPRESENTATIVES

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

House Bill No. 5751

BY Amaral, Loughlin

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

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

Also:

House Bill No. 6148

BY Watson

ENTITLED, AN ACT RELATING TO HOMESTEAD EXEMPTION IN THE TOWN OF WEST GREENWICH (adopt a homestead exemption for residential properties within the town).

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

Also:

House Bill No. 6153

BY Lewiss, Kennedy, McHugh

ENTITLED, AN ACT RELATING TO THE WESTERLY FIRE DISTRICT.

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

Also:

House Bill No. 6270

BY Gorham

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- TOWN MEETINGS.

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

Also:

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)

Read and ordered to be placed on the Calendar

NEW BUSINESS

Senate Bill No. 976

BY Senators Blais, Caprio F

ENTITLED, AN ACT RELATING TO TOWN MEETINGS -- FOSTER (Foster hold its financial town meeting at indoor facility located w/in a reasonable distance outside the town).

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

Also:

Senate Bill No. 977

BY Senator Blais

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES -- TOWN MEETINGS (Foster hold its financial town meeting in Scituate or Gloucester if a larger facility is needed).

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

Also:

Senate Bill No. 978

BY Senators Raptakis, Blais, Breene

ENTITLED, AN ACT AUTHORIZING MR. AND MRS. GEORGE BROWN TO COMPLETE THE STRUCTURE AT 41 PARK LANE IN THE TOWN OF COVENTRY.

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

Also:

Senate Resolution No. 979

BY Senators Sosnowski, Walaska, Paiva-Weed

ENTITLED, SENATE RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROVIDE FOR A DOMESTIC ENERGY POLICY THAT ENSURES AN AFFORDABLE SUPPLY OF NATURAL GAS AND EMBRACES A CONCERTED NATIONAL EFFORT TO PROMOTE GREATER ENERGY EFFICIENCY AND ENVIRONMENTALLY RESPONSIBLE NATURAL GAS PRODUCTION.

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

Also:

Senate Resolution No. 980

BY Senators Issa, Damiani, Polisena, McBurney, Sheehan

ENTITLED, SENATE RESOLUTION RESPECTFULLY URGING THE UNITED STATES CONGRESS TO INTRODUCE AND SUPPORT LEGISLATION TO PROTECT OUR NATION'S VETERANS.

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

Also:

Senate Bill No. 981

BY Senators Ciccone, Badeau, Lanzi

ENTITLED, AN ACT RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE ROADS (amend policy for use of road salt within the Scituate reservoir water shed).

Read and referred to the Senate Committee on Environment and Agriculture

Also:

Senate Bill No. 982

BY Senators Roberts, Perry, Gibbs

ENTITLED, AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF HUMAN SERVICES (expand & enhance oral health care for indigent & low-income children & adults).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 983

BY Senator Blais

ENTITLED, AN ACT RELATING TO TAXATION - TOWN OF SCITUATE (Scituate to levy a tax for FY 2005-2006 by 7.5 % in excess of amount levied & certified by the town for the prior year).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 984

BY Senators Montalbano J, Ruggerio, Ciccone

ENTITLED, AN ACT RELATING TO TOWNS AND CITIES - STATE AID (community which falls into the lowest 21% of at least 3 distress indices shall be eligible to receive assistance from distressed communities relief fund).

Read and referred to the Senate Committee on Finance

Also:

Senate Bill No. 985

BY Senators Tassoni, Polisena, Goodwin, McCaffrey, Ruggerio

ENTITLED, AN ACT RELATING TO EDUCATION (require coaches to complete a coaching education program regarding performance enhancing dietary supplements).

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

Also:

Senate Bill No. 986

BY Senators Tassoni, Polisena, Goodwin, McCaffrey, Ruggerio

ENTITLED, AN ACT RELATING TO CHILDREN (prohibit the sale of certain dietary supplements to minors).

Read and referred to the Senate Committee on Judiciary

Also:

Senate Bill No. 987**BY** Senators Gibbs, Paiva-Weed, Perry**ENTITLED**, AN ACT AMENDING THE CHARTER OF THE UNITED CONGREGATIONAL CHURCH.

Read and ordered to be placed on the 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 measures on today's Consent Calendar, by unanimous consent, are read and passed, upon a voice vote:

1 2005-S 298**BY Gallo****ENTITLED**, SENATE RESOLUTION ON MEDICAID**2 2005-S 299****BY Sosnowski****ENTITLED**, SENATE RESOLUTION PROMOTING GOALS TO REDUCE GLOBAL WARMING POLLUTION**3 2005-S 377****BY Goodwin****ENTITLED**, JOINT RESOLUTION MEMORIALIZING CONGRESS TO OPPOSE PRIVATIZATION OF SOCIAL SECURITY**4 2005-S 497****BY Paiva-Weed****ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL LEGISLATIVE COMMISSION ON DEFENSE ECONOMY PLANNING**5 2005-S 763****BY Ciccone****ENTITLED**, JOINT RESOLUTION CREATING A SPECIAL JOINT COMMISSION TO STUDY THE FINANCING OF NECESSARY REPAIR AND RENOVATION FOR MUNICIPAL EDUCATIONAL FACILITIES**6 2005-S 766****BY Blais****ENTITLED**, SENATE RESOLUTION DECLARING MARCH TO BE "NATIONAL BRAIN INJURY AWARENESS MONTH"

7 2005-S 861

BY Perry

ENTITLED, SENATE RESOLUTION URGING RHODE ISLAND'S COLLEGES AND UNIVERSITIES TO COMMIT TO THE PURCHASE OF RENEWABLE ENERGY

CALENDAR

IN ORDER FOR TUESDAY, MARCH 29, 2005:

1 2005-S 106

BY Felag

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

Committee on Judiciary recommends passage.

Senator Felag, moves passage, seconded by Senators Levesque, McCaffrey and Damiani.

Senator Felag seconded by Senators Levesque and Damiani, offers the following written motion to amend.

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

TO

2005 -- S 106

AN ACT RELATING TO ELECTIONS -- LOCAL CANVASSING AUTHORITY

Mr. President:

I hereby move to amend 2005 -- S 106, entitled "AN ACT RELATING TO ELECTIONS -- LOCAL CANVASSING AUTHORITY", as follows:

On page 1, line 9, by deleting the word "act" and inserting in place thereof the phrase "be employed".

Respectfully submitted,
SENATOR FELAG

The motion to amend prevails upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: 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, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

Senator Felag, moves passage of the act as amended, seconded by Senator Levesque.

The act is read and passed, by unanimous consent, as amended, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: 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, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

2 2005-S 213

BY Badeau

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES - CHILDREN

Committee on Judiciary recommends passage.

Senator Badeau moves passage, seconded by Senators Lanzi, Pichardo, McCaffrey, DaPonte, Tassoni, Felag and Damiani.

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: 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, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

3 2005-S 345

BY Ciccone

ENTITLED, AN ACT RELATING TO LABOR - PRIVACY PROTECTION

Committee on Judiciary recommends passage.

Senator Ciccone moves passage, seconded by Senators Metts, Lanzi, Pichardo, DaPonte, Sheehan and many others.

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, 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, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

4 2005-S 439

BY McCaffrey

ENTITLED, AN ACT RELATING TO ASSAULTS

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Metts, Ciccone, Connors and 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

5 2005-S 713

BY Blais

ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM ANATOMICAL GIFT ACT

Committee on Judiciary recommends passage.

Upon suggestion of Senator Ruggerio and without objection, ordered to be placed on the Calendar for Tuesday, April 5, 2005.

6 2005-S 109

BY Raptakis

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN

Committee on Judiciary recommends passage.

Upon suggestion of Senator Ruggerio and without objection, ordered to be placed on the Calendar for Wednesday, March 30, 2005.

7 2005-S 156

BY Connors

ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- LAW PRACTICE

Committee on Judiciary recommends passage.

Senator Connors moves passage, seconded by Senators Levesque, Paiva Weed, Ciccone, Badeau and others.

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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

8 2005-S 581

BY McCaffrey

ENTITLED, AN ACT RELATING TO ELECTIONS -- NOMINATION PAPERS

Committee on Judiciary recommends passage.

Senator McCaffrey moves passage, seconded by Senators Damiani and 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, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sosnowski, Tassoni, Walaska.

NAYS- 0:

9 2005-S 129

BY Lanzi

ENTITLED, AN ACT RELATING TO FIREFIGHTERS' ARBITRATION

Committee on Labor recommends passage.

Senator Lanzi moves passage, seconded by Senators Gallo, Tassoni, Ruggerio, Metts, Ciccone, Badeau and many others.

The act is read and passed, upon a roll call vote with 28 Senators voting in the affirmative and 4 Senators voting in the negative and 1 Senator abstaining as follows:

YEAS- 28: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Gallo, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

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

ABSTAINED- 1: Senator Revens.

10 2005-S 633

BY Ruggerio

ENTITLED, AN ACT RELATING TO CAUSES OF ACTION

Committee on Labor recommends passage.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: 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, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

11 2005-S 640

BY Ruggerio

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

Committee on Labor recommends passage.

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

Senators Blais and Badeau discuss the act.

The act is read and passed, upon a roll call vote with 33 Senators voting in the affirmative and 2 Senators voting in the negative as follows:

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Badeau, Bates, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 2: Senators Blais, Breene.

12 2005-S 641

BY Ruggerio

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

Committee on Labor recommends passage.

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

The act is read and passed, by unanimous consent, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: 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, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

13 2005-S 32

BY Issa

ENTITLED, AN ACT RELATING TO EDUCATION -- SCHOOL FOR THE DEAF

Committee on Education recommends passage.

Senator Issa moves passage, seconded by Senators Gallo, Metts, Walaska, Felag and others.

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

YEAS- 33: The Honorable President Montalbano and Senators Algieri, Alves, Bates, Breene, Caprio, Ciccone, Connors, Cote, Damiani, DaPonte, Doyle, Felag, Fogarty, Gallo, Gibbs, Goodwin, Issa, Lanzi, Lenihan, Levesque, McBurney, McCaffrey, Metts, Paiva Weed, Perry, Pichardo, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

14 2005-S 967

BY Lenihan

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage.

Senator Lenihan moves passage, seconded by Senators Sosnowski, Blais, Breene, Perry, Paiva Weed, Ciccone and many others.

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, 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, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

15 2005-H 5817 as amended

BY Coderre E

ENTITLED, AN ACT RELATING TO SEPARATION OF POWERS

Committee on Government Oversight recommends passage as amended in concurrence.

Senator Lenihan moves passage, seconded by Senators Connors, Ciccone, Felag, Sheehan, Perry, Levesque, Blais and Breene.

Senators Alves and Lenihan discuss the act.

The act is read and passed, by unanimous consent, as amended, in concurrence, upon a roll call vote with 35 Senators voting in the affirmative and 0 Senators voting in the negative as follows:

YEAS- 35: 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, Revens, Ruggerio, Sheehan, Sosnowski, Tassoni, Walaska.

NAYS- 0:

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 Ciccone announces that the Committee on Labor will meet Wednesday, March 30, 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, with the exception of 05 H- 5817 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, and upon suggestion of Senator McBurney, the Senate adjourns at 4:46 o'clock P.M. in memory of John G. "Jack" Zuccarelli

RAYMOND T. HOYAS, JR.
Secretary of the Senate

Appendix

CONSENT CALENDAR

IN ORDER FOR WEDNESDAY, MARCH 30, 2005:

1 2005-S 987

BY Gibbs

**ENTITLED, AN ACT AMENDING THE CHARTER OF THE UNITED
CONGREGATIONAL CHURCH**

Ordered to be placed on the Consent Calendar

Tuesday, March 29, 2005

Appendix**CALENDAR****IN ORDER FOR WEDNESDAY, MARCH 30, 2005:****1 2005-S 109****BY Raptakis****ENTITLED, AN ACT RELATING TO CRIMINAL OFFENSES -- CHILDREN**

Committee on Judiciary recommends passage.

2 2005-S 101**BY Bates****ENTITLED, AN ACT RELATING TO NAMING A BUILDING, BRIDGE,
EDIFICE AND OTHER STATE CONSTRUCTIONS**

Committee on Constitutional & Gaming Issues recommends passage.

3 2005-S 773 SUB A**BY Felag****ENTITLED, AN ACT RELATING TO FINANCIAL INSTITUTIONS -- CHECK
CASHING**

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

4 2005-S 244**BY McCaffrey****ENTITLED, AN ACT RELATING TO PROPERTY -- MECHANICS' LIENS**

Committee on Judiciary recommends passage.

5 2005-S 270 as amended**BY Revens****ENTITLED, AN ACT RELATING TO PROBATE PRACTICE AND PROCEDURE
-- GUARDIANSHIP OF MINORS**

Committee on Judiciary recommends passage as amended.

6 2005-S 430**BY Caprio F****ENTITLED, AN ACT RELATING TO PROBATE PRACTICE**

Committee on Judiciary recommends passage.

7 2005-S 431

BY Caprio F

ENTITLED, AN ACT RELATING TO PROPERTY -- POWERS

Committee on Judiciary recommends passage.

8 2005-S 442

BY Montalbano J

**ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE -- SEARCH
WARRANTS**

Committee on Judiciary recommends passage.

IN ORDER FOR THURSDAY, MARCH 31, 2005:

1 2005-S 133

BY Blais

**ENTITLED, AN ACT RELATING TO MILITARY SERVICE -- ACTIVE DUTY
TAX EXEMPTION**

Committee on Commerce, Housing & Municipal Government recommends passage.

2 2005-S 247 as amended

BY Lenihan

ENTITLED, AN ACT RELATING TO THE GENERAL ASSEMBLY - LOBBYING

Ordered on the Calendar

IN ORDER FOR TUESDAY, APRIL 5, 2005:

1 2005-S 713

BY Blais

**ENTITLED, AN ACT RELATING TO HEALTH AND SAFETY -- UNIFORM
ANATOMICAL GIFT ACT**

Committee on Judiciary recommends passage.

Tuesday, March 29, 2005